**CALIFORNIA COASTAL COMMISSION**
NORTH COAST DISTRICT OFFICE
1385 8th STREET SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FAX (707) 826-8960

# W12a

## CDP 1-20-0539 (PACIFIC GAS & ELECTRIC)

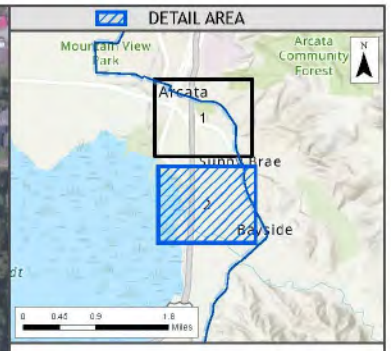
## JULY 13, 2022

## EXHIBITS

**Table of Contents**

Exhibit 1 – Location and Affected Parcels Maps
Exhibit 2 – ESHAs, Plant Communities and Potential Impact Areas
Exhibit 3 – Estimated Work Scope Based on Previous Inspections
Exhibit 4 – Additional Project Info (Examples of Vegetation Maintenance and Safety Requirements)
Exhibit 5 – Proposed Bird Nest Avoidance Procedures
Exhibit 6 – Excerpts from Conceptual and Final Draft Offsite Habitat Mitigation Plan
Exhibit 7 – Site Photos
Exhibit 8 – Excerpts from Cultural Constraints Report
Exhibit 9 – Coastal Commission Emergency Permits
Exhibit 10 – Excerpts of Open Space Easement
Exhibit 11 – Project Comments and Applicant's Responses

DETAIL AREA
Mountain View Park
Arcata Community Forest
Arcata
Sunny Brae
Bayside
Potential Impact Area
Sheet Boundary
Coastal Zone
Streams
Access Route
Foot Access
N
0 250 500 1,000
Feet
Project Work Areas, Access Routes, and Parcel Map
Sheet 1 of 2
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
www.erm.com
ERM
PG&E
Arcata
Arcata Plaza
Amtrak Thruway-Arcata
Redwood Park
Arcata Community Park
503-202-004
503-202-002
503-202-003
501-042-010
501-042-017
501-042-014
501-042-024
501-042-008
PC
1
2
N/A
Samoa Blvd
Redwood Hwy
Union St
Bayside Rd
Grotzman Rd
Grotzman Ln
Crescent Way
Buttermilk Ln
Park Ave
Fickle Hill Rd
Spring St
Bayview St
E 11th St
11th St
12th St
7th St
6th St
5th St
4th St
Winery
Western Pacific
EXHIBIT NO. 1
CDP APPLICATION NO.
1-20-0539
(PG&E)
LOCATION AND AFFECTED PARCELS MAPS




Potential Impact Area
Sheet Boundary
Coastal Zone
Streams
Access Route

N

0 250 500 1,000
Feet

**Project Work Areas, Access Routes, and Parcel Map**

Sheet 2 of 2

*PG&E Arcata Multiple CCC 2019*

Environmental Resources Management
www.erm.com

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DETAIL AREA
Mountain View Park
Arcata
Arcata Community Forest
Sunny Brae
Bayside
2
3
4
0 0.45 0.9 1.8 Miles
Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Access Route
Foot Access
Sensitive Habitats
Open water
Wetland (palustrine emergent)
Wetland (palustrine forested)
Riparian
Riverine
N
0 100 200 400
Feet
Sensitive Habitats
Sheet 1 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
www.erm.com
ERM
PG&E
Hill St
Union St
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Arcata Community Park
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Samoa Slough
7th St
Redwood Hwy
Samoa Blvd
D St
5th St
4th St
E St
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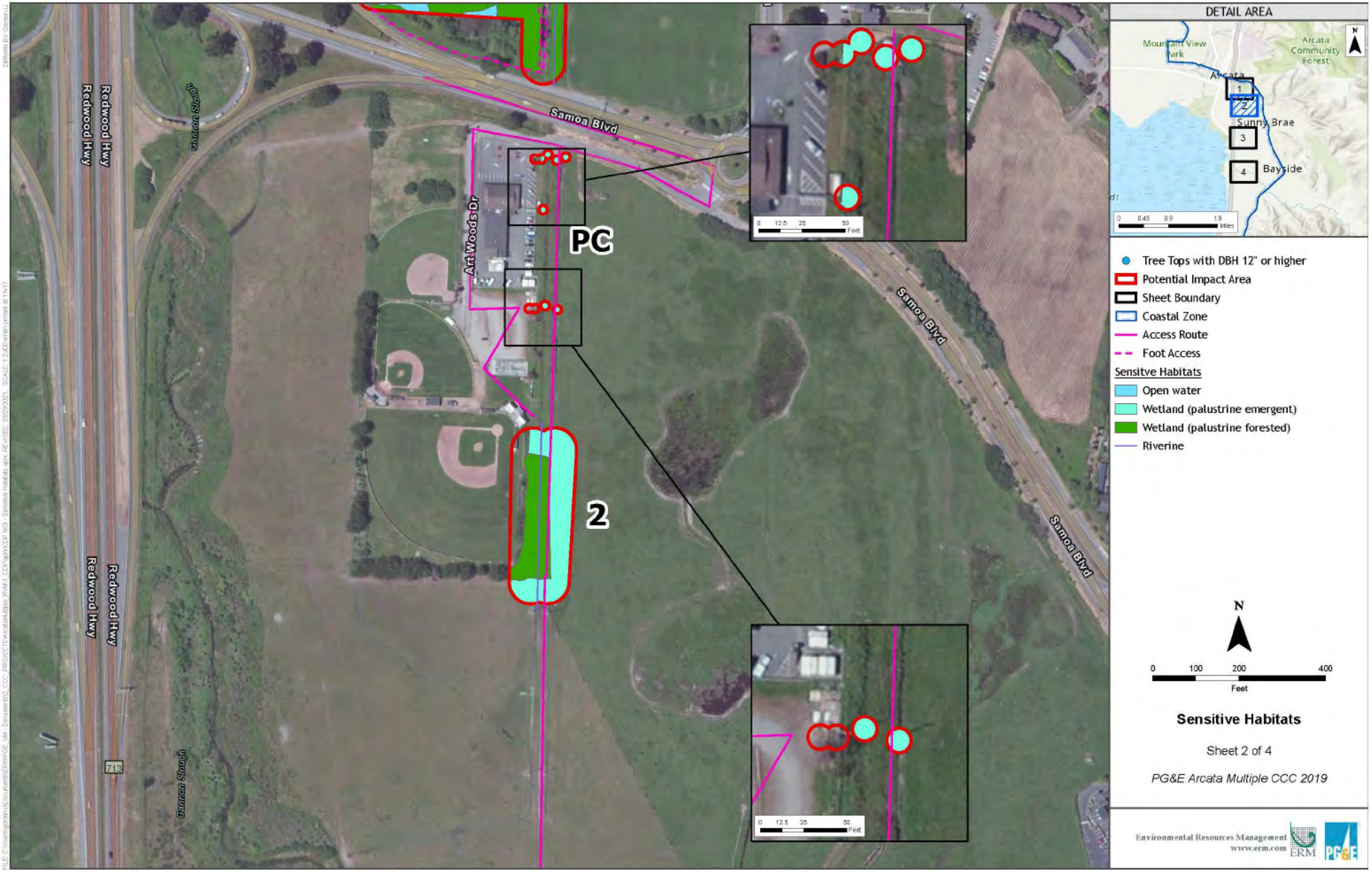
EXHIBIT NO. 2
CDP APPLICATION NO.
1-20-0539
(PG&E)
ESHAs, Plant Communities, and Potential Impact Areas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Mountain View Park
Arcata Community Forest
Arcata
Sunny Brae
Bayside
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Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Access Route
Foot Access
Sensitve Habitats
Open water
Wetland (palustrine emergent)
Wetland (palustrine forested)
Riverine
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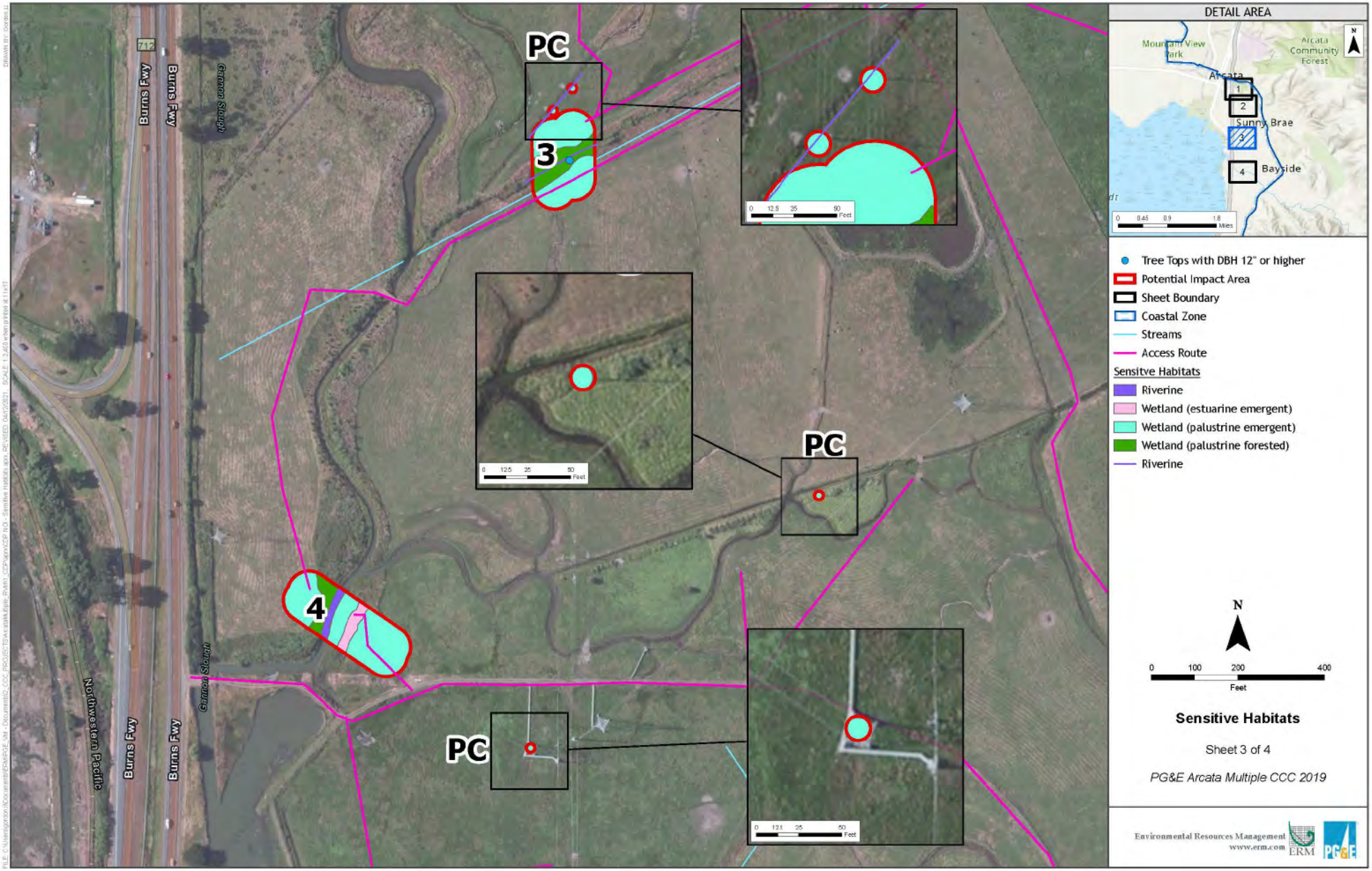
Sensitive Habitats
Sheet 2 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
www.erm.com
Samoa Blvd
Art Woods Dr
Redwood Hwy
Gannon Slough
PC
2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Mountain View Park
Arcata Community Forest
Arcata
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Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
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Access Route
Sensitve Habitats
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Wetland (estuarine emergent)
Wetland (palustrine emergent)
Wetland (palustrine forested)
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Sensitive Habitats
Sheet 3 of 4
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Burns Fwy
Northwestern Pacific
Gannon Slough
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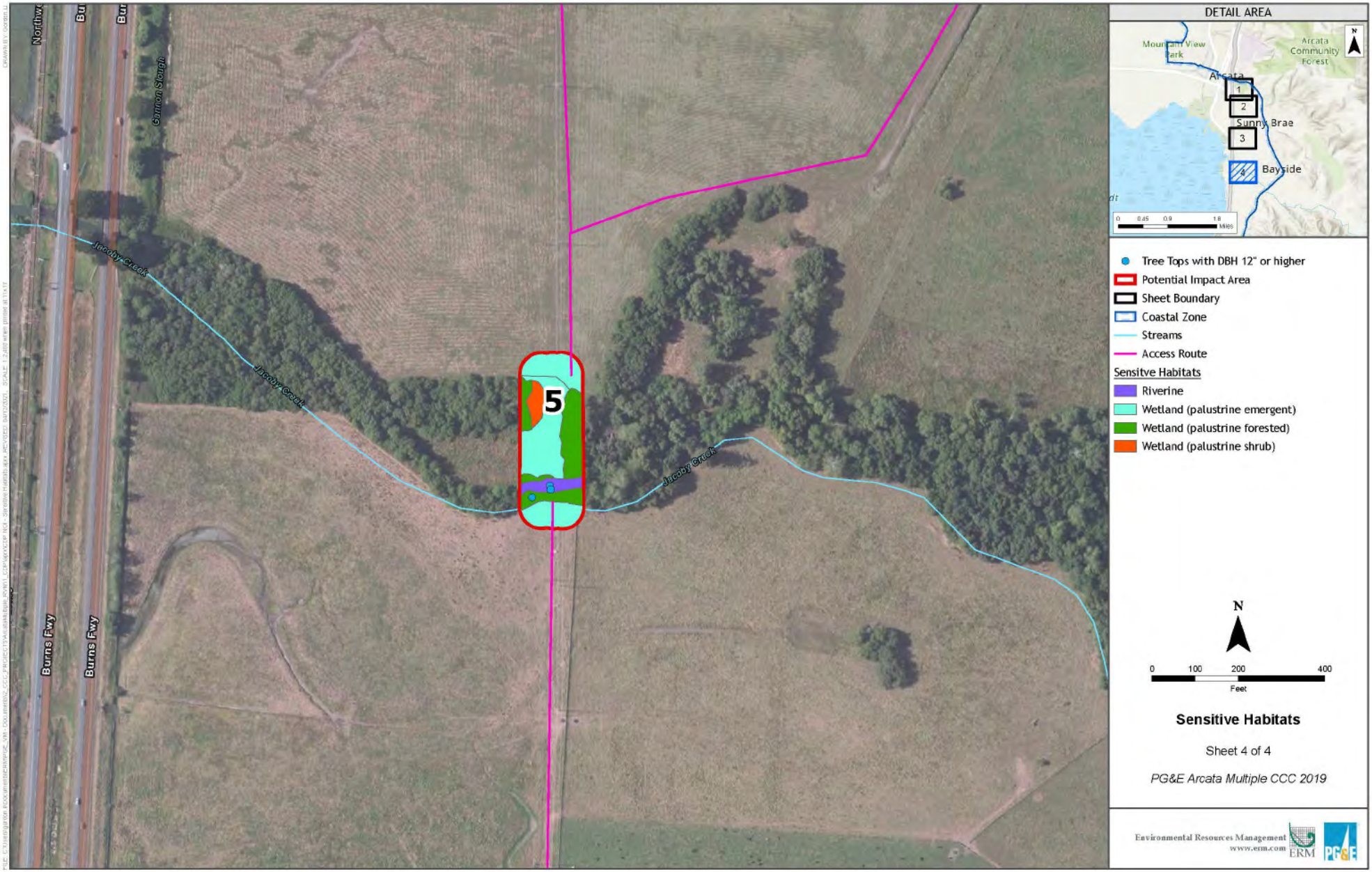
DETAIL AREA
Mountain View Park
Arcata Community Forest
Arcata
Sunny Brae
Bayside
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Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Streams
Access Route
Sensitve Habitats
Riverine
Wetland (palustrine emergent)
Wetland (palustrine forested)
Wetland (palustrine shrub)
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Sensitive Habitats
Sheet 4 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
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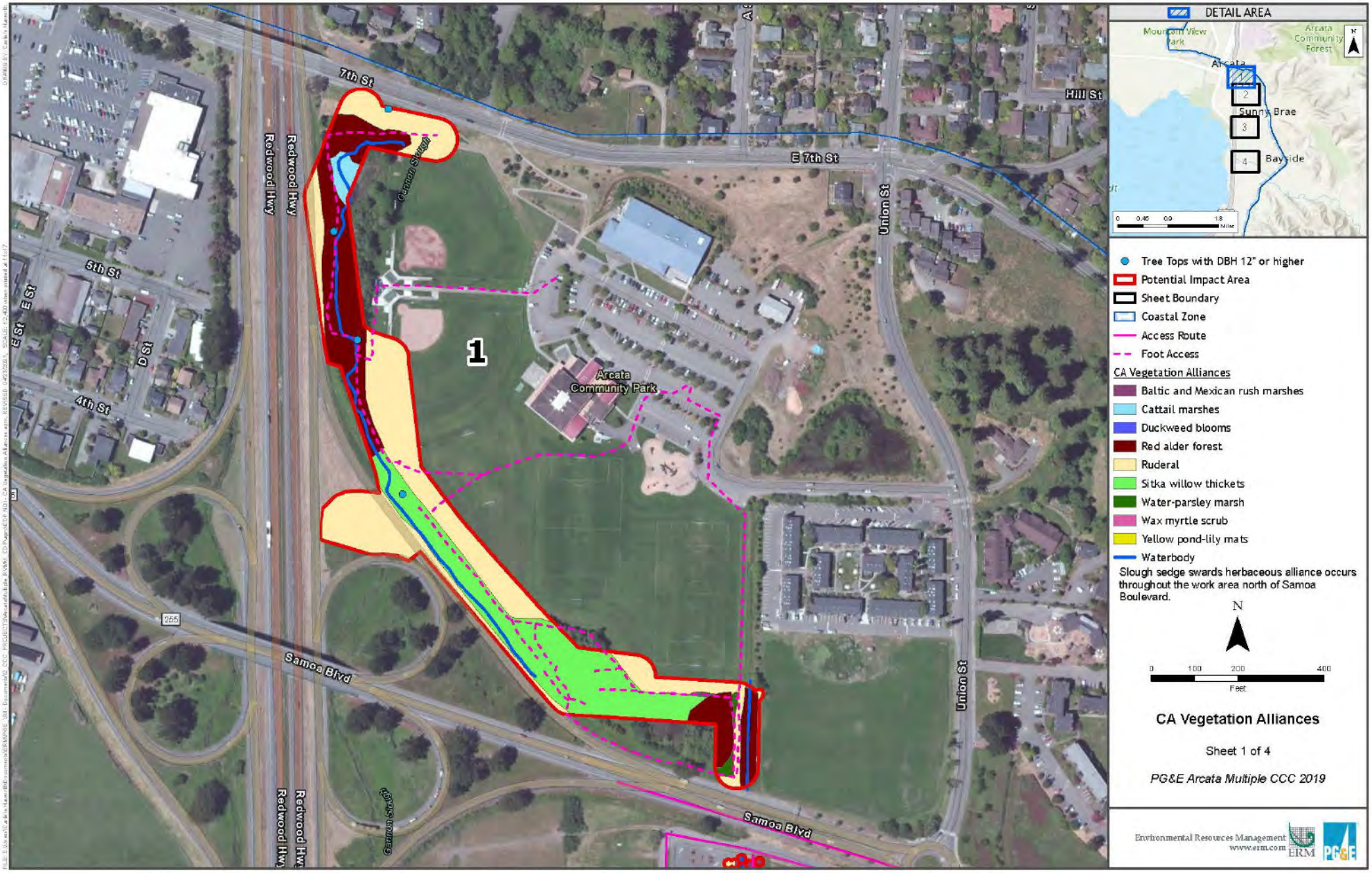
Jacoby Creek
Jacoby Creek
Gannon Slough
Burns Fwy
Burns Fwy
5


DETAIL AREA
Mountain View Park
Arcata Community Forest
Arcata
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Sunny Brae
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Bayside
0 0.45 0.9 1.8 Miles
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Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Access Route
Foot Access
CA Vegetation Alliances
Baltic and Mexican rush marshes
Cattail marshes
Duckweed blooms
Red alder forest
Ruderal
Sitka willow thickets
Water-parsley marsh
Wax myrtle scrub
Yellow pond-lily mats
Waterbody
Slough sedge swards herbaceous alliance occurs throughout the work area north of Samoa Boulevard.
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CA Vegetation Alliances
Sheet 1 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
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Union St
Redwood Hwy
Redwood Hwy
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Gannon Slough
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Samoa Blvd
Samoa Blvd
Union St
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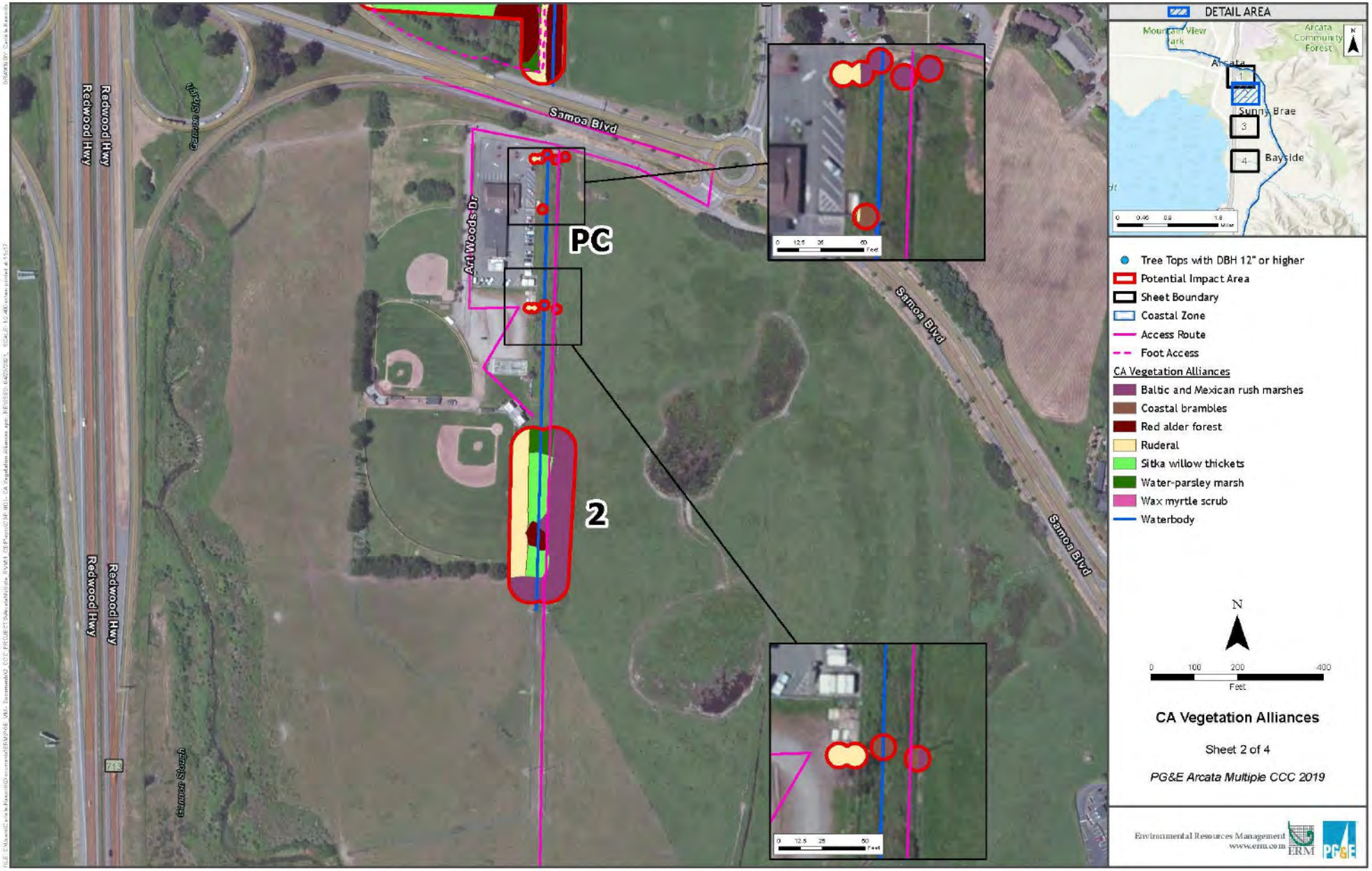
DETAIL AREA
Mountain View Park
Arcata Community Forest
Arcata
Sunny Brae
Bayside
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Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Access Route
Foot Access
CA Vegetation Alliances
Baltic and Mexican rush marshes
Coastal brambles
Red alder forest
Ruderal
Sitka willow thickets
Water-parsley marsh
Wax myrtle scrub
Waterbody
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Feet
CA Vegetation Alliances
Sheet 2 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
www.erm.com
ERM
PG&E
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Art Woods Dr
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Redwood Hwy
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Gannon Slough
Gannon Slough
Samoa Blvd
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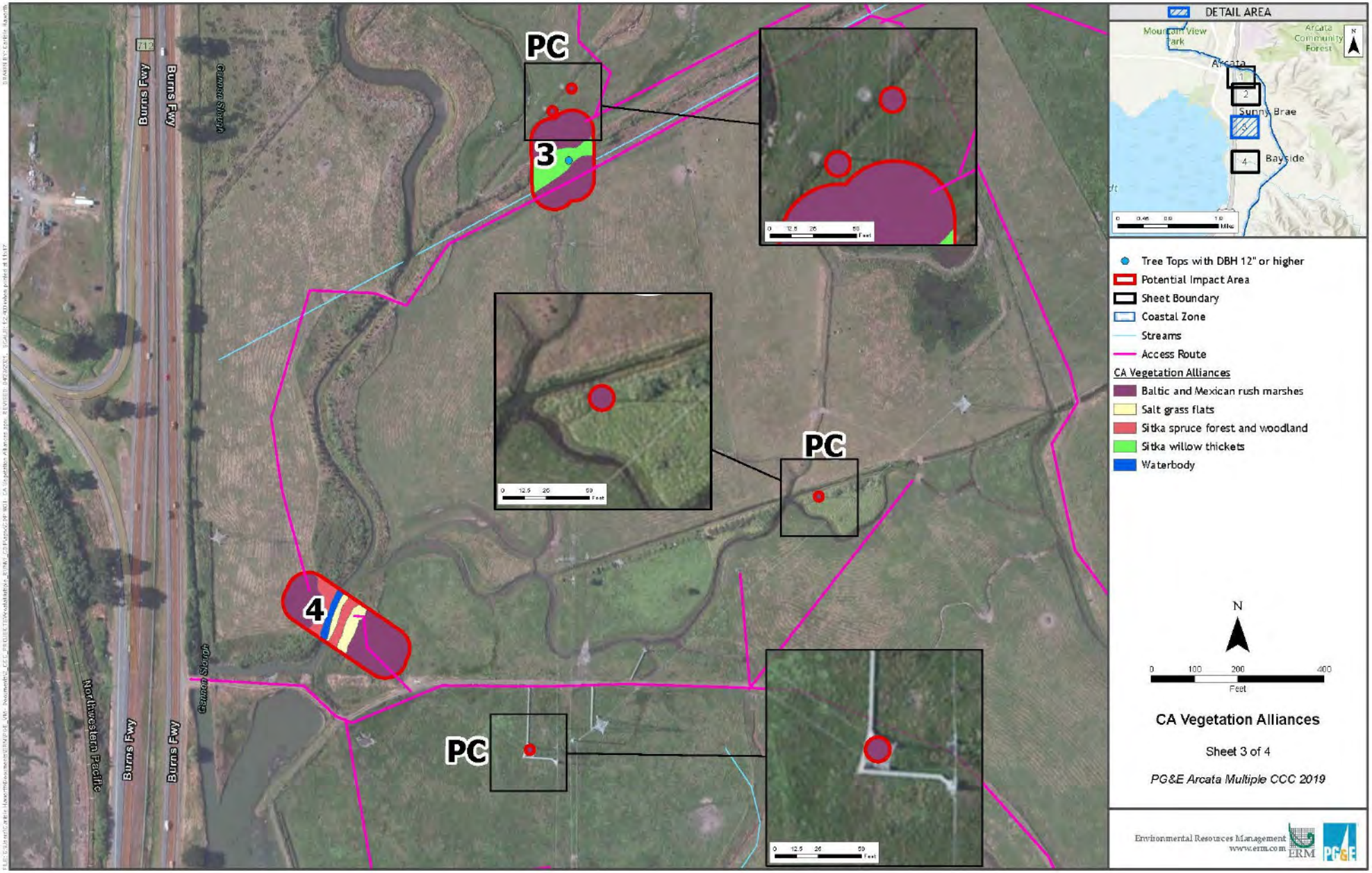
PC
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PC
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Burns Fwy
Burns Fwy
Burns Fwy
Burns Fwy
Gannon Slough
Gannon Slough
Northwestern Pacific
DETAIL AREA
Mountain View Park
Arcata Community Forest
Arcata
Sunny Brae
Bayside
Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Streams
Access Route
CA Vegetation Alliances
Baltic and Mexican rush marshes
Salt grass flats
Sitka spruce forest and woodland
Sitka willow thickets
Waterbody
N
0 100 200 400
Feet
CA Vegetation Alliances
Sheet 3 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
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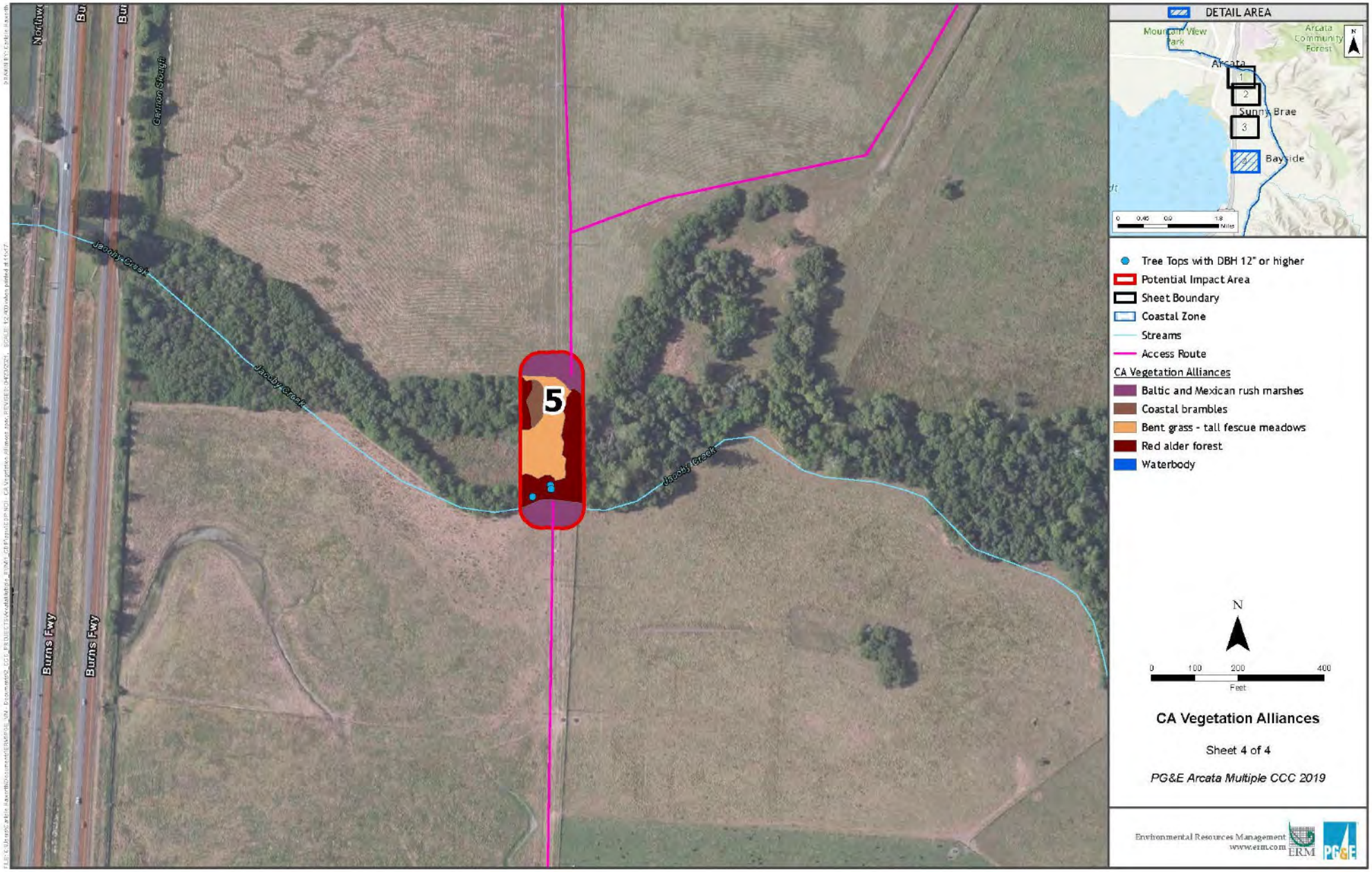
ERM
PG&E


DETAIL AREA
Mountain View Park
Arcata Community Forest
Arcata
Sunny Brae
Bayside
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0 0.45 0.9 1.8 Miles
Tree Tops with DBH 12" or higher
Potential Impact Area
Sheet Boundary
Coastal Zone
Streams
Access Route
CA Vegetation Alliances
Baltic and Mexican rush marshes
Coastal brambles
Bent grass - tall fescue meadows
Red alder forest
Waterbody
N
0 100 200 400
Feet
CA Vegetation Alliances
Sheet 4 of 4
PG&E Arcata Multiple CCC 2019
Environmental Resources Management
www.erm.com
ERM
PG&E
Jacoby Creek
Jacoby Creek
Jacoby Creek
Carlson Slough
Burns Fwy
Burns Fwy
5

**Attachment 12**
**Estimated Work Scope Based on Previous Inspections**

| Site* | Location/Acres of Impacted Land | Types of Sensitive Habitat Present | Proposed Tree Work | Proposed Brush Work** | Estimated Volume of Material ($yd^3$) | | |
|---|---|---|---|---|---|---|---|
| | | | | | Per Year | 5-Year Permit | 10-Year Permit |
| 1 | Sports Complex (5.66 Acres) | Open water<br>Wetland (palustrine emergent)<br>Wetland (palustrine forested)<br>Riparian<br>Riverine | 12 alder trims *(single stem ranging from 10-19 inches DBH)*<br>2 cedar trim *(14-inch and 23-inch DBH trees)*<br>2 willow trim *(12-inch and 15-inch DBH trees)*<br>7 alder tops *(single and multi-stems ranging from 5-11 inches DBH)****<br>6 Bigleaf maple top *(Single and multi-stems ranging from 3-9 inches)*<br>3 fruit tree tops *(single stem ranging from 3-5 inches DBH)*<br>1 plum top *(multi-stem all less than 12 inches DBH)*<br>68 willow tops *(single and multi-stems ranging from 2-18 inches DBH)* | trimming of 22 brush units | 286 | 1430 | 2860 |
| 2 | Little League Fields (1.29 Acres) | Wetland (palustrine emergent)<br>Wetland (palustrine forested)<br>Riverine | 1 Monterey cypress trim *(multi-stem 17-inch and 5-inch DBH)*<br>29 willow tops *(single and multi-stems ranging from 2-6 inches DBH)* | trimming of 10 brush units | 82.5 | 412.5 | 825 |
| 3 | Gannon Slough (0.65 Acres) | Wetland (palustrine emergent)<br>Wetland (palustrine forested)<br>Riverine | 4 alder removals *(DBH less than 12 inches*<br>14 willow removals *(multi-stem 8-inch average DBH)*<br>1 alder top *(16-inch DBH tree)* | 0 | 44.2 | 221 | 442 |
| 4 | Highway 101 (0.84 Acres) | Riverine<br>Wetland (estuarine emergent)<br>Wetland (palustrine emergent)<br>Wetland (palustrine forested) | 6 spruce removals *(6-inch DBH trees)* | 0 | 14 | 70 | 140 |
| 5 | Bayside Cutoff (1.32) | Riverine<br>Wetland (palustrine emergent)<br>Wetland (palustrine forested)<br>Wetland (palustrine shrub) | 1 alder trim *(18-inch DBH tree)*<br>7 willow removals *(8-inch DBH trees)*<br>3 willow tops *(DBH ranging from 12-20 inches)* | removal of 3 brush units | 32.6 | 163 | 326 |
| PC | Pole Clears (0.10) | Wetland (palustrine emergent) | 5 willow trims *(DBH ranging from 10-39 inches)*<br>4 willow tops *(20-inch DBH trees)*<br>2 plum removals *(6-inch and 10-inch dbh trees)*<br>7 willow removals *(DBH ranging from 4-6 inches)* | removal of 65 brush units | 298 | 1490 | 2980 |
| **Total** | **10.86** | | **185** | **100** | **757.3** | **3786.5** | **7573** |

* Sites are identified on figures 2 and 3.
** A brush unit is defined as a 6 foot by 6 foot by 6 foot area of brush.
*** "Tops" refers to pruning the top section of the canopy by removing the main stems of the tree/vegetation that constitute the hazard

*(Adapted from PG&E)*

**EXHIBIT NO. 3**
CDP APPLICATION NO.
1-20-0539
(PG&E)
**Estimated Work Scope**

**PG&E Vegetation Management**
**City of Arcata**

**Additional Information in Support of CDP Application**

## i. Section II. Question 3 (proposed development)

This application is a follow-up to the Emergency CDP (1-20-0031) issued to PG&E on July 2, 2020 as required by the Condition 15 summary received for that application. PG&E proposes the following vegetation management activities in and around the Arcata Sports Complex, Arcata Little League Fields, and the Jacoby Creek-Gannon Slough Wildlife Area. PG&E utilizes a set of Best Management Practices (BMPs), Field Protocols (FPs), and Avoidance and Mitigation Measures (AMMs), as applicable to the work scope and project location, on all their projects. The applicable Multi-Region Operations and Maintenance Habitat Conservation Plan (MR HCP) BMPs, FPs, and AMMs (approved by the USFWS) and other proposed measures are included in **Attachment 7** of this application package.

### Vegetation Maintenance

PG&E must perform ongoing vegetation management to comply with existing state and federal laws and regulations. This is crucial for maintaining reliable service, especially during severe weather or disasters. Tree limb and branch contact with energized conductors is a potential cause of power outages and a possible ignition source for fires. For purposes of this Coastal Development Permit, these vegetation management activities are categorized as pole and tower clearing activities, limbing and pruning and hazard tree removal activities. Supporting photos and figures are included at the bottom of this document.

- Pole/Tower Clearing

  PG&E is required to maintain minimum clearances of vegetation around transmission poles for and transmission tower pads for fire protection. This practice is often referred to as brushing, and it is the practice used to maintain clearance around subject (non-exempt) poles and towers of flammable vegetation for compliance with Public Resources Code (PRC) 4292. PG&E also maintains clearances in some Local Responsibility Areas per CPUC G.O. 95, Rule 35, which includes locations where the local fire department (not the State) has primary fire suppression responsibility—as well as what is required in the California Independent System Operator's (CAISO's) maintenance practice agreements, which require PG&E to access and inspect poles and towers. **Photo 1** is an example subject pole.

  Typically, a 10-foot radial clearance around subject (non-exempt) poles is maintained in compliance with existing state and federal laws, rules, and regulations. Greater clearance is obtained for transmission towers, as needed. **Figure 1** provides an example of pole clearing (brushing) requirements (refer to PRC 4292). Vegetation typically is hand-cleared with power brush cutters (weed whackers or string trimmers) or chainsaws. Brush and tree pruning will be hand carried off-site and removed to a permitted disposal location offsite. Placement of debris on resources, such as known special-status plant populations or streams, would be avoided to avoid any impacts. Pole and tower clearing activities typically occur annually or as needed based on local conditions.

  Woody vegetation around the base of the transmission poles within and outside of the transmission tower cages and around the footings of a single-leg tower are cleared to

allow a 100% visual inspection of the structure footing(s) and to maintain the integrity of the pole tower structure. Work is performed as follows:

- All woody or vine material capable of growing to a mature height greater than 3 feet is removed from the interior of the tower/pole structure and to a distance of 5 feet around the structure.
- All woody or vine material capable of growing to a mature height of greater than 10 feet is removed to a distance of 10 feet around the structure.
- Any limbs or branches growing into contact with a structure are removed to a minimum distance of no less than 10 feet from any portion of the structure.

- Limbing and Pruning

  PG&E regularly maintains vegetation near primary electrical powerlines to prevent electrocution during a storm or accident, reduce the risk of fire due to arcing or sparking, and prevent power outages. Regular tree pruning also must be performed to comply with existing state and federal laws, rules, and regulations, including PRC 4923 (as shown in table below) and CPUC G.O. 95; and clearance between conductors and vegetation must be maintained at all times in all conditions (e.g., sway, sag, and line loading) throughout the year. Pruning must be done before limbs and branches grow to within the minimum clearance distances and will result in greater than the minimum distances to allow for new growth. In addition, the clearances between lines and vegetation must be visible from the ground, and sufficient for personnel working around lines to keep themselves and their tools away from danger. The CPUC, the North American Electric Reliability Council, the CAISO, and the California Department of Forestry and Fire Protection (CAL FIRE) monitor compliance with the clearance standards and take prompt enforcement action when clearances are not maintained. These limbing and pruning activities are often referred to as line clearing. Included in this level of work are hand tool removal of small tree ingrowth and resprouting vegetation previously removed by PG&E.

  The line clearances can vary depending on the voltage of the line, type of construction, and field conditions. At a minimum, the clearances shown in Table 1 below must be maintained for transmission and distribution powerlines. These clearances are based on current regulations and subject to change as the regulations are modified or updated. The distribution and both transmission lines located at the project area are 12kV and 60kV respectively.

**Table 1: Required Clearances for Transmission and Distribution**

| Voltage | Clearance |
|---|---|
| 500 kV | 25 feet |
| 220 kV | 25 feet |
| 115 kV | 15 feet |
| 33 to 66 kV | 12 feet |
| <33 kV | 4 feet |

State regulations require that minimum distances are kept at the time the vegetation is pruned; that is, pruning must be done before limbs and branches grow to within these distances and must result in greater than the minimum distances to allow for new growth. PG&E's standard approach to line clearing is to obtain the maximum amount of clearance possible and for the longest period of time possible, while taking into consideration the overall health of the tree. Limbing and pruning work typically takes place annually, but sometimes is needed more frequently.

Line clearing activities for transmission and distribution facilities occur in two distinct zones, as depicted in **Figures 2 and 3**. The first is within the designated right-of-way (wire zone) where lines, poles, towers, and related facilities are located. The actual right-of-way width, and subsequently the vegetation management zone, may vary, depending on the line voltage and particularly at mid-span to accommodate the maximum sway of the conductors. This zone will be kept clear of trees that can grow into or come within the flashover zone of the conductors.

The second vegetation management zone is variable in width and extends out from the edge of the right-of-way. This zone is depicted in **Figure 2** as the border zone. The width of the border zone is determined by terrain, tree height, and sway of the conductors. Limbing and pruning will be completed within the border zone to reduce the risk of trees or branches falling onto lines, or lines sagging or swaying into trees. Some small, low-growing shrubs and plants may be permitted. Additionally, trees within the border zones should not have any portion of their canopies growing adjacent to the lines. **Figure 4** illustrates incompatible vegetation in the border zone, and **Figure 5** provides examples of swaying and sagging powerlines.

- Hazard Tree Work

  A hazard or danger tree is a tree located on or adjacent to the PG&E right-of-way or facility that could damage PG&Es facilities should it fall where (1) the tree leans toward the right-of-way; or (2) the tree is defective because of any cause, such as heart or root rot, shallow roots, excavation, bad crotch, dead or with dead top, deformity, cracks or splits, or any other condition that could result in the tree or a main lateral of the tree falling. This may include dead, diseased, dying, or green trees. Hazard tree work includes felling hazard trees located in or beyond the PG&E's rights-of-way (in the wire zone, border zone, or hazard tree zone, as depicted in **Figure 2**).

  Hazard tree work may include individual trees or larger groups of trees that meet the definition of a hazard or danger tree as a result of landslides, storms, wildfire, drought, insects, or erosion. It also may include green trees that have characteristics prone to causing outages, such as long limbs near lines that tend to blow or break out in storms, low trunk diameter-to-height ratios that tend to bend over under snow loads, shallow root systems that uproot under saturated soils, and exposed roots along road or stream banks.

  Trees usually are removed with chainsaws, pole pruners, and hand saws; work may be conducted from ground level, by tree climbing, or from lift trucks.

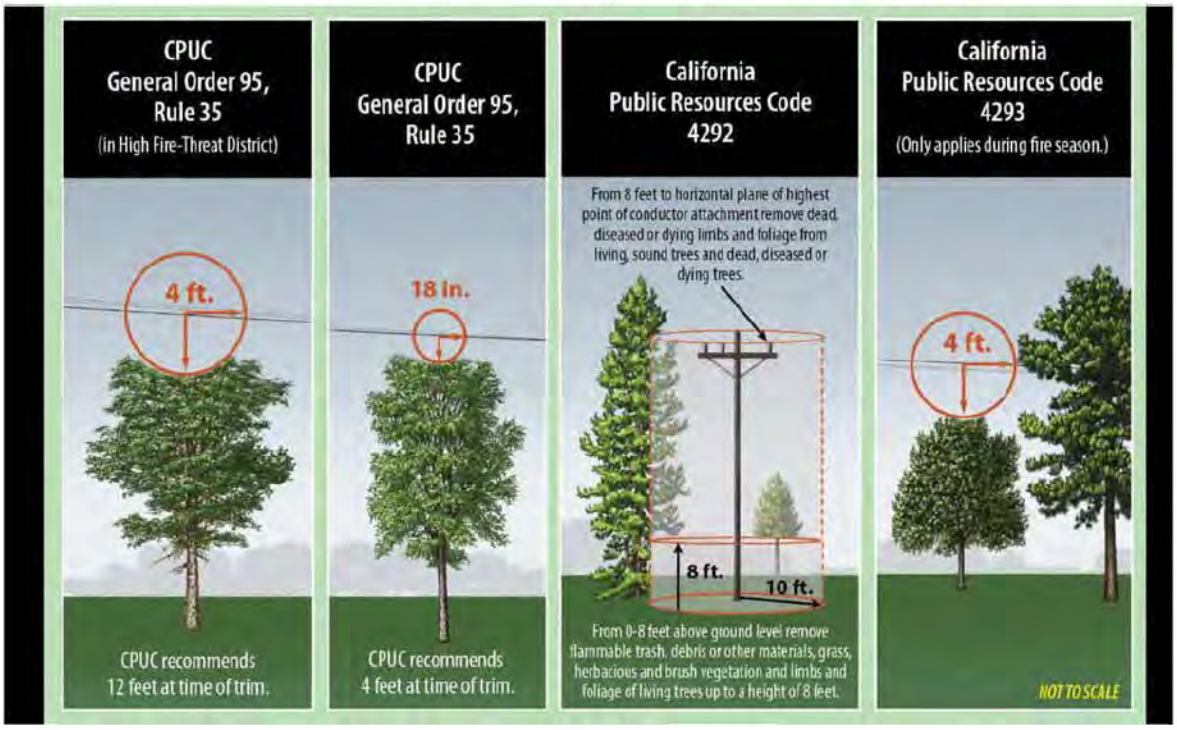
**Visual Aid to Support Further Understanding of Work Activities**

**Photos**

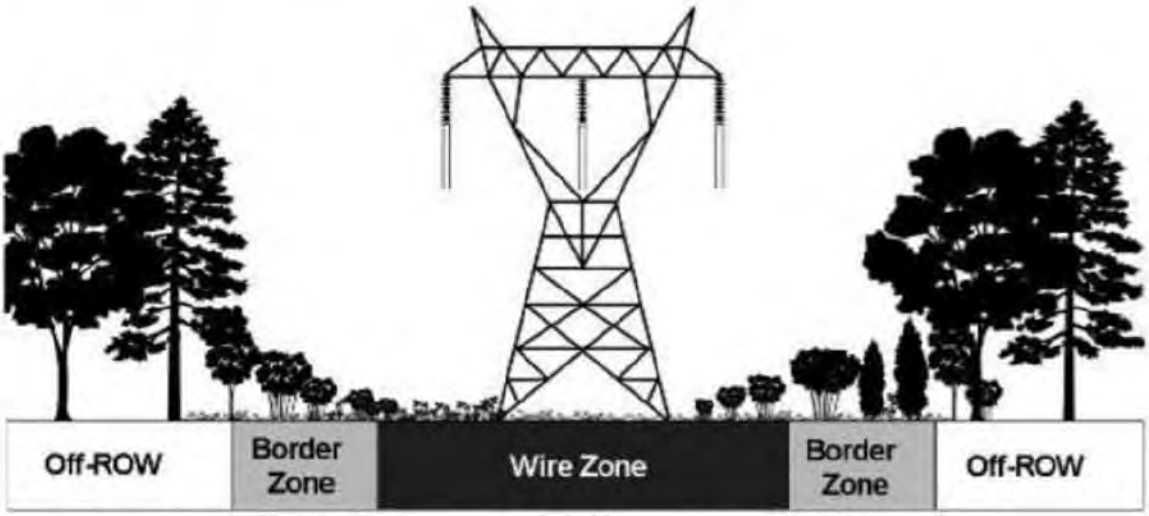
1. Example Subject Pole

## Figures

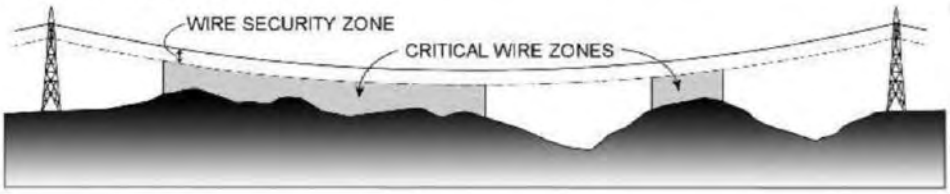
1. Example of Pole Clearing (Brushing) and Limbing/Pruning (Line Clearing) Requirements



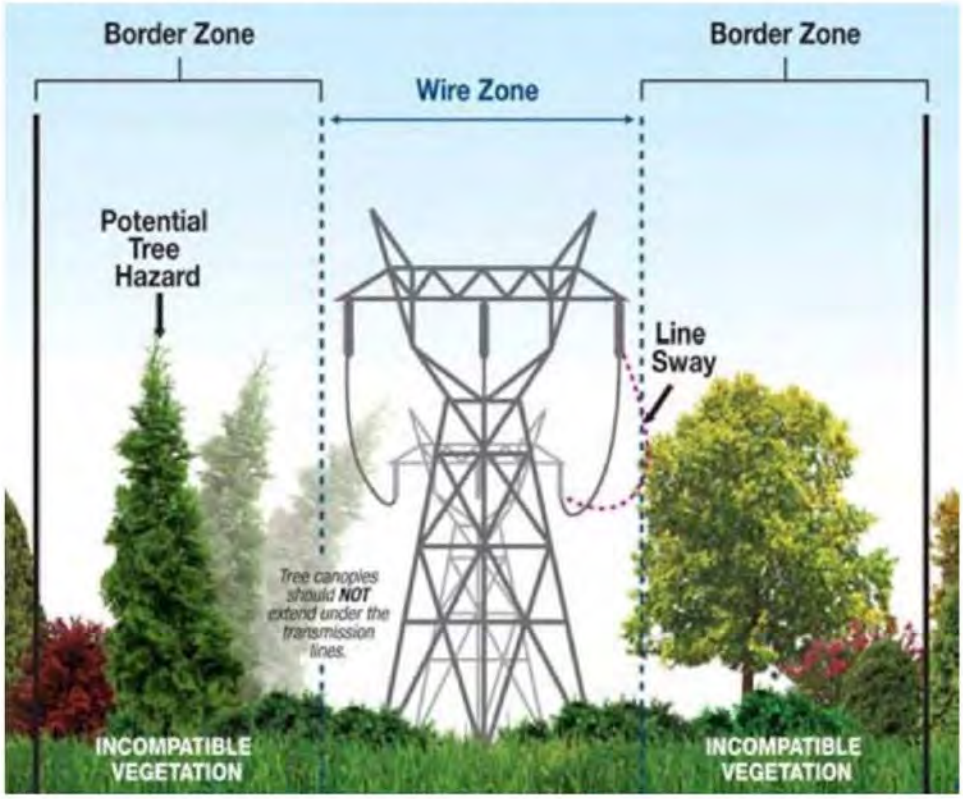

2. Wire Zone and Border Zone



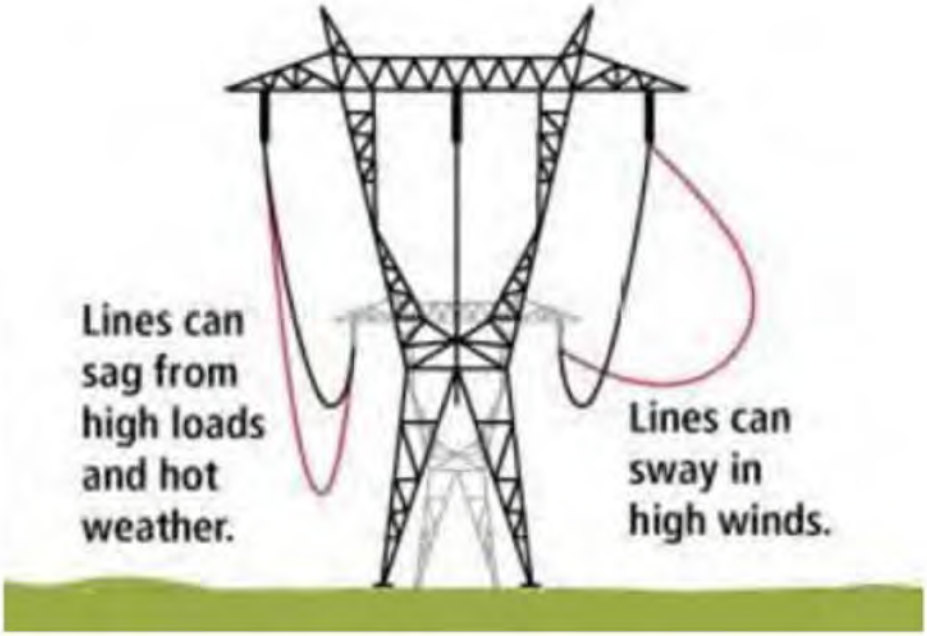
3. Profile View of the Wire Zone




4. Incompatible Vegetation in wire Zone and Border Zone

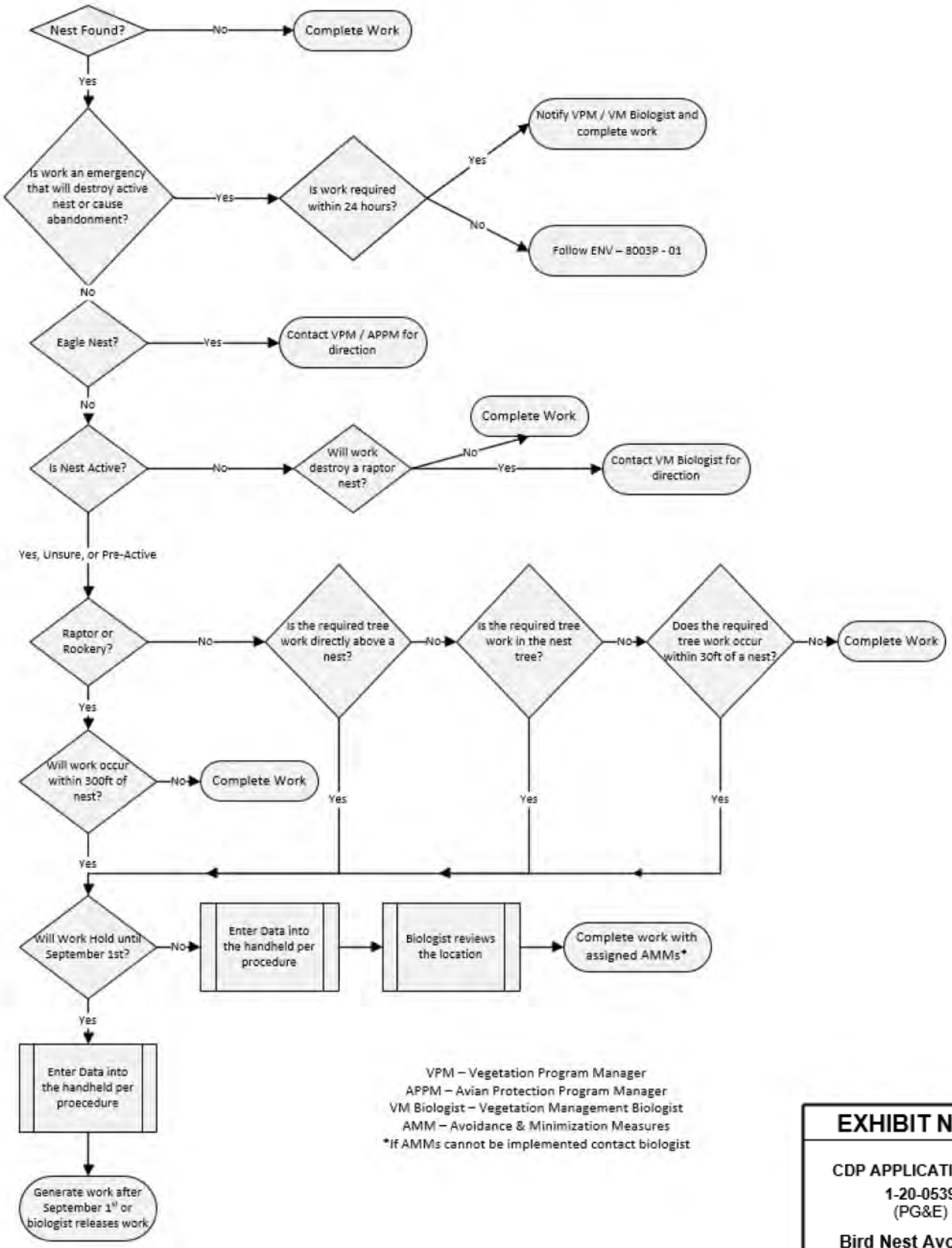



5. Examples of Sagging and Swaying Powerlines



# Vegetation Management Bird Nest Procedure

## Attachment 1, VM Bird Nest Brochure




VPM – Vegetation Program Manager
APPM – Avian Protection Program Manager
VM Biologist – Vegetation Management Biologist
AMM – Avoidance & Minimization Measures
*If AMMs cannot be implemented contact biologist

**EXHIBIT NO. 5**

**CDP APPLICATION NO.**
**1-20-0539**
(PG&E)

**Bird Nest Avoidance Procedures**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# Vegetation Management Bird Nest Procedure

**Attachment 1, VM Bird Nest Brochure**

**Active nests are protected by law.**

**When and Where Birds Typically Nest**

- Nesting season is generally February 15 to August 31, but active nests may occur nearly year-round.
- Nests can be in trees, shrubs, and cavities; on the ground; and on/in poles and towers.
- There is a wide variety of nests – from eggs laid right onto a flat area on the ground to complex cup-shaped baskets made from natural and artificial materials to large platforms made from sticks.

**When Inspecting Trees (Pre-Inspectors [PI])**

- Look for nests in trees and brush to be worked and in the surrounding area.
- Inspect cavities in trees to be worked and in nearby trees/poles for signs of nesting (whitewash or feathers by the opening or on the ground below, birds coming and going from the hole, and sounds of baby birds).
- Try to locate a nest in the area if you hear sounds of baby birds or see agitated adult birds.

**When Working Trees (Tree Crews)**

- Unless the work is an emergency or a biologist has given approval, work should **not** be done:
  - **Within ½ mile of eagle-sized active nests.**
  - **Within 300 feet of raptor active nests.**
  - **Directly above, within the nest tree, or within 30 feet of non-raptor active nests.**
- If an inactive nest was identified by PI, verify the nest is inactive before starting work. If possible, use a lift truck to see the entire nest. If eggs or birds are in the nest and work is prescribed in the area described above, do not proceed with the work and contact the Vegetation Program Manager (VPM).
- Be watchful for active nests in all areas. PI may have missed nests or new nests may have been built or become active since the PI patrol. If you find nests with eggs or birds in the areas described above, do not proceed with the work and contact the VPM.
- If an active nest can be positively identified as an exempt species, the above measures do not apply.

**Definitions**

- Active nest: Nests that contain viable eggs or young. Nests under construction are not “active” until eggs or nestlings are present but may become active within days. Perching sites and screening vegetation are not part of the active nest.
- Eagle-sized: 4-feet tall or more, and 6-feet wide or more
- Exempt species: Rock pigeon, Eurasian collared dove, house sparrow, and starling
- Inactive nest: Nests without viable eggs or young.
- Raptor (bird-of-prey): An eagle, hawk, harrier, osprey, owl, falcon, kite or vulture.

**Injured/Dead Birds**

- IF, in the process of performing Vegetation Management/Vegetation Control work, you find a bird that has been killed as a result of interaction with electric facilities, complete the Bird Incident Reporting Form, which will be forwarded to the PS&R Department, who will report to the Avian Protection Program Manager (APPM). If you find a dead eagle, contact the APPM.
- IF a bird is suspected to be injured as a result of electric contact THEN immediately report to the VPM.


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**EXHIBIT NO. 6**

**CDP APPLICATION NO. 1-20-0539** (PG&E)

**Excerpts from Conceptual and Final Draft Offsite Habitat Mitigation Plans**

# Habitat Mitigation Plan – Cock Robin Island

# for PG&E's

# Arcata Ballfields Routine Vegetation Maintenance

**(ECDPs#G-1-20-0031 and G-1-21-0034 and CDP#G-1-20-0539)**

**May 23, 2022**

**Prepared by:**


NCRM

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## Table of Contents

1. Prologue ..... 3
2. Introduction and Background ..... 3
2.1 Project Description, Proponent, and Purpose ..... 3
2.2 Project Locations ..... 3
3. Proposed Restoration and Mitigation ..... 7
3.1 PG&E Restoration Goals ..... 7
3.2 Restoration for Cock Robin Island Project ..... 7
4. Proposed Best Management Practices (BMPs) ..... 11
4.1 Mulch ..... 11
4.2 Foliage Protection Cages ..... 12
5. Monitoring and Maintenance Methods ..... 12
5.1 Vegetative Coverage Monitoring ..... 12
5.2 Plant Success Monitoring ..... 13
5.3 Photo Point Documentation ..... 13
5.4 Maintenance ..... 14
6. Reporting ..... 15
7. Adaptive Management ..... 15
7.1 Plant substitutions ..... 16
7.2 Irrigation ..... 16
7.3 Invasive Species Management ..... 16
8. Expectation of Success ..... 16
9. Agency Approval ..... 17
10. References ..... 17
11. Appendices ..... 17

**List of Figures:**

Figure 1. Vicinity Map
Figure 2. Restoration Locations Map
Figure 3. Cock Robin Island Planting Area

# 1. Prologue

In April of 2022 a conceptual Habitat Mitigation Plan outline was submitted to the California Coastal Commission and is awaiting approval as a condition of this Plan. This HMP is an update and expansion to the concept memo, for the Cock Robin Island mitigation site.

# 2. Introduction and Background

## 2.1 Project Description, Proponent, and Purpose

Pacific Gas and Electric (PG&E) has performed, and will continue to perform, right-of-way (ROW) vegetation maintenance along less than a mile of non-contiguous segments of distribution and transmission lines in the City of Arcata in Humboldt County, CA (Figure 1). Vegetation Management work along powerlines and at the base of poles was conducted in 2020 and 2021 under two emergency issued permits (ECDP#G-1-20-0031 and G-1-21-0034). Within the scope of those ECDPs, there was a combination of pruning and tree removals that required repeated entry into Environmentally Sensitive Habitat Areas (ESHAs) to manage vegetation encroaching on the infrastructure. Additionally, further pruning and some tree removals are anticipated within the same project areas over the next ten years under the to be issued programmatic permit CDP#G-1-20-0539. The proposed vegetation management work is a component of PG&E's requirements to the California Public Utilities Commission (CPUC). The work is necessary to address safety concerns and to improve access in accordance with utility standards and federal law.

The Coastal Act raises issue with the work that was conducted, and is proposed, based on potential adverse impacts to ESHA, wetlands, coastal streams, and sensitive species within the Coastal Zone[1]. In total, the proposed project would result in the impact of approximately 4.78 acres of vegetation within ESHAs. To avoid and minimize these impacts, the California Coastal Commission (CCC) recommended restoration on an equivalent ESHA as mitigation to offset the Arcata Ballfields ESHA impacts. We have designed this Habitat Mitigation Plan (HMP) to address the impacts on the 4.78 acres impacted within ESHAs.

We are proposing to restore a riparian forest in conjunction with California Department of Fish and Wildlife (CDFW) as our lands partner. We have agreed on one key restoration requirement that must be met and provided for in the HMP.

1. Restoration of at least 4.78 acres of riparian woodland or scrub habitat.

## 2.2 Project Locations

The proposed vegetation management along the distribution and transmission lines can be found within the coastal zone of the City of Arcata and unincorporated areas within Humboldt County. As such, parcels within the City of Arcata were sought first for mitigation lands. However, after working for a year and finding projects within city limits that did not meet the CCC standards, we sought mitigation lands within greater Humboldt County and within the Coastal Zone. The area chosen for mitigation is an area with existing mitigation projects on site that PG&E and

[1] The Coastal Zone is defined as *the land which extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less*.



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CDFW are partnered on. The site has the potential to expand to include further areas of riparian forest to restore the currently existing fallow hayfields to a habitat more diverse and natural.

To meet our key restoration requirement, there is one proposed mitigation project location within both Humboldt County and the Coastal Zone: Cock Robin Island (see Figure 1- Vicinity Map). Cock Robin Island (CRI) is located west of Loleta, CA and is accessed off Cannibal Island Road. CRI is located within Section 22 of Township 3N, Range 1W on the Cannibal Island, California, USGS 7.5-minute topographic quadrangle and is within two APNs (#10001113 and 10001114). CRI is eight feet above sea level in the lower Eel River watershed; the island is included in the Eel River Delta Wildlife Area managed by the CDFW.

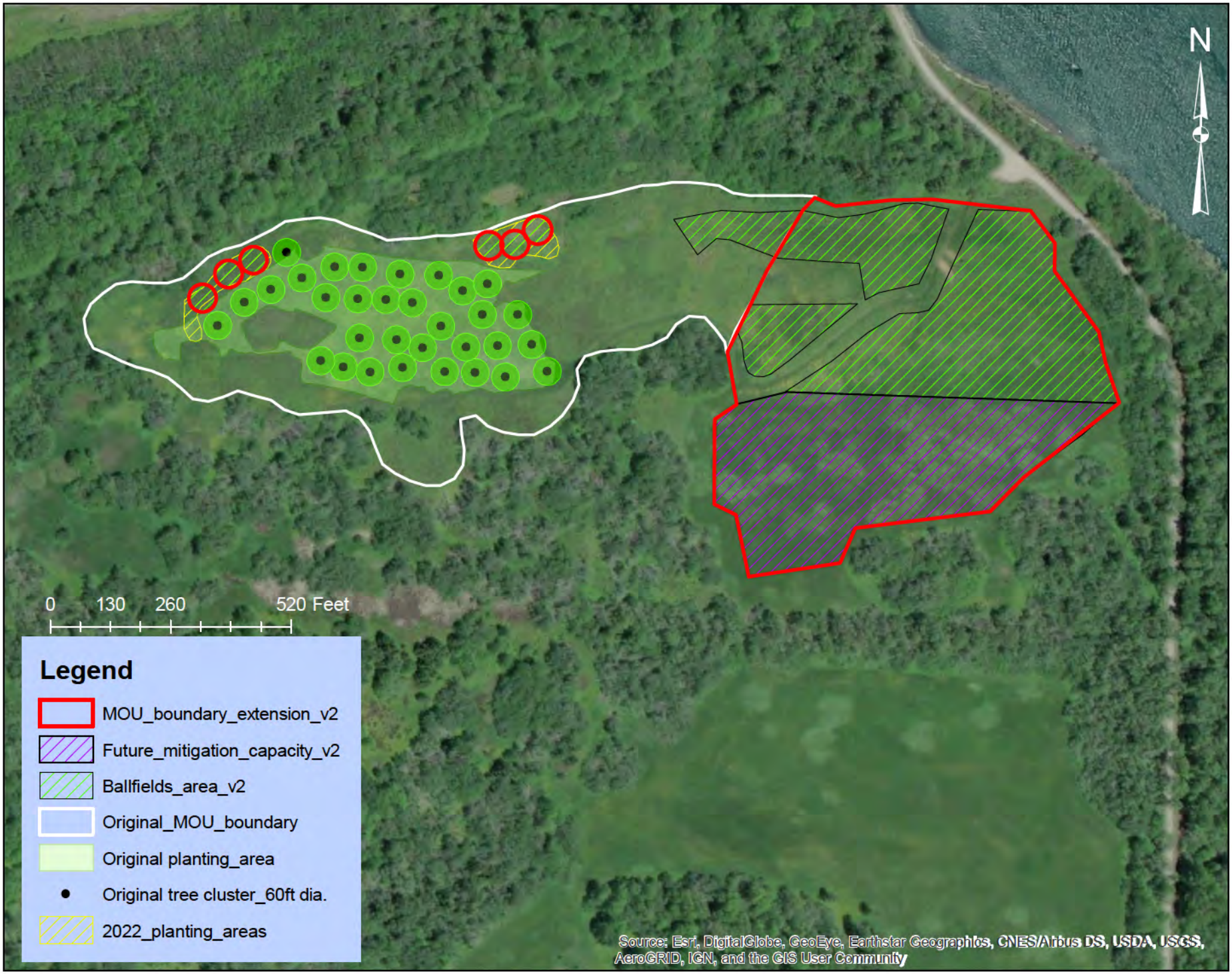
The island holds cultural significance to the Wiyot Tribe, and a portion of the island is owned by the Tribe. The Wiyot people used the island for a refuge to heal from their wounds after the massacre of February of 1860. The Wiyot also returned to the island when they were forced to move to the Hoopa lands after being taken from their homes and villages. Besides using the island as a place for refuge, Wiyot also used it for a fish camp. Wiyot people would clean their catches like salmon, lamprey-eel, and sturgeon since the Eel River was so plentiful for harvest.

Under more recent history, most of the island was managed for farming and livestock grazing from the late 1800's until 1994. In 1994, CDFW purchased 400 acres to help protect existing riparian woodland and to enable the restoration of both wetland and riparian habitats. The island was once a thriving dairy farm, but currently only consists of one residence, which pastures cows on a portion of the island. A portion of one historic hayfield is being considered for the proposed riparian woodland restoration.

For over ten years, the CDFW property on the island site has remained fallow. Although stands of *Rubus ursinus* (California blackberry) are naturally recruiting they are within larger stands of non-native perennial grasses and forbs such as velvet grass (*Holcus lanatus*), perennial ryegrass (*Lolium perenne*), orchard grass (*Dactylis glomerata*), poison hemlock *(Conium maculatum)*, wild radish *(Raphanus raphinastrum),* and sweet vernal grass (*Anthoxanthum odoratum*). The proposed restoration site is surrounded by patches of deciduous riparian vegetation dominated by black cottonwood (*Populus balsamifera*), red alder (*Alnus rubra*), Arroyo willow *(Salix lasiopepsis),* Pacific willow *(Salix lasiandra),* Sitka willow (*Salix sitchensis*), red elderberry (*Sambucus racemosa*), salmonberry (*Rubus spectablis*), common horsetail (*Equisetum arvense*), cow parsnip (*Heracleum maximum*), and stinging nettle (*Urtrica dioica*).

The island has multiple restoration projects that are in different stages, including the original riparian forest that was not converted to grazing lands (southwest of the bridge), restoration sites that were planted in the mid-1990's (sites A and B), and the restoration site that was planted in 2018 (site C; Figure 2). The overall objective of this HMP is to integrate rapidly growing riparian trees and shrubs, and to discourage the non-native grasses and forbs through canopy cover shading to complement the native plant community that currently exists onsite. A benefit of the restoration planting is the increase in riparian structural diversity for wildlife habitat. The goal is to accelerate the process of natural recruitment from a fallow field to riparian woodland scrub habitat.

FIGURE 1
COCK ROBIN ISLAND
Proposed Restoration and Mitigation
Cock Robin Island Project Area
0
0.5
1
2 Miles
N
Mcnulty Slough
Hawk Slough
Hogpen Slough
Quill Slough
Sevenmile Slough
Mosley Slough
Cannibal Island Rd
COCK ROBIN ISLAND
Eel River
Morgan Slough
Loleta
Duncan Rd
Table Bluff Rd
Hookton Rd
South Bay
Clough Rd
Eel River Dr
Peugh Rd
Singley Bar Rd
Nissen Rd
Dillon Rd
Fulmor Rd
Goble Ln
Sage Rd
Riverside Rd
Smith Creek
Reas Creek
Perry Slough
Salt River
Kelly Ln
Van Ness Ave
Meridian Rd
Centerville Rd
Coffee Ln
Scoltini Ln
Coppini Ln
Bush St
5th St
Beckmar Rd
Yea
PRIVATE
PRIVATE 14
UNN 10
UNN 11
PHELAN
QUINN
COPENHAGEN
TABLE BLUFF
HILLCREST
HAWKS HILL
EEL RIVER
US HWY 101
PARK
LOLETA
SCENIC
MONTGOMERY
MAIN
SUMMER
PEUGH
OLD STATE
ECHO
SINGLEY
SINGLEY BAR
CANNIBAL
COCKROBIN ISLAND
SEVENMILE SLOUGH
JOHN HELT
NILES
FULMOR
CAMP WEOTT
MORGAN
GOBLE
SAGE
SUBSTATION
WADDINGTON
STATE HWY 211
RAFFAELLI
KELLY
COFFEE CREEK
BERTELSON
AGGLER
DILLON
NISSEN
PORT KENYON
OLAY
RIVERSIDE
RUSS
DAMON
MERIDIAN
BUSH
RASMUSSEN
CALIFORNIA
MARKET
AMBROSINI
VAN NESS
ARLINGTON
MAIN
CENTERVILLE
BECKMAR
OESCHGER
5TH
4TH
A
OCEAN
FERN
BERDING
HERBERT
ROSE
COPPINI
WITMAN
SCOLTINI


N
0 130 260 520 Feet
Legend
MOU_boundary_extension_v2
Future_mitigation_capacity_v2
Ballfields_area_v2
Original_MOU_boundary
Original planting_area
Original tree cluster_60ft dia.
2022_planting_areas
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# 3. Proposed Restoration and Mitigation

## 3.1 PG&E Restoration Goals

Restoration is defined as removal of invasive or non-native vegetation from an existing, degraded riparian, or wetland habitat area, to be followed by the planting of native trees, shrubs, and herbaceous plants appropriate to the respective habitat type. Within the three CCC permits there is one key restoration requirement that must be met and the CRI location is intended to meet it:

1. Restoration of at least 4.78 acres of riparian woodland or scrub habitat.

## 3.2 Restoration for Cock Robin Island Project

The CRI Riparian Restoration Project began in 1995 and has since evolved into a multi-agency, multi-partner project that includes the USFWS, Wiyot Tribe, and local dairy farmers. The CRI project is considered essential to support wildlife, especially those species using the coastal section of the Pacific Flyway, and to those species that also depend on riparian and aquatic habitats that have been in decline.

Project goals that the CDFW has defined for CRI include the restoration of approximately 350 acres of coastal riparian forest. Utilizing a portion of the island and a CDFW designated area for replanting, PG&E proposes to replant approximately 4.78-acres of a fallow hay field. Within this polygon (site E), non-native grasses and forbs are very abundant, and the riparian forest is slow to return. As part of the restoration work, PG&E proposes to assist the succession to riparian forest by planting native riparian trees and shrubs to restore riparian forest where a historic hay field once existed. A new Memorandum of Understanding is being completed by PG&E and CDFW to account for an expanded area of planting. For a copy of the prior MOU please refer to Appendix A.

PG&E is proposing to plant 608 individual riparian trees, 1,900 individual shrubs, and to encourage the growth of some existing patches of California blackberry (*Rubus ursinus*). Please refer to Tables 1 and 2 below for a list of the riparian species and proposed planting numbers. The planting is expected to occur in the fall of 2023. A qualified restoration ecologist/biologist will lay out the plants as specified on the Cock Robin Island Planting Plan Map (Figure 3). The riparian trees will be planted at a variety of densities from 6-14.5 feet on center, spaced in groupings. The shrub component will be planted between five and eight feet on center spacing in groupings as depicted in Figure 4. The variability of spacing densities will encourage a more naturally random restoration site. To increase heterogeneity of the site, the trees and shrubs will be planted in four different cluster types (Tables 1 and 2). Each of the cluster types will have the same species list, but quantities will vary.

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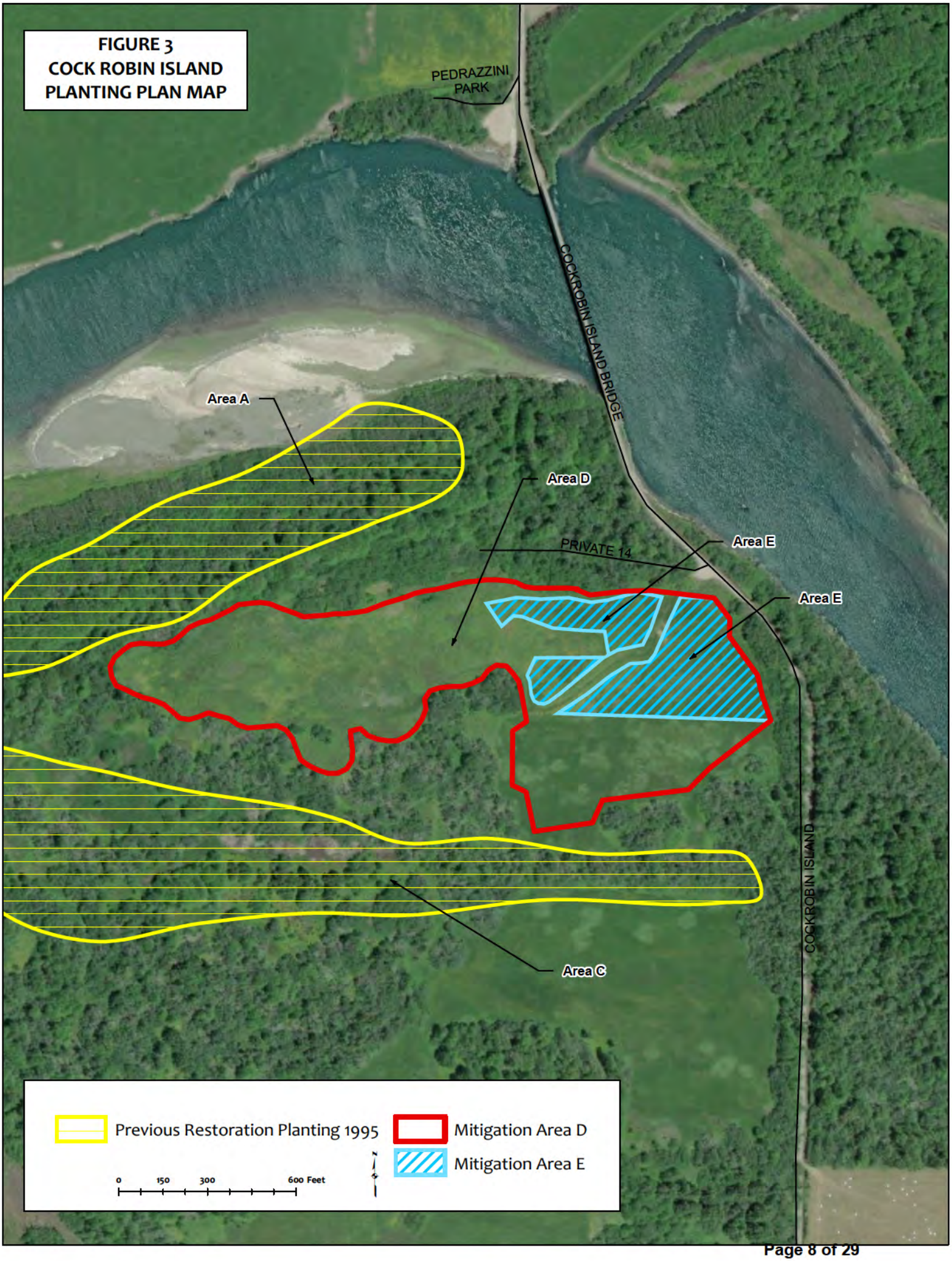


FIGURE 3
COCK ROBIN ISLAND
PLANTING PLAN MAP
PEDRAZZINI PARK
COCKROBIN ISLAND BRIDGE
Area A
Area D
PRIVATE 14
Area E
Area E
Area C
COCKROBIN ISLAND
Previous Restoration Planting 1995
Mitigation Area D
Mitigation Area E
0
150
300
600 Feet

**Table 1: Tree Planting Mix**

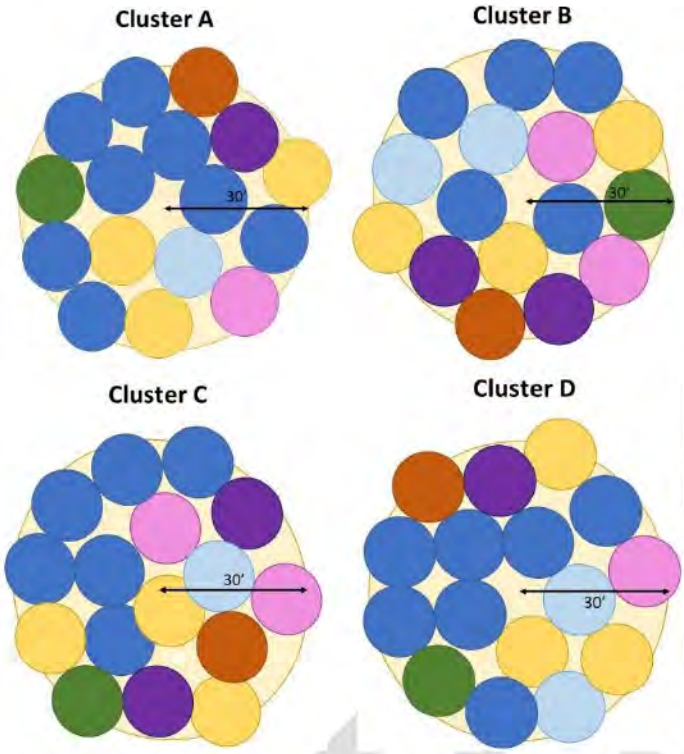
| Species name | Common name | Container size | Cluster Type A Quantities | Cluster Type B Quantities | Cluster Type C Quantities | Cluster Type D Quantities | Totals |
|---|---|---|---|---|---|---|---|
| *Populus balsamifera trichocarpa* | Black cottonwood | Treepot4 | 8 | 5 | 6 | 7 | **263** |
| *Frangula purshiana* | Cascara buckthorn | Treepot4 | 3 | 3 | 3 | 3 | **114** |
| *Alnus rubra* | Red alder | Treepot4 | 1 | 1 | 1 | 1 | **38** |
| *Morella californica* | Wax myrtle | Treepot4 | 1 | 1 | 1 | 1 | **38** |
| *Salix lasiandra* | Pacific willow | Treepot4 | 1 | 2 | 2 | 1 | **52** |
| *Salix lasiolepis* | Arroyo willow | Treepot4 | 1 | 2 | 1 | 2 | **51** |
| *Salix sitchensis* | Sitka willow | Treepot4 | 1 | 2 | 2 | 1 | **52** |
| | | **Number of clusters:** | **20** | **9** | **5** | **4** | **38** |

**Table 2: Shrub Planting Mix**

| Species name | Common name | Container size | Quantity per cluster |
|---|---|---|---|
| *Baccharis pilularis* | Coyote brush | Treepot4 | 5 |
| *Sambucus racemosa* | Red elderberry | Treepot4 | 10 |
| *Lonicera involucrata* | Twinberry | Treepot4 | 7 |
| *Rubus spectabilis* | Salmonberry | Treepot4 | 13 |
| *Rubus parviflorus* | Thimbleberry | Treepot4 | 10 |
| *Rosa nutkana* | Nutka rose | Treepot4 | 5 |
| | | **Total=** | 50 |

*Treepot 4 dimensions= 4”x14”

**Figure 4. Tree cluster types and layout.**




| Symbol | Species Name |
|---|---|
| | *Populus balsamifera trichocarpa* |
| | *Frangula purshiana* |
| | *Alnus rubra* |
| | *Morella californica* |
| | *Salix lasiandra* |
| | *Salix lasiolepis* |
| | *Salix sitchensis* |

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The plants will be grown by Samara Restoration nursery in McKinleyville, CA. Prior to delivery to the site, plants will be inspected by a PG&E representative to assure that the plants are disease free and in healthy condition. Plants are expected to be installed between November 1st and December 31st unless otherwise permitted by the owner's representative or unseasonably dry conditions. For a projected timeline of events please refer to Appendix C.

## 4. Proposed Best Management Practices (BMPs)

BMPs that will be implemented during restoration work include:

- Using only native, locally adapted plants originating from the coastal Humboldt County bio-region;
- Only non-invasive species will be planted;
- Plantings will be maintained and monitored with on-going maintenance provisions;
- Any rare or threatened plants will be noted and addressed if recorded on site;
- A schedule for the planting, including a map depicting all species, size, and location will be followed;
- For cultural resources, PG&E's inadvertent discovery protocol will be in place during the planting/installation; and
- The 811-process will be utilized to avoid underground utilities during digging.

The Samara Restoration planting crews will be responsible for providing BMPs where the following conditions have occurred during site work:

1. Denuded vegetation from trampling;
2. Erosion sources from vehicles driving onto the site; and
3. Equipment and materials staging and storage areas that contribute to bare soil areas.

Best management practices include:

1. Application of native grass seed mix at a rate of 20 lbs/acre will be utilized. Native grass species that occur in coastal Humboldt County such as red fescue (*Festuca rubra*), tufted hair grass (*Deschampsia cespitosa*), and meadow barley (*Hordeum brachyantherum*) are recommended.
2. Application of only weed free rice or wheat straw as a protective mulch layer and erosion control measure for the coastal grassland seed mix.
3. Installation of bio-degradable fiber rolls at potential erosion points will be employed.
4. No soil or other excavated material will be allowed to enter or be placed in areas where it could be subjected to rainfall and/or runoff and thus contribute to erosion.
5. Coordination will occur with local tribal representatives and PG&E cultural staff to have a monitor present during digging.
6. 811 and Golden Shovel process standards will be followed when digging.

### 4.1 Mulch

A biodegradable pallet slip will be placed under each tree and shrub species that is planted. Pallet slips are approximately 3'x 3' pieces of brown (unpainted) cardboard free of plastic tape and metal staples. A wood-based mulch will be placed on top of the cardboard and burlap to limit the growth of weedy species around the base of the planted tree and shrub species.



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A minimum of three inches of mulch will be spread in a three-foot diameter area around the installed plant. Mulch shall be pulled three inches away from the installed plant stems in all directions to avoid any potential rot. Mulch shall not contain noxious weeds or originate from Sudden Oak Death host plant species. Mulch shall be comprised of fir bark and chip between 1/2 inch and 4 inches long and not less than 3/8 of an inch wide. At least eighty -five (85) percent, by volume of wood chip, shall conform to the sizes specified. Mulch shall be free of salt, foreign materials, and other harmful substances.

### 4.2 Foliage Protection Cages

All riparian trees shall include the installation of foliage protection cages using 48" welded wire (1"x1") at a four-foot diameter anchored to two tree stakes (2" peeler pole). Shrub species that typically experience heavy deer herbivory such as red elderberry, red-flowering currant, twinberry, and blue blossom ceanothus will require foliage protection cages. Coyote brush, salmonberry, and thimbleberry will not require protective cages as they don't typically experience heavy deer pressure. Shrubs will be caged with a 6"x 36" bio plastic based rigid seedling protection tube and staked with a 1" x 48" nursery stake. Foliage protection cages shall be installed the same day as the plant installation to provide immediate tree protection; however, costs of fencing off the entire planting area may also be considered.

## 5. Monitoring and Maintenance Methods

A preliminary inspection of installed plants shall occur by owner's representative within 15 days following the completion of planting and prior to the maintenance period beginning. During this initial inspection, the project manager shall document any short-term maintenance activities for the winter months. Final inspection by the owner's representative will occur within 15 days following the acceptance of the mitigation criteria.

The mitigation and restoration area will be visited a minimum of four times annually (three times for maintenance and once for monitoring). Site visits will evaluate overall health and conditions of the plants including examination of vegetation establishment, revegetation success, and native and non-native plant recruitment will be observed. Monitoring will occur in summer, between May 1 and July 1. During monitoring, photos will be taken from at least four predetermined photo point locations, such photos will be included in the written annual monitoring summary reports. Please refer to Appendix B for a monitoring and maintenance schedule over the next ten years.

### 5.1 Vegetative Coverage Monitoring

Monitoring the overall percent of native plant coverage and the percent survival of the planted trees will require somewhat labor-intensive techniques. Native plant cover will be measured with quadrats once annually in the summer for ten years or until success criteria have been met. Vegetation monitoring will occur in late spring or early summer to capture the flowering cycle of most plants. A one-meter quadrat will be tossed once in the same cardinal direction at random distances from the center of each cluster. Percent absolute vegetative cover, native cover, and non-native or invasive cover will be estimated within each quadrat. Plant species present within each quadrat will also be identified and noted.

Typical information to be collected at each monitoring site visit includes:

- Species identification;
- Species composition;



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- Total vegetative cover;
- Percent of native plant species cover;
- Percent of non-native plant cover;
- Percent cover of Cal-IPC high-rated invasive plants;
- Percent survival of trees and shrubs;
- Tree health;
- Tree growth, and
- Photographs from established photo point locations.

## 5.2 Vegetation Monitoring

Documentation for all years subsequent to the first year (2023) shall identify the success rate of the restored habitat area and plantings, as measured by percent cover and percent of native vegetation within the restored area and percent survival for all plantings. Each tree will be counted for mortality and survival. It is expected that the trees will eventually develop overstory canopies that will shade out the non-native pasture grasses and forbs, but this may not fully occur within ten years.

Each tree will be given a unique identification code during planting. This code will be written on a metal tag and placed on the plant in the planting site. For example, the first California wax myrtle will be coded MOCA #1 and the second will be coded MOCA #2. Maps will be made with all the plant locations with the corresponding codes and used for monitoring survivorship.

**TREE HEALTH MONITORING**

Tree health is a standard metric to provide information about post-tree planting success. During the annual monitoring event for tree survival, we will assess tree health using a simple ranking system. Each tree will be assigned a number rating to separate trees into one of three health classes (Table 3). These ranks will be reported for each class as a percentage of the total population of surviving trees. We will also document specific observations about tree growth or disease in the notes section to better understand the health timeline and patterns for each tree sampled.

By the end of year five, a minimum of 80% of the planted trees shall be classified as (1) vigorous/healthy or (2) average and growing for the site to be considered successful. This will ensure that the required trees will not only be alive but also in a healthy condition at the end of the project period.

**Table 3.** Tree health classes.

| Rank | Health Class | Description |
|---|---|---|
| 1 | Vigorous/healthy | Tree has active bud growth and tender/new foliage development. |
| 2 | Average/growing | Tree is alive with no sign of disease or other health impairments; no clear evidence of active bud growth or tissue damage/necrosis. |
| 3 | Poor health | Tree has significant signs of tissue damage or disease from plant pathogens or mammalian herbivory |



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**TREE HEIGHT AS GROWTH MEASUREMENT**

Another metric for restoration success we are proposing will measure tree height for a subsample of the trees during the first monitoring event. This will be repeated to the same subsample throughout the monitoring period to calculate how much each sample tree has grown per year. This data will be used to project future tree growth, and it will provide estimates for canopy cover over the project history. For example, trees that are growing at a slower rate than others can be projected to produce a smaller canopy than trees that grow at an average or increased rate. Tree growth and survival data will be important sources of information to better inform the success of the restoration project.

We will take a representative sample of 5% of trees to measure growth in height (Table 4). This will be done using a clinometer standing 25 ft away from each tree to record tree height. The thirty sample trees will be tagged with a second aluminum tag and a unique code to track growth between sampling years. Individual trees will be selected using a random number generator to select the cluster and individual of each species within the cluster.

**Table 4.** Sample population for tree height measurements.

| Species name | Sample | Population |
|---|---|---|
| *Populus balsamifera trichocarpa* | 14 | 263 |
| *Frangula purshiana* | 6 | 114 |
| *Alnus rubra* | 2 | 38 |
| *Morella californica* | 2 | 38 |
| *Salix lasiandra* | 2 | 52 |
| *Salix lasiolepis* | 2 | 51 |
| *Salix sitchensis* | 2 | 52 |
| **Totals** | **30** | **608** |

## 5.3 Photo Point Documentation

During each vegetation monitoring event, photos will be taken at the four-specified photo point locations depicted on the CRI Planting Plan Map. There will be four photos taken at each point; one in each cardinal direction. The photo points will provide a visual representation of the site conditions as the site changes over the ten-year period. Photos for each year will be included in the annual monitoring reports.

## 5.4 Maintenance

The restoration and mitigation area will undergo annual maintenance during the monitoring period, and maintenance activities will occur at least four times annually over a ten-year period, or until performance criteria has been achieved. Maintenance, combined with monitoring, will ensure 80% or more survival of trees and to encourage 60% or more coverage of native species. Maintenance visits will occur twice in the spring and once in summer.

Maintenance visits will note any invasive plant species that should be removed from the area, any plants that are not establishing, and indicate where adaptive management may be needed. Maintenance activities will be directed as needed based on results of both the annual monitoring and maintenance visits. As-needed maintenance activities include hand weeding 3-foot diameter circles around each installed plant, applying additional mulch around the



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planted trees, and weed whipping non-native grass areas to support further growth of the native plants. If necessary, manual irrigation will be implemented during the dry season if the plants are showing signs of stress due to lack of soil moisture. Foliage protection cages will be maintained by re-staking and/or replacing if necessary. Additional maintenance activities and BMP's will be guided by the results of the vegetation monitoring reports.

## 6. Reporting

Results of annual monitoring and maintenance efforts will be summarized in a report and submitted to the CCC and CDFW no more than 30 days after the end of the year (2023-2033). The anticipated final report for the tenth year of monitoring (2032) will include the results of annual monitoring if goals have been met. The annual reports will present a summary of the year's monitoring results, data collected in the current year, a comparison of past and current data, and present conclusions regarding whether the success criteria are being met and, if needed, recommendations for adaptive management (i.e. additional planting and/or weeding) will be provided. Reports will include the following sections:

- Introduction
- Maintenance activities performed
- Monitoring methods
- Monitoring results (qualitative and quantitative results, compare baseline data from initial plantings and previous years)
- Time-series photographs from designated photo points
- Status of achievement toward success
- Recommendations (if any) for adaptive management
- Agency signature page for approval of monitoring requirement.

At the end of the required ten-year monitoring period (2032) a final report will demonstrate the success of the mitigation and will be submitted to the appropriate agencies. The ten-year annual vegetation monitoring will help to ensure 80% or more survival of all trees and to encourage 60% or more coverage of native species as required to reach riparian forest restoration goals. Monitoring will occur to identify the success of the native vegetation over the ten-year period or until the project has met all the agency requirements and has signed off as complete by the CCC. Reporting will discontinue once success criteria have been met.

## 7. Adaptive Management

If results from the annual monitoring indicate that the success criteria have not been met or are not likely to be met by the end of the ten-year monitoring period, then additional maintenance and/or remedial action (e.g. additional planting) will be specified. Any maintenance or remedial action determined to be necessary will be initiated as soon as feasible to increase the likelihood of timely success. The mitigation area is a complex ecological system, with a unique variety of environmental influences including fluctuating hydrologic conditions, weather conditions, plant viability, and invasive weed colonization. Because these environmental influences are unpredictable there is no set strategy that is appropriate, and adaptive management will be the best way to effectively plan for the success of the mitigation areas. Some adaptive management strategies and possibilities are included below.

### 7.1 Plant substitutions

Plant substitutions may be required in the event of shortfalls in quantities of the specified nursery stock or if certain species fail to succeed in the surroundings. These substitutions will be of similar ecological niche as the replacement species and will be at the discretion of the qualified biologist and project manager responsible for the project.

### 7.2 Irrigation

In the event of prolonged drought conditions, spring and/or summer irrigation may be required. Each spring during maintenance activities, the site will be assessed for irrigation needs. If necessary, manual irrigation will be implemented during the dry season if the plants are showing signs of stress due to lack of soil moisture. Irrigation on the sites will be from a portable water buffalo. Water will be sourced from municipalities or well water and not from the Eel River estuary surface waters. Each planting will receive a minimum of five gallons of water or sufficient amounts to fully saturate twelve inches into the soil profile.

### 7.3 Invasive Species Management

Invasive plant management will prioritize the most aggressive species with the most likelihood to compete with the native plantings. The following non-native plants were documented on the CRI site and will be targeted for weeding and management events at that site:

Poison hemlock (*Conium maculatum*) occurs throughout the CRI site. Mowing and weed whipping may need to occur in May-June to inhibit seed set and dispersal. Additionally, mechanical pulling will occur with seedlings within three feet of a target planting species. Poison hemlock plants within close proximity to native vegetation will need to be removed by hand pulling methods.

Bull thistle (*Cirsium vulgare*) has a patchy distribution throughout the CRI site. Mowing and hand pulling are both effective physical controls for bull thistle. Timing is critical for cutting bull thistle as it must be in the beginning of flowering. All flower heads should be transported off site since the immature flowers can mature even after being cut.

Other weedy species will also be maintained through weed whipping, mowing, and mechanical pulling to limit seed set and further spread throughout the CRI restoration site. The most effective months for invasive species management and maintenance are April thru July. However, due to the nesting bird season, weed whipping or mowing shall occur before March 1 or after August 1. If power tools for invasive species management are needed within the nesting season window a nesting bird search will take place no more than three days in advance of the treatment.

## 8. Expectation of Success

As described in the CDP, the success of mitigation will be measured by the percent native cover and the percent of native vegetation within the restored habitat areas. The success of native riparian plantings will be measured by the percent survival of the trees and shrubs. After ten years, the restored habitat areas are expected to provide at least 60% cover of native vegetation. Similarly, the ten-year survival rate of the planted trees shall meet or exceed 80%. If after five years these success measures have not been met, then PG&E will propose retreating and/or replanting the areas to achieve the required levels of success.



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## 9. Agency Approval

To provide for a mechanism for agency acknowledgement of adaptive management actions and completion of monitoring when a mitigation area has completed the required monitoring period and met its success criteria, an agency approval section will be included in all applicable annual monitoring reports. This section will contain a status summary of each mitigation and restoration area and a signature page for each agency to acknowledge and approve modifications related to adaptive management or performance success and completion if they concur with the submitted findings. Once approval has been granted for performance success and completion of required monitoring, the management and monitoring of the mitigation areas will be overseen by NCRM, Inc. and Samara Restoration.

## 10. References

Baldwin, B.G, D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California. Second ed. Univ. of California Press, Berkeley.

California Department of Fish and Wildlife (CDFW). 2022. California Natural Diversity Database. Electronic database, version 5.2.14. CDFW, Sacramento, CA.

California Native Plant Society, Rare Plant Program. 2022. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed March 2018].

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. CDFW, Non-Heritage Program, Sacramento, CA.

McLaughlin, J. and F. Harradine. 1965. Soils of Western Humboldt County California. Department of Soils and Plant Nutrition. University of California, Davis in cooperation with County of Humboldt, CA.

## 11. Appendices

Appendix A- Current MOU with CDFW

Appendix B- Tentative Timeline for Cock Robin Island Riparian Restoration

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## Appendix A. Memorandum of Understanding

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**Pacific Gas and Electric Company**

**Memorandum of Understanding Between PG&E and CDFW**

Date: April 23, 2018

To: Neil Manji, Regional Manager

Cc: Vick Germany, PG&E

From: Jordan McKay, PG&E

Subject: Riparian Restoration Mitigation at Cock Robin Island, Humboldt County, California

Purpose and Need

This Memorandum of Understanding (MOU) sets forth the terms and understanding between Pacific Gas and Electric (partner) and the California Department of Wildlife (partner/landowner) to use state lands for mitigation purposes. The purpose of this document is to clearly define the roles and responsibilities for restoration, management, and ownership of mitigation lands that will be performed by Pacific Gas and Electric (PG&E) on lands owned by the California Department of Wildlife (CDFW). Also included is the outline of the compensatory mitigation steps and partners for PG&E's Cock Robin Island project (Project) related to vegetation impacts in Humboldt County associated with Coastal Development Permits 9-17-0408 and 9-17-0408-A1. The planned scope of the Project was the result of an obligation for compensatory mitigation efforts involving the removal of native trees in areas within the Coastal Zone for gas pipeline maintenance.

A meeting with various stakeholders including Michael van Hattem of CDFW (CDFW Representative), PG&E's Jordan McKay (Project Proponent), Stephanie Martin of NCRM (project proponent representative), and Eric Johnson of Samara Restoration (Restoration Specialist) was held on 02/16/2018 to review the restoration site and to discuss the roles and responsibilities. See Figure 1.

Compensatory Mitigation Requirements and Project Goals

The adopted findings in Section 7 of the Coastal Development Permits (CDPs) include the following key restoration item which will be addressed at the Cock Robin Island (CRI) Project site and further detailed in a Habitat Mitigation Plan (HMP; currently being written):

- Restoration of at least 4.15 acres of riparian woodland or scrub habitat, including a minimum of 402 native riparian trees.

The overall objective of this riparian woodland scrub habitat restoration project is to integrate rapidly growing riparian trees and shrubs to discourage the non-native grasses and forbs through shading. Another goal of the restoration planting is to increase riparian structural diversity for wildlife habitat. Restoration on CRI includes the planting of native trees and shrubs plants appropriate to the respective habitat type. Tree species agreed upon include: black cottonwood (*Populus balsamifera trichocarpa*), red alder (*Alnus rubra*), wax myrtle (*Morella californica*). Shrub species agreed upon are: coyote bush (*Baccharis pilularis*), red elderberry (*Sambucus racemosa*), twinberry (*Lonicera involucrata*), salmonberry (*Rubus spectabilis*), red-flowered currant (*Ribes sanguineium*), thimbleberry (*Rubus parviflorus*), and blue blossom (*Ceanothus thyrisiflorus*). Where feasible, non-native species shall be removed by hand and/or mowed; it is also expected that non-native species will be outcompeted by the planting and growth of the native riparian species. Planting of native species shall take place in the fall to facilitate root establishment during the rainy season. Non-native species removal activities shall occur at least once annually following the initial

treatment of mowing and hand-weeding until performance criteria, as dictated by the CDPs, for native species cover have been achieved. Please see Figures 2 and the Planting Plan Map.

PG&E is responsible for the cost and duties of growing, planting, replacement planting, additional watering, weeding, invasive exotic control, monitoring, or any other practice necessary until success criteria defined in the CDPs are achieved. Success requirements detailed in the CDPs include development and implementation of a revegetation plan that includes:

- Planting native trees and shrubs at specified quantities based on project removals of native and non-native trees.
- 80% survivorship of required tree plantings for a minimum of 5 consecutive years.
- 80% native canopy cover after 5 years.
- Annual reporting to the Coastal Commission and CDFW detailing monitoring results from the prior year.

Restoration Project Details

The above requirements and goals will be accomplished by PG&E and Samara. PG&E, Samara Restoration, and CDFW worked closely to create a planting plan and palate that would satisfy both the land owner (CDFW) and meet the CDPs requirements.

CDFW owns a large portion of CRI which is located at the mouth of the Eel River in Humboldt County. CDFWs Coastal Conservation Planning Group has been granted a portion of the island for restoration (please refer to the attached map). The State currently has no funds slated for restoration nor have they developed any specific restoration plans for CRI beyond what was accomplished in the late 1990's after acquisition. By utilizing PG&E funding, the State-owned land would reach a more natural and native state of riparian forest far sooner than natural selection will allow. Such a natural state would help filter Eel River waters and sediment delivered from upstream in high flow years and flood events, and it would provide a larger expanse of habitat for terrestrial wildlife species.

Approximately 12-acres (defined as the project area by the red polygon on the attached map) are available to be planted within the State property. Within the defined project area, we have delineated five acres (green polygon on attached map) that are suitable for planting riparian tree species and restoring riparian habitat. A planting plan will be devised by Samara Restoration and PG&E with approval from CDFW. Such restoration will help CDFW meet goals developed in the State Wildlife Action Plan (SWAP) for riparian habitat, specifically an increase of 5% within the 10-year plan horizon.

In addition to creating the planting plan, PG&E will be responsible for the planting, irrigating, monitoring, and overall success of the riparian restoration. CDFW will provide guidance on species to plant and the layout configuration, but no further obligations are expected or required. PG&E will be responsible for meeting the success as defined in the CDPs and will ensure that all onsite contractors will respect the State lands and surrounding private lands.

Reporting Details

Achieving success and reporting on measurements of success is a requirement of PG&E by the California Coastal Commission as a stipulation in CDPs 9-17-0408 and 9-17-0408-A1. Annual reporting on success measurements, photo points, and extraordinary measures taken will be the responsibility of PG&E, and a copy of the annual reports will be supplied to CDFW. A final report on the success will also be provided to CDFW for their records.

Funding

This MOU specifies that PG&E is the sole agent responsible for funding all aspects of the Project. CDFW is responsible for providing the site for the Project.

Duration

The MOU is at-will and may be modified by mutual consent of authorized individuals (partners). This MOU shall become effective upon signature by the authorized individuals and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the partners this MOU shall end after a five-year term from the date of planting or the success criteria have been achieved by PG&E.

Contact Information

PG&E
Jordan McKay, Senior Land Consultant
Land Operations- Mitigation Program
127 East Main Street
Grass Valley, CA 95945
530-477-3230

CDFW
Neil Manji, Regional Manager
California Department of Fish and Wildlife
601 Locust Street, Redding CA. 96001

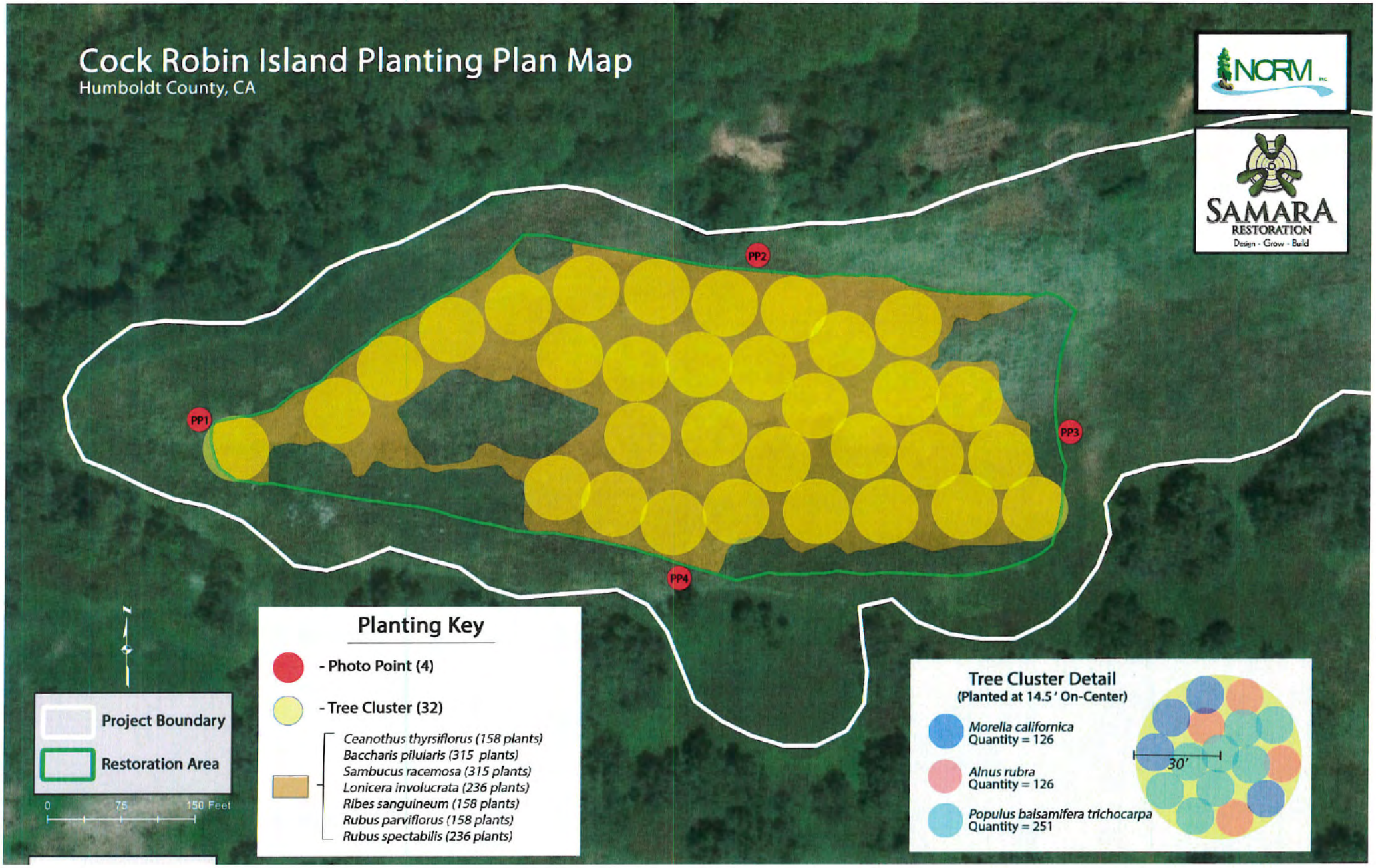
_____ Date: 7/9/18
PG&E

_____ Date: 6/29/2018
CDFW

ec: Jeffrey Stoddard, Curt Babcock, Gordon Leppig, Charles Bartolotta, Eric Haney, Michael van Hattem

California Department of Fish and Wildlife

Jeffrey.Stodard@wildlife.ca.gov, Curt.Babcock@wildlife.ca.gov, Gordon.Leppig@wildlife.ca.gov, Charles.Bartolotta@wildlife.ca.gov, Eric.Haney@wildlife.ca.gov, Michael.vanHattem@wildlife.ca.gov


Cock Robin Island Planting Plan Map
Humboldt County, CA
NORM INC
SAMARA RESTORATION
Design - Grow - Build
PP1
PP2
PP3
PP4
Planting Key
- Photo Point (4)
- Tree Cluster (32)
Ceanothus thyrsiflorus (158 plants)
Baccharis pilularis (315 plants)
Sambucus racemosa (315 plants)
Lonicera involucrata (236 plants)
Ribes sanguineum (158 plants)
Rubus parviflorus (158 plants)
Rubus spectabilis (236 plants)
Project Boundary
Restoration Area
0 75 150 Feet
Tree Cluster Detail
(Planted at 14.5' On-Center)
Morella californica
Quantity = 126
Alnus rubra
Quantity = 126
Populus balsamifera trichocarpa
Quantity = 251
30'

**Appendix B. Tentative Timeline for Cock Robin Island Riparian Restoration**

| Tentative Timeline for Cock Robin Island Riparian Restoration | | |
|---|---|---|
| ***Action*** | ***Date (anticipated)*** | ***Outcome*** |
| Draft HMP | May 2022 | In process |
| Contract grow with Samara | April 2022 | Underway |
| MOU signed | Summer 2022 | Approved and signed by all parties |
| HMP submitted | Summer 2022 | Approved by CCC |
| Plant inspection by PG&E representative | November 2023 | |
| Planting at CRI | November-December 2023 | |
| PG&E site visit to confirm planting specs | November-December 2023 | |
| | | |
| Maintenance Visit 1- year 1 | March 2024 | |
| Maintenance Visit 2- year 1 | May 2024 | |
| Monitoring Visit - year 1 | June 2024 | |
| Maintenance Visit 3- year 1 | August 2024 | |
| Potential fourth annual maintenance visit | October-November 2024 | |
| Submission of 1st annual monitoring report | December 2024 | |
| | | |
| Maintenance Visit 1- year 2 | March 2025 | |
| Maintenance Visit 2- year 2 | May 2025 | |
| Monitoring Visit- year 2 | June 2025 | |
| Maintenance Visit 3- year 2 | August 2025 | |
| Potential fourth annual maintenance visit | October-November 2025 | |
| Submission of 2nd annual monitoring report | December 2025 | |
| | | |
| Maintenance Visit 1- year 3 | March 2026 | |
| Maintenance Visit 2- year 3 | May 2026 | |
| Monitoring Visit- year 3 | June 2026 | |
| Maintenance Visit 3- year 3 | August 2026 | |
| Potential fourth annual maintenance visit | October-November 2026 | |
| Submission of 3rd annual monitoring report | December 2026 | |
| | | |
| Maintenance Visit 1- year 4 | March 2027 | |
| Maintenance Visit 2- year 4 | May 2027 | |
| Monitoring Visit- year 4 | June 2027 | |
| Maintenance Visit 3- year 4 | August 2027 | |
| Potential fourth annual maintenance visit | October-November 2027 | |
| Submission of 4th annual monitoring report | December 2027 | |
| | | |
| Maintenance Visit 1- year 5 | March 2028 | |
| Maintenance Visit 2- year 5 | May 2028 | |
| Monitoring Visit- year 5 | June 2028 | |
| Maintenance Visit 3- year 5 | August 2028 | |
| Potential fourth annual maintenance visit | October-November 2028 | |
| Submission of 5th annual monitoring report | December 2028 | |
| | | |

| | | |
|---|---|---|
| Maintenance Visit 1- year 6 | March 2029 | |
| Maintenance Visit 2- year 6 | May 2029 | |
| Monitoring Visit- year 6 | June 2029 | |
| Maintenance Visit 3- year 6 | August 2029 | |
| Potential fourth annual maintenance visit | October-November 2029 | |
| Submission of 6th annual monitoring report | December 2029 | |
| | | |
| Maintenance Visit 1- year 7 | March 2030 | |
| Maintenance Visit 2- year 7 | May 2030 | |
| Monitoring Visit- year 7 | June 2030 | |
| Maintenance Visit 3- year 7 | August 2030 | |
| Potential fourth annual maintenance visit | October-November 2030 | |
| Submission of 7th annual monitoring report | December 2030 | |
| | | |
| Maintenance Visit 1- year 8 | March 2031 | |
| Maintenance Visit 2- year 8 | May 2031 | |
| Monitoring Visit- year 8 | June 2031 | |
| Maintenance Visit 3- year 8 | August 2031 | |
| Potential fourth annual maintenance visit | October-November 2031 | |
| Submission of 8th annual monitoring report | December 2031 | |
| | | |
| Maintenance Visit 1- year 9 | March 2032 | |
| Maintenance Visit 2- year 9 | May 2032 | |
| Monitoring Visit- year 9 | June 2032 | |
| Maintenance Visit 3- year 9 | August 2032 | |
| Potential fourth annual maintenance visit | October-November 2032 | |
| Submission of 9th annual monitoring report | December 2032 | |
| | | |
| Maintenance Visit 1- year 10 | March 2033 | |
| Maintenance Visit 2- year 10 | May 2033 | |
| Monitoring Visit- year 10 | June 2033 | |
| Maintenance Visit 3- year 10 | August 2033 | |
| Potential fourth annual maintenance visit | October-November 2033 | |
| Submission of 10th and final monitoring report | December 2033 | If goals have been met; will include annual monitoring results. |

DRAFT

April 14, 2022

**TO:** Jordan McKay
PG&E, Senior Land Consultant
Environmental Resources and Mitigation
127 East Main St, Grass Valley 95945

**FR:** Stephanie Martin
NCRM, Inc., Senior Project Manager
2501 N. State Street
Ukiah, CA 95482

**RE: Conceptual plan for Arcata Sports Complex off site mitigation**

This proposal serves as the revised conceptual plan for the mitigation that is required to offset PG&E Vegetation Management work that impacted or will impact transmission and distribution lines at six work locations (see *Appendix A*). These are located adjacent to the Arcata Sports Complex south to the Bayside Cutoff. The vegetation compliance work was conducted under two Emergency Coastal Development Permits (ECDP#G-1-20-0031 and G-1-21-0034) that were issued on July 2nd, 2020, and September 9th, 2021. These two emergency CDPs were issued due to vegetation that was out of compliance that needed to be addressed prior to the Routine maintenance cycle. There is also a third permit pending for ongoing maintenance of the same areas (CDP#G-1-20-0539, 2022-2031) for a ten-year term. This permit has not yet been issued as a mitigation plan (based on this concept memo) is a requirement of that CDP being issued.

Vegetation Management work along powerlines and at the base of poles was conducted in 2020 and 2021 (ECDP#G-1-20-0031 and G-1-21-0034). Within the scope of those ECDPs, there was a combination of pruning and entering the ESHA (temporary impacts) and removing vegetation (permanent impacts). Additionally, further pruning and removals are anticipated within the same project areas for the next ten years (CDP#G-1-20-0539). PG&E considers that the removal of trees does permanently change the canopy cover and wildlife utilization of the area; however, PG&E does not consider the pruning and entering of the ESHAs to be a permanent change to the wetlands. There will be no fill, no change in hydrology, nor a change in water quality by pruning vegetation as part of a public safety requirement.

The following information was provided to the California Coastal Commission (CCC) in summary reports. In 2020, 18 trees were removed (permanent) and a total of 183,500 square feet (or 4.21 acres) of vegetation was temporarily affected. In 2021, three trees were removed (permanent), and 4,612 square feet (0.10 acres) of vegetation was temporarily affected. Thus, a total of 4.31 acres were temporarily impacted under the ECDPs, which also included a permanent impact of 21 tree removals.

Anticipated future impacts on the maintenance permit (CDP#1-20-0539) will occur in 2022-2031. Based on the number of trees removed in 2020 and 2021 (21), we anticipate the removal of an additional 40 trees between 2022-2031 which will be a permanent loss, and again temporary impacts are expected to occur in portions of the same work area. Because the exact locations of the vegetation removal(s) are uncertain from year-to-year, PG&E is using the work polygons where they overlap the ESHA, and where designated work has occurred, as shown in *Appendix A*, for a total of 4.78 acres.

The volume of pruning cannot be equated to acres for mitigation and pruning is not uniform with variables in size, scope, and species. Additionally, replanting onsite is not feasible due to the continued maintenance of the lines. The six polygons included in the work area for 2020 and 2021, are consistent with what will be entered into for future vegetation maintenance visits. In total, these work areas have a footprint of 4.78 acres where they overlap the ESHA designation. Not all the 4.78 acres will be impacted however, as portions of the polygons contain vegetation that does not require maintenance or will only require work on a sporadic basis. Most of the impact within the polygons is confined to linear elements and walking paths which impact a very small footprint

within the overall defined acreage. For the purposes of this proposal, we are including the entire 4.78 acres as being impacted from the annual entrance of foot traffic and vegetation pruning. This acreage over-estimates the area of impacts to vegetation, and as such we are proposing a 1:1 compensatory mitigation ratio.

| CD Permit # | Permit Goal | Impact Year | Impacts (based on work polygons and ESHA overlap) | Proposed Mitigation Ratio | Mitigation Amount |
|---|---|---|---|---|---|
| 1-20-0031 | Emergency vegetation removal, one-time. | 2020 | 4.31 acres | 1:1 ESHA restoration | 4.78 acres |
| 1-21-0034 | Emergency vegetation removal, one-time. | 2021 | | | |
| 1-20-0539 (pending) | Ongoing maintenance, vegetation removal, 10 years. | 2022-2031 | 0.47 acres | | |
| **TOTAL** | | **2020-2031** | **4.78 acres** | | **4.78 acres** |

As previously stated, impacts to the wetland environmentally sensitive habitat (ESHA) area were calculated within the impact areas from 2020 and 2021 at 4.31 acres. PG&E does not anticipate wetland fill, only temporary impacts associated with tree crew hand-pruning vegetation within an ESHA. The City of Arcata does not have ESHAs mapped in the project area. The area south of Samoa Boulevard to the Bayside Cutoff is considered "Agricultural Exclusive". Despite the lack of a defined ESHA polygon by the City, the areas impacted certainly contain freshwater-emergent wetlands which will remain despite the vegetation management needed for purposes of public safety and CPUC requirements. The impacts to the ESHA, from repeated pruning efforts, do not devalue the ESHA. If the ESHA was filled or dredged, that would be a permanent impact. However, at this point in conversations with the Coastal Commission we have agreed to put aside the permanent and temporary impacts and look toward a solution of holistic habitat mitigation for the long-term impacts associated with the vegetation management work.

PG&E's mitigation strategy for the impacts resulting from vegetation removal and impacts to the ESHA is to restore a riparian forest at a 1:1 ratio. PG&E feels that this ratio proposed is more than fair based on the overall area impacted within the larger defined project area polygons. Due to the impact location and being directly under power lines, there is no potential for onsite mitigation. The proposed mitigation for the three permits will be at an offsite location.

**Mitigation Site -Cock Robin Island (CRI):**
CRI is located south of Eureka, in Loleta, near the mouth of the Eel River. This is an existing and active project in partnership with California Department Fish and Wildlife (CDFW), including a Memorandum of Understanding (MOU). At this site, PG&E is currently restoring 4.15 acres of riparian woodland under an existing permit (CDP#9-17-0408) with an already approved planting pallet. We are proposing to follow the approved planting pallet and expand the planting area as mitigation for the ESHA impacts in and around the Arcata Sports Complex related to past and future vegetation removals.

The original planting plan at CRI was designed with a cluster structure, each cluster having 16 trees and 50 shrubs (such as red alder, wax myrtle, black cottonwood, and coyote bush). The existing planting area at CRI has an additional 7 acres available to mitigate on, and CDFW has agreed to allow us to use a portion of that for the Ballfields Mitigation. Also at this location, PG&E has a monitoring success component that is tied to the current permit, so the proposed new riparian forest plantings will be evaluated for at ten years as that is the length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voice 707.485.7211 *www.ncrm.com 707.485.8962 fax*

of the pending permit (1-20-0539). PG&E has an active MOU already in place with CDFW, and the additional plantings being proposed are welcomed by CDFW as the ultimate goal at the CRI project site is to restore the entire agricultural area. The island provides a refuge for wildlife, and bird study areas are currently set up throughout the existing riparian vegetation.

The specific onsite impacts at the Arcata Sports Complex and surrounding project areas will be continual and ongoing considering the location of the electrical infrastructure. The temporary impacts are within an ESHA, but the value of such habitat within the City limits has to be considered especially when compared to the value of the habitat being restored at CRI. The long-term picture of the overall restoration at CRI is to provide permanent, unimpacted, riparian forest that will not only provide ongoing habitat for birds and other wildlife, but it will also inevitably support the long-term health and function of the greater Eel River drainage and the salmonid species within. We do not think the same can be said for the area impacted by regular tree and shrub removals.

The species list for the riparian forest planting is as follows, but may change with input from the Coastal Commission and CDFW:

| Species Name | Common Name |
|---|---|
| *Populus balsamifera trichocarpa* | Black cottonwood |
| *Alnus rubra* | Red alder |
| *Morella californica* | Wax myrtle |
| *Salix lasiandra* | Pacific willow |
| *Salix lasiolepis* | Arroyo willow |
| *Salix sitchensis* | Sitka willow |
| *Populus balsamifera trichocarpa* | Black cottonwood |
| *Alnus rubra* | Red alder |
| *Morella californica* | Wax myrtle |
| *Salix lasiandra* | Pacific willow |
| *Salix lasiolepis* | Arroyo willow |
| *Salix sitchensis* | Sitka willow |
| *Baccharis pilularis* | Coyote brush |
| *Sambucus racemosa* | Red elderberry |
| *Lonicera involucrata* | Twinberry |
| *Rubus spectabilis* | Salmonberry |
| *Rubus parviflorus* | Thimbleberry |
| *Rosa californica* | California rose |

It is the intention of this preliminary proposal that the mitigation work described above would take place in winter 2022-2023, and that once the concept plan is approved, PG&E would move forward with a formal Mitigation and Monitoring Plan to be approved by the Coastal Commission that would include a treatment plan and schedule, native plant species lists, installation plans, and ten years of maintenance and monitoring (2022-2031).

If you have any further questions or concerns, please do not hesitate to contact me. 530.263.4063

Thank you,

Stephanie L. Martin
Senior Project Manager


*2501 North State Street, Ukiah, CA 95482*
voice 707.485.7211 *www.ncrm.com 707.485.8962 fax*

Appendix A. Mapped locations of the impacted areas overlapping the ESHA.


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2.343 acres
Potential Impact Area (ERM 10.9 ac.)
Potential Impact Area (Tline DistLine Buffer within ESHA 4.78 ac.)
ESHA

## Arcata Sports Complex Site:

**Photo 1.** June 23, 2020, Representative photo of vegetation at Sports Complex site

**Photo 2.** May 22, 2020, Representative photo of vegetation at Sports Complex site

**EXHIBIT NO. 7**

**CDP APPLICATION NO.**
**1-20-0539**
(PG&E)

**Site Photos**

**Photo 3.** Example of Vegetation Clearing Around Poles and Power Lines at Sports Complex Site.

**Photo 4.** June 23, 2020, Example of "Pole Clear" (brushing/vegetation removal)

*Photo 6.* Scirpus microcarpus *is visible in the center and foreground of the photo during the February visit. Inset photo shows the dominant plant during June. It is a common understory species in many areas of the Project, but especially so in the North Project area.*

**Photo 5. Photo above courtesy PG&E depicts wetland habitat within northern portion of project area along the Gannon Slough riparian corridor.**

## Little League Ball Fields Site:

**Photo 6.**May 19, 2020, View looking southwest from near Samoa Blvd.

**Photo 7.** May 19, 2020, Close-up of willow-dominated riparian corridor.

**Photo 8.** May 19, 2020, View looking northwest towards Samoa Blvd.

*Photo 10. Water-parsley marsh near the Little League Field.*

**Photo 9.** Photo above provided by PG&E showing water parsley marsh surrounding a tributary adjacent to the little league field.

**Photo 10.** February 11, 2022, vegetation along edge of Little League fields following vegetation clearing activities.

**Photo 11.** February 11, 2022, vegetation along edge of Little League fields following vegetation clearing

## Cock Robin Island Mitigation Site:

**Photo 12.** February 4, 2022, Representative photo depicting areas adjacent to existing riparian habitat where restoration mitigation is proposed.

**Environmental Factors**

The Study Area falls within an annual grassland vegetation community and on urban land use areas. The landform age is Pleistocene-Holocene[8]. The depositional environment is alluvial and the closest source of water is Gannon Slough and Humboldt Bay. Slope varies by area but ranges from 0-15%.

**Native American Heritage Commission (NAHC) Sacred Lands File Search**

A Sacred Lands File Search was conducted on September 18, 2020 (Attachments G and H). There were no results/resources within the API. The following tribes were identified in the NAHC Contact List:

- Bear River Band of Rohnerville Rancheria
- Blue Lake Rancheria
- Cher-Ae Heights Indian Community of the Trinidad Rancheria
- Wiyot Tribe

**Consultation**

☒ Native American ☒ Agency ☐ Other ☐ None

This report was sent to the California Coastal Commission for review.

On October 7, 2020 PG&E Senior Cultural Resources Specialist, Bronwynn Lloyd, sent notification letters to the following tribes identified in the NAHC contact list (Attachments G and H):

- Bear River Band of Rohnerville Rancheria
- Blue Lake Rancheria
- Cher-Ae Heights Indian Community of the Trinidad Rancheria
- Wiyot Tribe

**Field Review**

The API largely contains either highly developed residential areas or marshy sloughs. Because of this landscape, combined with the lack of resources in surveyed portions of the API, it was determined that field survey was not necessary for this effort.

**Summary**

In order to maintain safe and reliable electric service and mandated clearance to comply with federal and state regulatory requirements for public safety and fire prevention, PG&E proposes reoccurring maintenance, repair, and replacement of PG&E power lines along Humboldt Bay between the cities of Arcata and Bracut, in Humboldt County, CA. These activities would occur, as needed, on, under, or adjacent to the Arcata-Humboldt, Essex Jct-Arcata-Fairhaven, Humboldt #1, and Fairhaven-Humboldt 60kV transmission lines and the Arcata 1122 kV distribution line and their accompanying structures.

This review included the results from a desktop sensitivity assessment, examination of cultural resources data from PG&E's GIS database, a NAHC Sacred Lands search, and tribal notification. A 0.25-mile buffer around the power lines was identified as the Study Area for this work. Within this study area, Areas of Potential Impact (APIs) that would conservatively accommodate the work activities anticipated over the life of the permit were identified and analyzed. These can vary in size depending on the work being performed. The API has been defined as a 100-foot area around the transmission line (50 feet on either side of centerline). Adequate Survey Coverage (defined as areas that have been subject to studies that anticipated prehistoric and historic resources, had survey transects less than thirty meters apart, and were completed after 1995) covered different amounts of each API. Because of the mix of highly developed areas and lowland sloughs in the API, and documented low probability of resources occurring in the majority of the project area, a field study was deemed unnecessary.

There are sixteen recorded resources within the 0.25 Mile Study Area, one of which ([redacted]) intersects the API. Activities covered by this permit will not have an impact on this resource. ). A NAHC search identified zero results/ resources

[8] California Department of Conservation. "Geological Map of California." Geologic Map of California, 2015. https://maps.conservation.ca.gov/cgs/gmc/

within the API. Letters were sent to tribes identified by the NAHC notifying them of the project and outreach is ongoing (Attachments G and H).

All Work Activities will require standard PG&E BMPs. Activities that are ground disturbing will require the additional Resource Protection Measures (RPM) of a cultural resources awareness tailboard prior to starting work.

**Cultural Resource Protection Measures**

1. Inadvertent Discovery Protocol
2. Human Remains Protocol
3. Cultural resources awareness and response training must be provided. A field engineer, construction supervisor, or an environmental field services (EFS) person is required to read the Cultural Resources: Awareness and Response brochure to the construction crew prior to the start of ground disturbance.

**Attachments**

Attachment A: Study Area Maps

Attachment B: Activity and API Summary Table

Attachment C: Adequate Survey Coverage Maps

Attachment D: Report Summary Tables

Attachment E: Cultural Resources Maps

Attachment F: Cultural Resources Summary

Attachment G: NAHC Sacred Land File Results

Attachment H: Tribal Contact Letters

**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

# EMERGENCY PERMIT

Issue Date: July 2, 2020
Emergency Permit Number: G-1-20-0031

**APPLICANT:**
PG&E, Attn: Angela Deiana
2730 Gateway Oaks Drive
Sacramento, CA 95833

**LOCATION OF EMERGENCY**:
North and South of Samoa Blvd., east of the intersection with Highway 101, at the Arcata Sports Complex and Arcata Little League Facilities (APN(s): 503-202-004 and 503-042-017)

**EMERGENCY WORK**:

Clearing vegetation around electrical distribution and transmission lines (up to 135 sites total)as detailed in the emergency application materials received on May 22, 2020 and as further specified in the electronic mail (email) with attachment entitled "Arcata Transmission and Distribution VM SOW_062920.XLS" transmitted by PG&E manager Angela Deiana on June 29, 2020.

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 information that an unexpected occurrence in the form of rampant vegetation growth and encroachment within proximity of critical safety minimum clearance requirements posing a threat to electrical distribution and transmission structures at the Arcata Sports Complex and Arcata Little League facilities 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 30 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.

**EXHIBIT NO. 9**

**CDP APPLICATION NO.**
**1-20-0539**
(PG&E)

**2020 and 2021 Emergency Permits Issued** (16 pgs)

**Emergency Permit Number:**
G-1-20-0031

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

Sincerely,

John Ainsworth
Executive Director

**DocuSigned by:**

7C47047109B34D9...
Tamara Gedik, Coastal Program Analyst

cc: David Loya, Community Development Director, City of Arcata
Julie Neander, ES Deputy Director of Community Services, City of Arcata
Stan Shaffer, Park Facilities Natural Resources Supervisor, City of Arcata

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

**Emergency Permit Number:**
G-1-20-0031

**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.

2. Only that work specifically described in this permit and for the specific property listed above is authorized. Work is further limited to the minimum necessary to abate the emergency and as detailed in the emergency application materials received on May 22, 2020 and as further specified in the electronic mail (email) with attachment entitled "Arcata Transmission and Distribution VM SOW_062920.XLS" transmitted by PG&E manager Angela Deiana on June 29, 2020. Any additional work requires separate authorization from the Executive Director.

3. 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 days prior to the commencement of vegetation removal activities. If any active nest is identified during pre-activity surveys, the biologist, in consultation with CDFW[1], 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.

4. The permittee shall use relevant best management practices (BMPs) to protect on-site wetlands and other environmentally sensitive habitat areas from water quality impacts during vegetation removal activities as detailed in Attachment 6 of PG&E's emergency permit application (PG&E document TD-7102P-01-JA01, "Best Management Practices").

5. All staging of equipment shall be limited to the existing parking areas.

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

**Emergency Permit Number:**
G-1-20-0031

6. No vehicles or other mechanized equipment needed for the tree pruning and removal operations shall be driven or operated within (a) riparian habitat areas, and (b) landscaped areas and paved pathways of the Arcata Sports Complex facility and the Arcata Little League facility, except thatmechanized vehicles with track-mounted wheels and all-terrain quad vehicles may be used to access landscaped areas at the Sports Complex facility outside the field of play and within 12 feet of the fenceline adjacent to the vegetation corridor.

7. Equipment used to remove vegetation shall be limited to chainsaws and other non-mechanized hand tools.

8. No stockpiling of removed vegetation parts shall occur within the landscaped areas of the Arcata Sports Complex property and the Arcata Little League facility except in areas that are both outside the field of play and within 12 feet of the fencelines adjacent to the vegetation corridors.

9. No chipping of cut tree parts shall be performed on the subject properties.

10. All debris shall be removed from the siteswithin two days and disposed of lawfully at licensed disposal facilities.

11. The work authorized by this permit must be completed <u>within 60 days</u> of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.

12. 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.

13. 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.

14. 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.

**Emergency Permit Number:**
G-1-20-0031

15. Within 30 days of issuance of this Emergency Permit, or as extended by the Executive Director for good cause, the permittee shall submit, for the review and approval of the Executive Director, a plan for documenting the vegetation management work performed pursuant to the 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 and timing 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 at both the Arcata Sports Complex and the Arcata Little League Facilities; the BMPs and erosion control measures employed through the course of the emergency work; (iv) the location(s) where debris were disposed of; and (v) 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 (a) representative photographs of locations where vegetation clearing and pruning was performed around the transmission lines and distribution lines at both the Sports Complex facility and the Little League facility and around the footings of transmission facilities at both facilities, (b) all locations where staging and stockpiling occurred, and (c) aerial or drone photography of the affected areas useful for comparison with aerial photographs of currently existing conditions to help evaluate the extent of impact to wetland and riparian vegetation and habitat affected by the emergency work. The permittee shall document the emergency work performed in accordance with the approved final plan and shall submit the summary report and photo documentation within 30 days of approval of the plan by the Executive Director or as extended by the Executive Director for good cause.

16. 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 Section13056 of Title 14 of the California Code of Regulations. The application shall additionally include a mitigation and monitoring plan to compensate for temporal and permanent loss of riparian

wetland habitat resulting from project activities and shall specify locations for mitigation within the same watershed where project impacts will occur.

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 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 such restoration.

Failure to a) submit a complete follow-up CDP Application that complies with Condition 8 above, or b) remove the emergency development and 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 Permit[2], or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and 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 CDP[3] will constitute a knowing and intentional violation of the Coastal Act[4] 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

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[2] In some instances, a permit may also be required for removal.

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

[4] 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

July 2, 2020

# EMERGENCY PERMIT ACCEPTANCE FORM

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

RE: Emergency Permit No. G-1-20-0031

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the North Coast District Office within 15 working 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-1-20-0031

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

Tamara Gedik
7C47047109B34D9...
Coastal Program Analyst

cc: Commissioners/File

DocuSigned by:

Angela Deiana

Signature of Permittee or
Authorized Representative
57A09198244F461...

Address: 77 Beale Street Mail Room B28P
Mail Room B28P
San Francisco, CA 94105

Angela Deiana

Print Name

07/02/2020

Date of Signing

**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

# EMERGENCY PERMIT

Issue Date: September 9, 2021
Emergency Permit Number: G-1-21-0034

**APPLICANT:**
PG&E, Attn: Nicole Reese
2730 Gateway Oaks Drive
Sacramento, CA 95833
Email: NRM6@pge.com

**LOCATION OF EMERGENCY**:
North and South of Samoa Blvd., east of the intersection with Highway 101, at the Arcata Sports Complex and along a portion of Jacoby Creek (APN(s): 503-202-003, 503-202-004, 501-061-001, and 501-061-023), Humboldt County

**EMERGENCY WORK**:
Clearing vegetation around electrical distribution and transmission lines at up to 45 sites (including removal of three trees each less than 12 inches dbh (diameter at breast height), trimming/topping of 48 trees, and trimming of 29 "brush units").

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 information that an unexpected occurrence in the form of rampant vegetation growth and encroachment within proximity of critical safety minimum clearance requirements posing a threat to electrical distribution and transmission structures at the Arcata Sports Complex and within a portion of the Jacoby Creek Gannon Slough Wildlife Area 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 30 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.

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

**Emergency Permit Number:**
G-1-21-0034

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:
7C47047109B34D9...
Tamara Gedik, Coastal Program Analyst

cc: David Loya, Community Development Director, City of Arcata
Emily Sinkhorn, ES Deputy Director of Community Services, City of Arcata
Mike Rice, Park Facilities Natural Resources Supervisor, City of Arcata

Enclosure: Acceptance Form

**Emergency Permit Number:**
G-1-21-0034

**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.

2. Only that work specifically described in this permit and for the specific property listed above is authorized. Work is further limited to the minimum necessary to abate the emergency and as detailed in the emergency application materials received electronically by PG&E Interim Supervisor Nicole Reese on August 27, 2021. Any additional work requires separate authorization from the Executive Director.

3. The permittee shall use relevant best management practices (BMPs) to protect on-site wetlands and other environmentally sensitive habitat areas from water quality impacts during vegetation removal activities as detailed in Attachment E of PG&E's emergency permit application ("Proposed Measures").

4. All staging of equipment shall be limited to the existing parking areas.

5. No vehicles or other mechanized equipment needed for the tree pruning and removal operations shall be driven or operated within (a) riparian habitat areas, and (b) landscaped areas and paved pathways of the Arcata Sports Complex facility, except that mechanized vehicles with track-mounted wheels and all-terrain quad vehicles may be used to access landscaped areas at the Sports Complex facility outside the field of play and within 12 feet of the fence line adjacent to the vegetation corridor.

6. Equipment used to remove vegetation shall be limited to chainsaws and other non-mechanized hand tools.

7. No stockpiling of removed vegetation parts shall occur within the landscaped areas of the Arcata Sports Complex property except in areas that are both outside the field of play and within 12 feet of the fence lines adjacent to the vegetation corridors.

8. No chipping of cut tree parts shall be performed on the subject properties.

9. All debris shall be removed from the sites within two days and disposed of lawfully at licensed disposal facilities.

**Emergency Permit Number:**
G-1-21-0034

10. 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.

11. 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.

12. 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.

13. 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.

14. Within 90 days of issuance of this Emergency Permit, 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 vegetation management work performed pursuant to the 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 and timing 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 at both the Arcata Sports Complex and within the Jacoby Creek Gannon Slough Wildlife Area; the BMPs and erosion control measures employed through the course of the emergency work; (iv) the location(s) where debris were disposed of; and (v) 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 (a) representative photographs of locations where vegetation clearing and pruning was performed around the transmission lines and distribution lines at both the Sports Complex facility and

within the Jacoby Creek Gannon Slough Wildlife Area and around the footings of transmission facilities at both locations, and (b) all locations where staging and stockpiling occurred.

15. 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 application for one or both of the following: (a) a follow-up Coastal Development Permit (CDP) that satisfies the requirements of section 13056 of Title 14 of the California Code of Regulations (CCR), or (b) a public works long-range land use development plan ("Public Works Plan") that satisfies the requirements of 14 CCR sections 13350 et seq. The application(s) shall additionally include a mitigation and monitoring plan to compensate for temporal and permanent loss of riparian wetland habitat resulting from project activities and shall specify locations for mitigation where project impacts will occur.

    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 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 such restoration.

Failure to a) submit a complete follow-up application that complies with Condition 15 above, or b) remove the emergency development and 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 Permit[1], or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and 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 CDP[2] will constitute a

[1] In some instances, a permit may also be required for removal.

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

knowing and intentional violation of the Coastal Act[3] 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] 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

September 9, 2021

# EMERGENCY PERMIT ACCEPTANCE FORM

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

RE: Emergency Permit No. G-1-21-0034

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the North Coast District Office within 15 working 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[1] 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.

---

[1] As indicated in Emergency Permit No. G-1-21-0034, the applicant shall submit a complete application for one or both of the following: (a) a follow-up Coastal Development Permit (CDP) that satisfies the requirements of section13056 of Title 14 of the California Code of Regulations (CCR), or (b) a public works long-range land use development plan ("Public Works Plan") that satisfies the requirements of 14 CCR sections 13350 et seq.

# Emergency Permit Acceptance Form

G-1-21-0034

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.

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:
7C47047109B34D9...
Tamara Gedik
Coastal Program Analyst

cc: Commissioners/File

DocuSigned by:
Nicole Reese
4810EF8043A6410...
Signature of Permittee or
Authorized Representative

Address: 2730 Gateway Oaks
Suite 230
Sacramento, CA
95833

Nicole Reese
Print Name

09/10/2021
Date of Signing

Recording Requeste
When Recorded Retu
California Coastal
631 Howard Street,
San Francisco, Cal
Attention: Legal

**EXHIBIT NO. 10**

**CDP APPLICATION NO.**
**1-20-0539** (PG&E)

**Excerpts of Open Space Easement**

7584
RECORDED AT REQUEST OF
California Coastal Commission
VOL. 1795 OFFICIAL RECORDS 1385
APR 25 4 22 PM '86
HUMBOLDT COUNTY RECORDER
GRACE
C. Brumbelow DEPUTY
FEE none
(32)

IRREVOCABLE OFFER TO DEDICATE OPEN-SPACE EASEMENT

AND

DECLARATIONS OF RESTRICTIONS

THIS IRREVOCABLE OFFER AND DEDICATION OF OPEN-SPACE EASEMENT AND DECLARATIONS OF RESTRICTIONS (hereinafter "Offer") is made this (1) April 24, 19 85, by (2) Arcata Public Improvement Corporation (hereinafter referred to as "Grantor") and the City of Arcata as lessee.

I. WHEREAS, Grantor is the legal owner of a fee interest of certain real properties located in the County of (3) Humboldt, State of California and described in the attached Exhibit A (hereinafter referred to as the "Property"); and

II. WHEREAS, all of the Property is located within the coastal zone as defined in Section 30103 of the California Public Resources Code (which code is hereinafter referred to as the "Public Resources Code"); and

III. WHEREAS, the California Coastal Act of 1976, (hereinafter referred to as the "Act") creates the California Coastal Commission (hereinafter referred to as the "Commission") and requires that any development approved by the Commission must be consistent with the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code; and

IV. WHEREAS, Pursuant to the Act, Grantor applied to the Commission for a permit to undertake development as defined in the Act within the

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 8-72)

coastal zone of (4) Humboldt County (hereinafter the "Permit"); and

WHEREAS, a coastal development permit, No. (5) 1-84-201 was granted on (6) February 13, 19 85, by the Commission in accordance with the provisions of the Staff Recommendations and Findings (Exhibit E) attached hereto and hereby incorporated by reference, subject to the following condition:(7)

> Prior to transmittal of the permit and therefore construction, the applicant shall record a document (the form and content of which has been approved by the Executive Director), that provides for an open space easement for wetlands and restoration areas 1 and 2. Permitted uses within the open space area shall be limited to nature study, wildlife and fisheries management, routine maintenance, and passive recreation.

WHEREAS, the Commission, acting on behalf of the People of the State of California and pursuant to the Act, granted the Permit to the Grantor upon condition (hereinafter the "Condition") requiring inter alia that the Grantor record a deed restriction and irrevocable offer to dedicate an open-space easement over the Property and agrees to restrict development on and use of the Property so as to preserve the open-space and scenic values present on the property and so as to prevent the adverse

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E OF CALIFORNIA
113 (REV. 8-72)
OSP

direct and cumulative effects on coastal resources and public access to the coast which could occur if the Property were not restricted in accordance with this Offer; and

VII. WHEREAS, the Commission has placed the Condition on the permit because a finding must be made under Public Resources Code Section 30604(a) that the proposed development is in conformity with the provisions of Chapter 3 of the Act and that in the absence of the protections provided by the Condition said finding could not be made; and

VIII. WHEREAS, Grantor has elected to comply with the Condition and execute this Offer so as to enable Grantor to undertake the development authorized by the Permit; and

IX. WHEREAS, it is intended that this Offer is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said Offer when accepted shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1;

NOW THEREFORE, in consideration of the above and the mutual benefit and conditions set forth herein, the substantial public benefits for the protection of coastal resources to be derived, the preservation of the Property in open-space uses and the granting of the Permit to the owner by the Commission, Grantor hereby irrevocably offers to dedicate to the State of California, a political subdivision or a private association acceptable to the Executive Director of the Commission (hereinafter, the "Grantee"), an open-space easement in gross and in perpetuity for light, air, view, and for the preservation of scenic qualities over that certain portion of the Property specifically described in Exhibit B (hereinafter the Protected Land); and

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E OF CALIFORNIA
113 (REV. 8-72)
OSP

18 April Thea Dart Mayor
21 April Dorothy Sundstrom

This Offer and Declaration of Restrictions subjects the ~~PRESENT~~ APK. Property to the following terms, conditions, and restrictions which shall be effective from the time of recordation of this instrument.

1. USE OF PROPERTY. The use of the Protected Land shall be limited to natural open space for habitat protection, nature study, wildlife and fisheries management, routine maintenence, passive recreation, and resource conservation uses.

No development as defined in Public Resources Code Section 30106, attached hereto as Exhibit C and incorporated herein by reference, including but not limited to removal of trees or other major or native vegetation, grading, paving, or installation of structures such as signs, buildings, etc, shall occur or be allowed on the Protected Land with the exception of the following subject to applicable governmental regulatory requirements:

(a) the removal of hazardous substances or conditions or diseased plants or trees;

(b) the removal of any vegetation which constitutes or contributes to a fire hazard to residential use of neighboring properties, and which vegetation lies within 100 feet of existing or permitted residential development;

(c) the installation or repair of underground utility lines and septic systems;

(d) Activities such as nature study, wildlife and fisheries management, routine maintenance, and limited passive public recreation which are in accordance with the "Wetland and Fisheries Restoration Plan" which has been approved pursuant to the terms and conditions of Permit No. 1-84-201.

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STATE OF CALIFORNIA
STD. 113 (REV. 8-72)
OSP

2. RIGHT OF ENTRY. The Grantee or its agent may enter onto the Property to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor.

3. BENEFIT AND BURDEN. This offer shall run with and burden the Property, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the (SEE NEXT PAGE)

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land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all successors and assigns. This Offer shall benefit the State of California.

4. CONSTRUCTION OF VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

5. ENFORCEMENT. Any act or any conveyance, contract, or authorization whether written or oral by the Grantor which uses or would cause to be used or would permit use of the Protected Land contrary to the terms of this Offer will be deemed a breach hereof. The Grantee may bring any action in court necessary to enforce this Offer, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee may pursue any appropriate legal and equitable remedies. The Grantee shall have sole discretion to determine under what circumstances an action to enforce the terms and conditions of this Offer shall be brought in law or in equity. Any forbearance on the part of the Grantee to enforce the terms and provisions hereof in the event of a breach shall not be deemed a waiver of Grantee's rights regarding any subsequent breach.

6. TAXES AND ASSESSMENTS. Grantor agrees to pay or cause to be paid all real property taxes and assessments levied or assessed against the Property.

7. MAINTENANCE. The Grantee shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the Property or any interest or easement created by this Offer. All costs and expenses for

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such maintenance, improvement use, or possession shall be borne by the Grantor, except for costs incurred by grantee for monitoring compliance with the terms of this easement.

8. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, its agencies, departments, officers, agents, and employees are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence of the Grantee, while in, upon, or in any way connected with the Property, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, its agencies, departments, officer, agent, and employees from all liability, loss, cost, and obligations on account of or arising out of such injuries or losses however occurring. The Grantee shall have not right of control over, nor duties and responsibilities with respect to the Property which would subject the Grantee to any liability occurring upon the land by virtue of the fact that the right of the Grantee to enter the land is strictly limited to preventing uses inconsistent with the interest granted and does not include the right to enter the land for the purposes of correcting any dangerous condition as defined by California Government Code Section 830.

9. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

10. TERM. This irrevocable offer of dedication shall be binding upon

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the owner and the heirs, assigns, or successors in interest to the Property described above for a period of 21 years. Upon recordation of an acceptance of this offer by the grantee in the form attached hereto as Exhibit D, this offer and terms, conditions, and restrictions shall have the effect of a grant of open-space and scenic easement in gross and perpetuity for light, air, view and the preservation of scenic qualities over the open-space area that shall run with the land and be binding on the parties, heirs assigns, and successors.

Acceptance of the Offer is subject to a covenant which runs with the land, providing that any offeree to accept the easement may not abandon it but must instead offer the easement to other public agencies or private associations acceptable to the Executive Director of the Commission for the duration of the term of the original Offer to Dedicate.

Executed on this 24 day of April, at Arcata, California. DATED: 4/25/85

| | |
|---|---|
| Sue Cooley Scott | Julie Fulkerson |
| Sue Cooley Scott | Julie Fulkerson, Mayor |
| OWNER | CITY OF ARCATA, LESSEE |
| SUE COOLEY SCOTT | Julie Fulkerson |
| TYPE OR PRINT NAME ABOVE | TYPE OR PRINT NAME ABOVE |

(NOTARY ACKNOWLEDGMENT NEXT PAGE)

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EXHIBIT B

Protected Land

OPEN-SPACE EASEMENT
THROUGH ARCATA SPORTS COMPLEX

An easement of varying width, being a portion of Sections 32 and 33 T. 6 N., R. 1 E., H.B.& M., situate in the City of Arcata, County of Humboldt, State of California, described as follows:

Beginning at the Northerly terminus of course (2) in the deed to Hazel May Anderson, recorded February 7, 1956, in Book 377 of Official Records at Page 632 of said Humboldt County Records, said course being the East line of State Highway 101;

thence South 5° 50'32" East along the Easterly line of said highway, a distance of 381.38 feet;

thence from a tangent that bears South 3° 53'46" East along a curve to the left, having a radius of 600 feet, through an angle of 36°25'32", a distance of 381.45 feet;

thence South 40°08'10" East a distance of 572.35 feet;

thence from a tangent that bears South 40° 30'57" East, along a curve to the left, having a radius of 600 feet, through an angle of 36°50'16", a distance of 385.76 feet;

thence South 74° 04'15" East a distance of 206.22 feet, more or less, to the East line of the lands conveyed to Arcata Public Improvement Corporation by deed recorded April 17, 1981, in Book 1639 of official records at Page 975 of said Humboldt County Records:

thence North 0° 56'19" West along the East line of said Arcata Public Improvement Corporation lands a distance of 210.00 feet;

thence South 89°03'41" West, a distance of 262.00 feet;

thence North 40°56'19" West, a distance of 185.00 feet;

thence North 83° 51'40" West, a distance of 194.43 feet, more or less, to a point that lies 30.00 feet Northeasterly of said State Highway 101;

thence North 40°08'10" West, a distance of 495.00 feet;

thence North 23°51'10" West, a distance of 96.18 feet;

thence North 0°13'18" West, a distance of 414.74 feet;

thence North 89°46'42" East, a distance of 30.00 feet;

thence North 1°41'03" East, a distance of 195.00 feet;

thence South 88°18'57" East, a distance of 45.00 feet;

thence North 0°12'44" West, a distance of 16.19 feet, more or less, to the South line of 7th Street;

thence North 79°29'08" West along the South line of 7th Street a distance of 225.00 feet to the East line of State Highway 101;

thence South 5°41'20" East along the Easterly line of State Highway 101, a distance of 82.03 feet to the point of beginning.

EXHIBIT C

Public Resources Code Section 30106

[ 30106. Development

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

State of California, George Deukmejian, Governor

California Coastal Commission
North Coast District
350 E Street, 4th Floor
Eureka, California 95501
(707) 443-6623

EXHIBIT "E"

FILED: January 23, 1985
49th Day: March 13, 1985
180th Day: July 23, 1985
Staff: Gary Berrigan/jp
Staff Report: January 28, 1985
Hearing Date: February 13-15, 1985
PC DD

# COASTAL PERMIT: REGULAR CALENDAR

STAFF REPORT AND PRELIMINARY RECOMMENDATION

APPLICATION NO. 1-84-201

APPLICANT: City of Arcata, Department of Parks and Recreation

AGENT: Rising Sun Enterprises

PROJECT DESCRIPTION

PROJECT LOCATION: Northeast corner of Samoa Boulevard and Highway 101, Arcata, Humboldt County.

PROJECT DESCRIPTION: Construction of a recreational complex and wetland and stream restoration project.

LOT AREA 30 acres ZONING Public Facility

BLDG. COVERAGE 1.1 acres (LCP) PLAN DESIGNATION Park

PAVEMENT COVERAGE 3.8 acres PROJECT DENSITY Ø

LANDSCAPE COVERAGE 21.2 acres HEIGHT ABV. FIN. GRADE 30 feet

LOCAL APPROVALS RECEIVED: City of Arcata

SUBSTANTIVE FILE DOCUMENTS: Draft and Final Environmental Impact Report Arcata Community Park Master Plan; Campbell Creek Enhancement Plan.

STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution:

Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

SEE ADDENDUM

II. CONDITIONS:

1. Prior to the transmittal of the permit and therefore constuction, the applicant shall submit a final restoration and management plan for the fisheries and wetlands restoration and enhancement elements of the project. The plan shall include standards, goals, and objectives for which the area is being developed and shall include monitoring and management techniques to be used to insure that the area is developing and being maintained in a manner consistent with these goals and objectives. The plan shall be subject to the review and approval of the Executive Director.

2. Any changes in the design of the proposed development or any additional development that is not a part of this application, shall require an amendment to this permit or a new permit.

3. Prior to transmittal of the permit and, therefore construction, the applicant shall record a document, the form and content of which has been approved by the Executive Director, that provides for an open space easement for Wetlands and Restoration Areas 1 and 2. Permitted uses within the open space area shall be limited to nature study, wildlife and fisheries management, routine maintenance, and passive recreation.

III. FINDINGS AND DECLARATIONS:

The Commission finds and declares as follows:

A. Project Description: The City of Arcata has adopted the Arcata Community Park Master Plan. The Plan proposes the development of a community sports and recreational complex which is intended to provide a variety of outdoor and indoor recreational opportunities. The plan includes wetlands enhancement, stream, and fisheries restoration, softball diamonds, soccer/football fields, tennis courts, a community center, a jogging loop, picnic areas, and parking facilities (See Exhibit 2). The project site is an approximately 30 acre parcel located between Samoa Boulevard, Highway 101, Union Street and Seventh Avenue in Arcata.

B. Restoration & Enhancement: Section 30231 of the Coastal Act provides that:

> "The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse affects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams (emphasis added)."

Section 30233 of the Coastal Act provides, in part, that:

> "(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provision of this division, where there is no feasible less environmentally

damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:. . .

7. Restoration purposes.

8. Nature study, aquaculture, or similar resource dependent activities.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary."

Section 30236 of the Coastal Act provides, in part, that:

"Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to . . . (3) developments where the primary function is the improvement of fish and wildlife habitat."

The project includes two resource restoration and enhancement projects. These components of the project will provide for wetlands and fisheries enhancement and restoration, water quality improvements to Campbell Creek, and replacement of resources affected by the project.

The Master Plan identifies two Wetland Restoration Areas (WRA). The first, WRA #1, is located near the western project boundary and includes approximately 1.5 acres. WRA #1 includes the relocation of the Campbell Creek channel westerly, reconfiguration of the existing linear ditch into a meandering alignment and the installation of various instream structures such as boulders and wing dams. The objective of channel modifications will be to influence stream hydraulics to result in increased variety and quality of instream fishery habitats. The project will also include the establishment of a pool area ("fishing lake") which will provide habitat as well as potential fishing opportunities. (Exhibit 3).

The installation of gravel spawning boxes within certain channel sections would be undertaken in order to establish spawning habitat on-site. It is anticipated that spawning habitat improvements, in conjunction with improved rearing habitat, will result in repopulation of Campbell Creek with native anadromous fish and provide stocking for the fishing lake. Development of the fishing lake would provide a missing link in the City's developing urban fishing program: elderly and handicapped access to fishing opportunities. Restoration of these resources would also provide significant educational opportunities for Humboldt State University as well as primary and secondary schools.

The area adjoining the channel will be restored to provide approximately 0.8 acres of seasonal freshwater wetlands. As conceived, inundation of this area would occur during regular Campbell Creek peaks. Lake outflow and/or stream overflow would spill to shallow swales running along the creek through wetland vegetation to be established. Waters would be retained in this area by low gradient and vegetation and would percolate into non-saturated soils. Specific design parameters have not

been established pending final engineering plans; however, the lake outlet and stream channel will be designed to allow inundation during the winter season at a frequency which will allow the establishment and maintenance of a diverse wetland flora.

Plantings will meet a variety of goals. Areas west of the channel will be planted with willows and related riparian species to provide a dense riparian area, overhanging cover for the channel area and screening for park facilities from Highway 101. Areas east of the creek will be planted with native emergent species; the planting mix will be designed to provide maximum primary productivity as well as resting, feeding and nesting opportunities for wildlife.

Campbell Creek enters the project site via a culvert under Seventh Avenue. These waters first will be routed through a sediment control structure prior to entering the fishing lake. This structure would consist of a weir which, during high flows, would divert the bottom portion of the water column and bedload through a sedimentation pond and pass upper portions directly to the fishing pond. During low flows, all flow would run through the sedimentation pond with a higher proportion of the suspended solids being trapped. Retention in the fishing lake and passage through proposed wetland areas south of the lake would result in further sediment entrapment and an increase in downstream water quality. Further benefits would result from the ability of wetland vegetation and aquatic organisms to absorb and retain nutrients, coliform bacteria and heavy metals.

Water quality monitoring of the Arcata Marsh Pilot Project indicated average reductions of 85% suspended solids, 56% BOD, 74% total coliform, and 86% fecal coliform.

Although Campbell Creek currently provides some fishery habitat, it is limited due to the overall level of channel disturbance and the lack of cover over the majority of the on-site reach. Sampling by the Department of Fish and Game in November 1968 revealed that there were no fish using that portion of Gannon Slough near the site or upstream from the site.

The on-site reach was surveyed and sampled using electro-shocking equipment during January 1984. The on-site reach does not provide any spawning habitat for anadromous fish but does provide some rearing habitat. Two pre-smolt coho salmon were found in a pool near the north end of the riparian area; the remainder of the riparian area was inaccessible due to dense briar growth. No other anadromous fish were found north of this area, due to lack of cover. Resident sticklebacks were abundant throughout the on-site reach.

A more abundant fish population could be expected downstream from the site in the tidally-influenced portion of Gannon Slough, and potential species would include threespine stickleback, redtail surfperch, pacific staghorn sculpin, tidewater goby. The City proposes to reintroduce coastal cutthroat trout to Campbell Creek for further enhancement and restoration of fisheries habitat.

Riparian habitat along Campbell Creek provides habitat for Raccoon, Striped skunk, Brush and Gray fox. Long-tailed weasel and River otter signs have been observed along Campbell Creek south of the site; otter may use the site but such use would be confined to conditions of highwater and associated ponding.

Staff Report: City of Arcata
Dept. of Parks & Recreation
1-84-201

Non-tidal riparian, wetland and associated habitats around Humboldt Bay are an important food source for shorebirds and waters during winter months when daylight hours and tidal regime become limiting factors for feeding in tidal areas. The riparian and seasonal wetlands of the site attract some use by egrets. Great Blue Herons, Black-crowned Night Herons, ducks such as Pintails, Green-winged teal, Mallards and Shovelers, shore birds including Marbled Godwit and Greater Yellowlegs, and numerous passerine species.

Based on limited field observations, bird use tends to be moderately abundant along the stream and low within the upland portions of the site. Evidence of nesting by Red-winged Black-birds and Long-billed Marsh Wrens has been observed in the riparian area.

The relocation and filling of the existing Campbell Creek channel would result in the direct loss of invertebrate fauna and aquatic and riparian vegetation; some motile invertebrates may be displaced to on and off-site habitats. Habitat changes would result in a temporary loss of limited feeding and resting habitat for wading birds, waterfowl, shorebirds and raptors. Passerine habitat (some nesting) would be lost.

Although a short term loss in habitat value would occur, net increases in habitat values would be realized. The restored and realigned Campbell Creek would be revegetated in emergent wetland and riparian vegetation. Stream and wetland areas would be colonized by new and eventually increased populations of invertebrates. Total stream and wetland habitat area would be increased from 800 feet of stream habitat and 0.27 acres riparian habitat to approximately 1150 feet of stream habitat, 0.4 acres of emergent wetland habitat and approximately 0.7 acres of riparian habitat.

Riparian vegetation, over a period of several years, and wetland vegetation, over a shorter period, would mature, providing significantly increased habitat value. The restored stream channel would ultimately support a greater amount and diversity of invertebrates and fish. Use of the riparian area by small mammals and birds (particularly waterfowl, wading birds, shorebirds and raptors) could be expected to increase over pre-project levels. Water quality would be improved to the benefit of wildlife and fisheries. The fishing pond would provide open water habitat not currently available on-site and the presence of Westland Restoration Area #2 (discussed below) nearby would enhance the habitat value of the Campbell Creek area.

Under the Coastal Act, wetlands are defined as lands which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.

A topographic depression in the southcentral portion of the site is inundated regularly during winter storms giving rise to hydrophytic vegeation in limited areas. Field observations between December 1983 and February 1984 showed intermittent flooding to be limited to areas below the 6.0 foot contour. Sparse hydrophytic vegetation is found within this area in limited amounts, but is concentrated in two old channel traces, depression extending north approximately 200 feet from the 6.0 foot contour. This area is considered to be populated predominantly by hydrophytic vegetation. One of these linear depressions is a remnant of the historical channel of Campbell Creek.

Although the flooded area is disturbed by grazing, inundation is of sufficient regularity and duration to support sparse hydrophytes. These hydrophytes consist primarily of Callitriche sp. (an obligate hydrophyte as classified by the USFWS National Wetland Inventory) in the ponded areas and Ranunculus repens (a facultative species found in moist soils) in the margins. The presence of hydrophytes and conditions of intermittent flooding qualify this area as a wetland.

The frequency of inundation and presence of hydrophytic plants on-site suggests that hydrophytes could be present under normal conditions below the 6.0 foot contour on-site. As a result, the area below the 6-foot contour, and other areas supporting a predominance of hydrophytes are mapped as wetlands and encompass approximately 1.8 acres. (See Exhibit 4 ).

The City proposes to consolidate the wetlands within these linear depressions into the southeastern portion of the site and hydrologically connect them with Campbell Creek. This area is identified as Wetland Restoration Area #2. (Exhibit 5).

WRA #2 would provide additional wetlands enhancement and water quality improvements. WRA #2 would involve the collection of site and off-site runoff in the southerly portion of the site. This portion of the project would involve the construction of a low berm along the south property line and a weir to establish a water surface elevation of approximately 7.0 feet in an area with existing elevations of between 5.1 and 7.0 feet. The area would be excavated to provide a variety of shallow and deeper water habitats. This 1.5 acre area would be planted with native emergent and submergent species with screening riparian vegetation at the margins and in the easterly undeveloped area.

Water supply for WRA #2 would be continuously replaced during the winter months by stormwater runoff. Water areas would be maintained by the weir as far into the dry season as possible given evaporation, leakage, percolation and vector control constraints. Weir boards could be removed for drainage, if needed.

Due to proposed outdoor uses occurring on the adjoining recreation site and existing development in the area, it is anticipated that wetlands development will require ongoing vector control programs. City experience in related wetland enhancement projects would be applied to the site.

WRA #2 would also provide water quality benefits as well as stormwater retention to the benefit of downstream land uses. Access to this area would be restricted by fencing.

If feasible, WRA's 1 and 2 will be designed to be hydraulically connected to maximize resource enhancement. Campbell Creek waters could allow longer seasonal inundation of WRA #2; WRA #2 water areas could provide additional fish habitat. This would, however, require the installation of a weir structure allowing anadromous fish passage at the Campbell Creek outlet.

A portion of one softball field and a soccer/football field will result in the filling of approximately 0.8 acres of the seasonal, grazed wetland in the southern portion of the project area. Fill would be placed primarily in the two tongues of wetland extending northerly from the major area of inundation. This would result in a loss of potential wetland habitat and existing hydrophytes and soil-dwelling

invertebrates. However, the design of WRA #2 is intended to enhance the wetland resources on this part of the project site. Restoration would provide for increases in the frequency, duration, depth and areal extent of inundation by retaining storm runoff. The result would be a restored wetland occupying a total area of 1.5 acres.

Emergent and submergent vegetation would be planted in the wetland to create conditions of interspersed vegetation and open water. Riparian vegetation would be planted along the permimeter and in the eastern portions of the area; these plantings would screen the wetland from the recreation area. Water surface elevation in the restoration area would be maintained at approximately 7.0 feet, creating depths ranging from 0 - 2 feet. Existing depths do not exceed 1 foot and ponding is very ephemeral.

The total restored wetlands of WRA #1 and #2 total three acres and would ultimately provide a greater amount of diversity of hydrophytic vegetation in addition to riparian habitat. Interspersion of emergent vegetation and open water would create more desirable water-fowl habitat than the existing wetland. The combination of improved vegetation, more extensive inundation, greater invertebrate numbers and diversity and removal of grazing stress would cause a net improvement in wildlife habitat. Potential use of combined restoration areas by small mammals, songbirds, waterfowl, shorebirds and raptors is expected to exceed pre-project levels.

For the reasons cited above, the Commission finds that the project is consistent with Sections 30231, 30233, and 30236 of the Coastal Act.

C. Development: Section 30250(a) of the Coastal Act provides, in part, that:

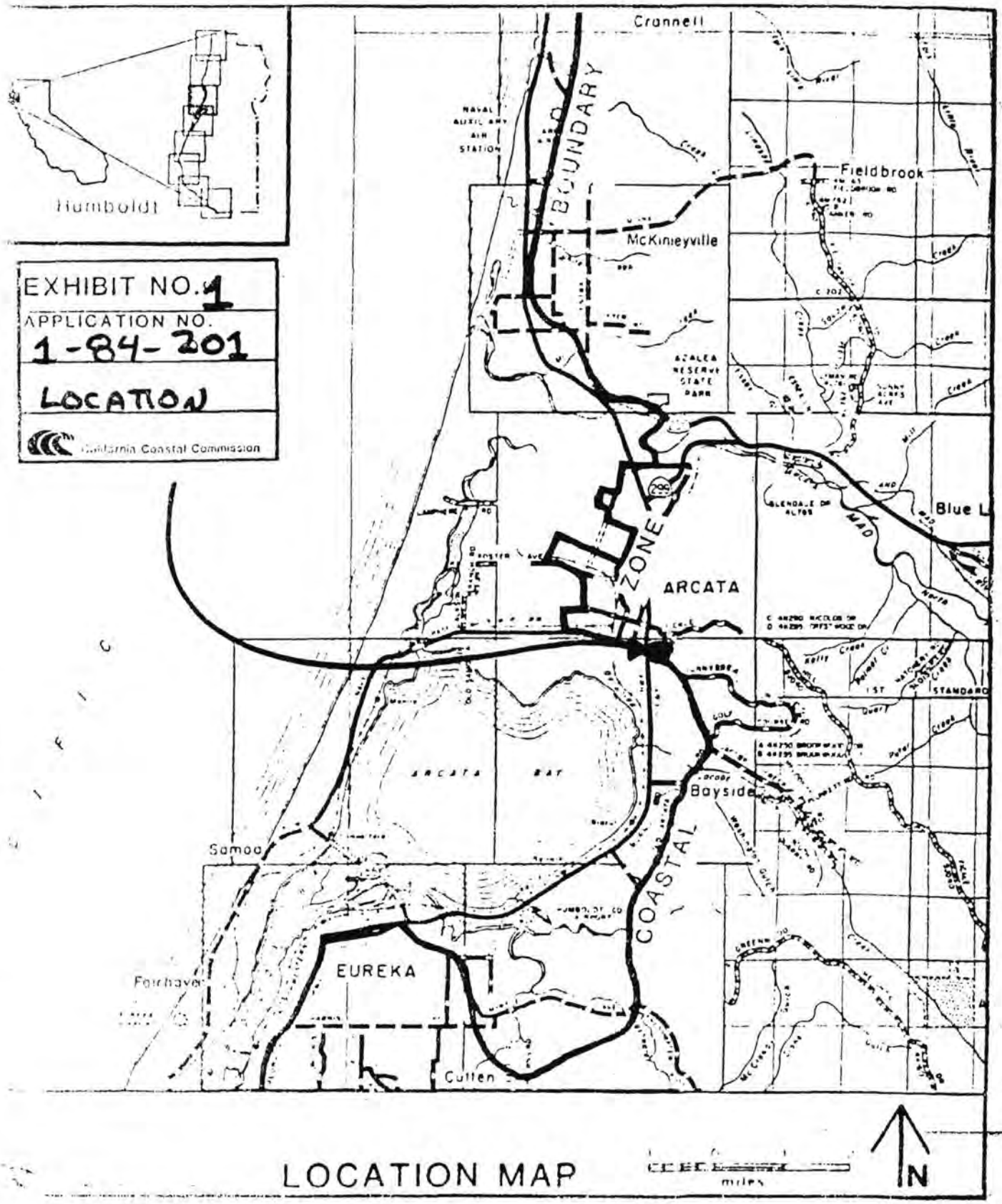
"New . . . development . . . shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. . . "

The project site is bounded by Highway 101 on the west; Seventh Avenue and residential development are located to the north; multi-family residential is located immediately to the east; and Samoa Boulevard is located on the southern project boundary. The Arcata LUP identified Samoa Boulevard as its urban/rural boundary, separating urban development north of Samoa Boulevard from the large agricultural lands located to its south.

The development of the project site would complete a logical, viable neighborhood north of Samoa Boulevard and contribute to the establishment of Samoa Boulevard as a stable limit to urban development. Adjacent lands in this area north of Samoa Boulevard have been developed with a school and medium to high density residential development. Because the project site is virtually surrounded by urban uses and is within an existing developed area with adequate public services, the Commission finds that project is consistent with Section 30250(a) of the Coastal Act.

D. Local Coastal Program: The City of Arcata received approval of its land use plan in 1980. The project site was designated Parks in the certified land use plan and is located within the urban/rural boundary. This project is consistent with the current zoning designation and is an allowable use in that zone, as approved by the Commmission. This project is consistent with the policies of Chapter 3 of the California Coastal Act as supported by the previous findings and, therefore, does not prejudice the ability of the local government to prepare a local coastal program conforming to the provisions of Chapter 3 of the California Coastal Act of 1976.

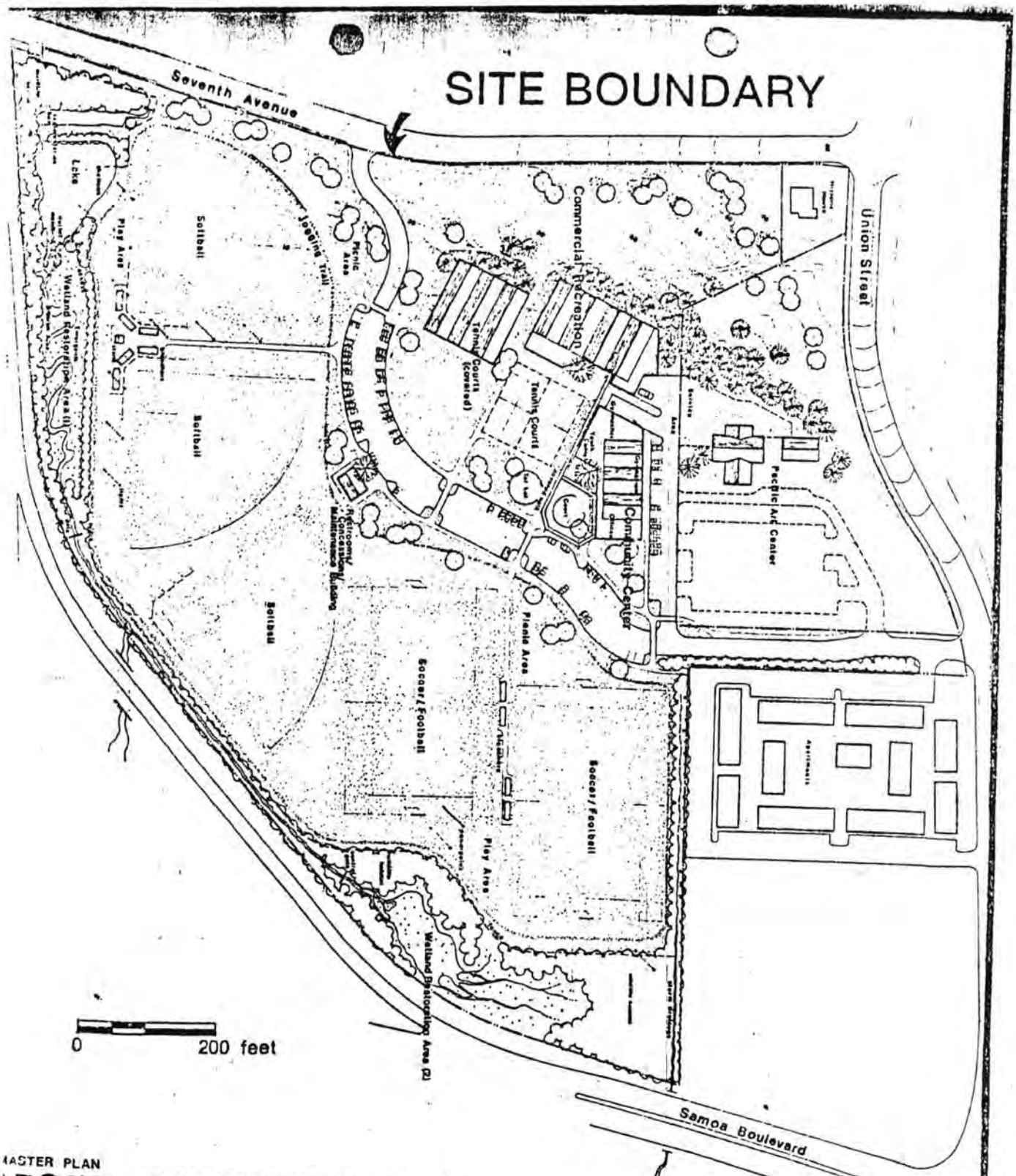
E. California Environmental Quality Act: An Environmental Impact Report was prepared and finalized by the City of Arcata for this project. The EIR was prepared and circulated through the State Clearinghouse in accordance with CEQA Guidelines. The EIR adequately addressed environmental concerns and responded to comments of reviewing agencies and individuals. Therefore, the Commission finds that the CEQA requirements have been met through the EIR process and that the project will not have a significant adverse impact on the environment within the meaning of CEQA.




LOCATION MAP

County of Humboldt

Sheet 3 of 8




MASTER PLAN

# ARCATA COMMUNITY PARK

## AND SPORTS COMPLEX

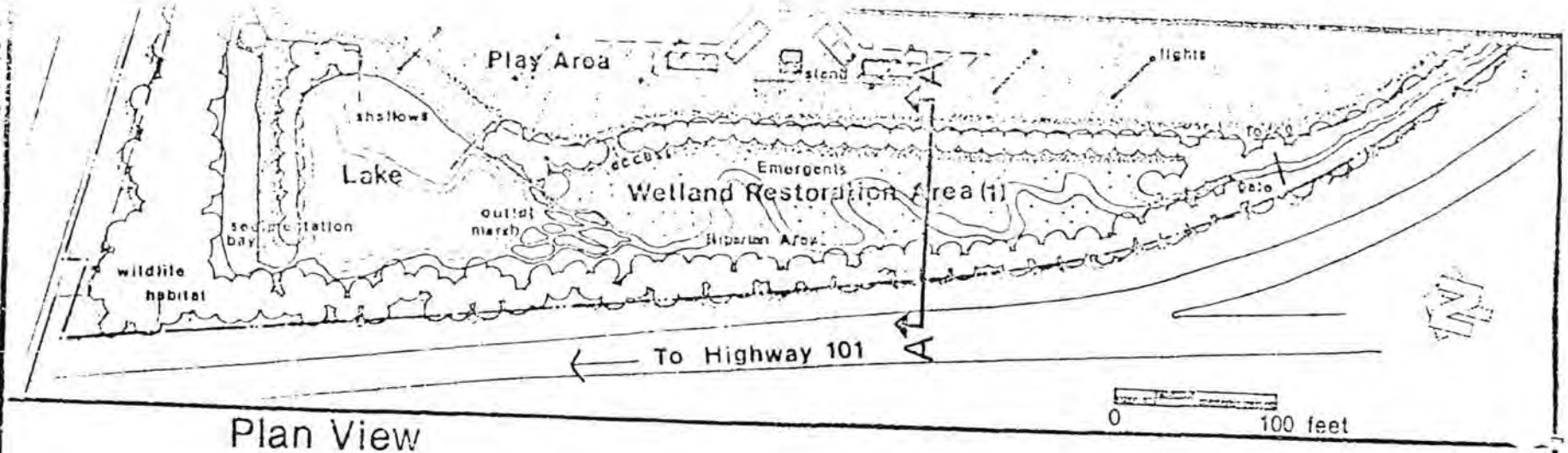
ARCATA PARKS AND RECREATION BOB CORTELYOU, DIRECTOR

1984

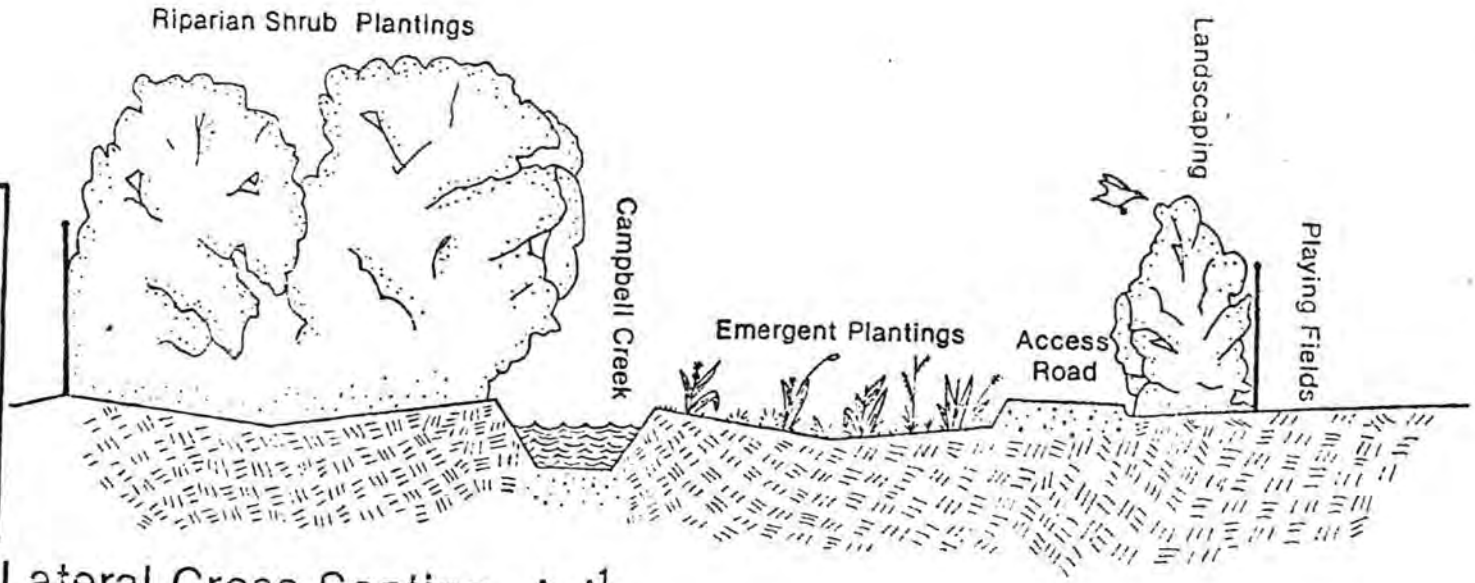
RISING SUN
Planning / Permitting
Environmental Consulting

EXHIBIT NO. 2
APPLICATION NO.
1-84-201
MASTER PLAN
California Coastal Commission

5 10

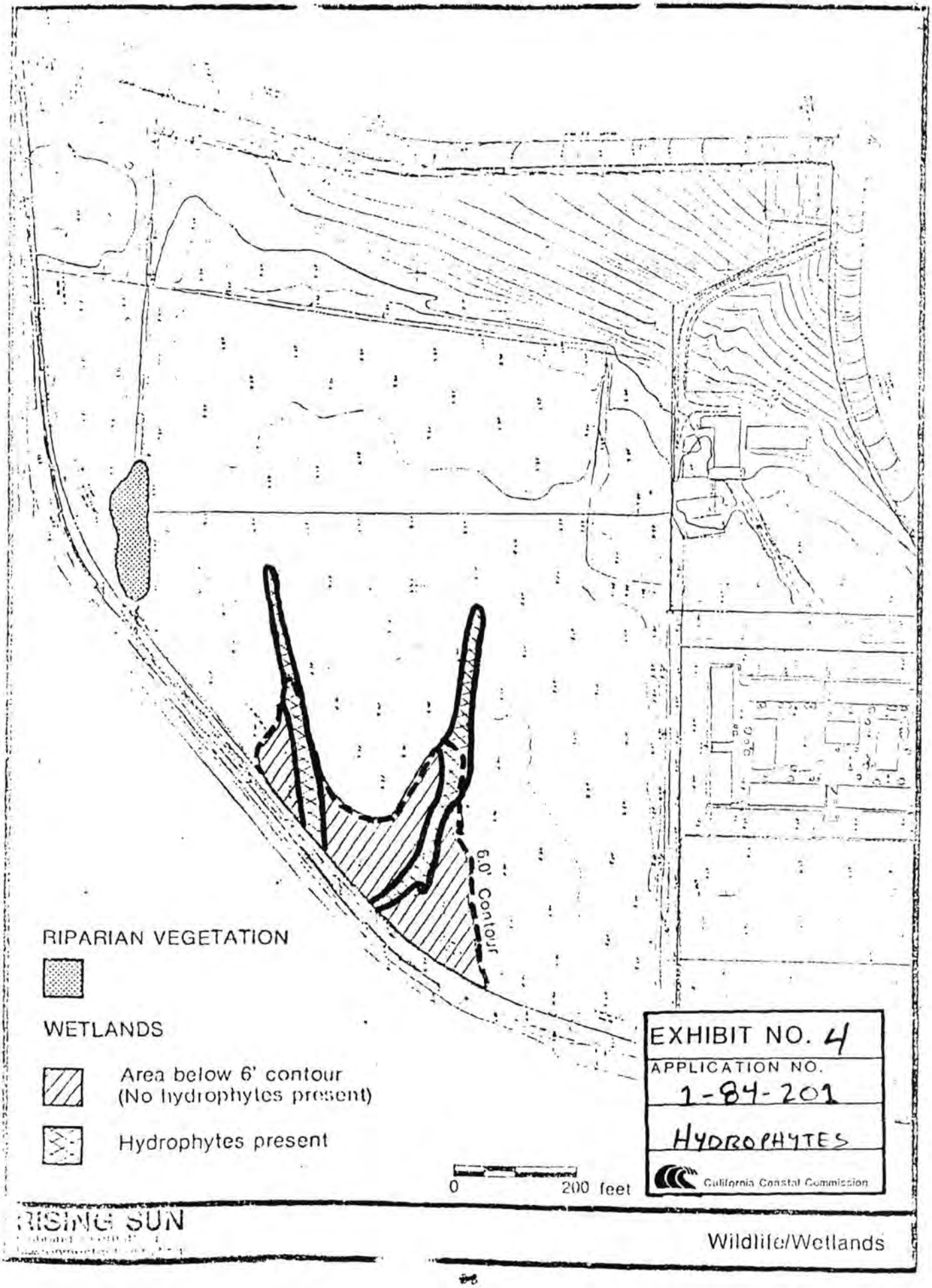


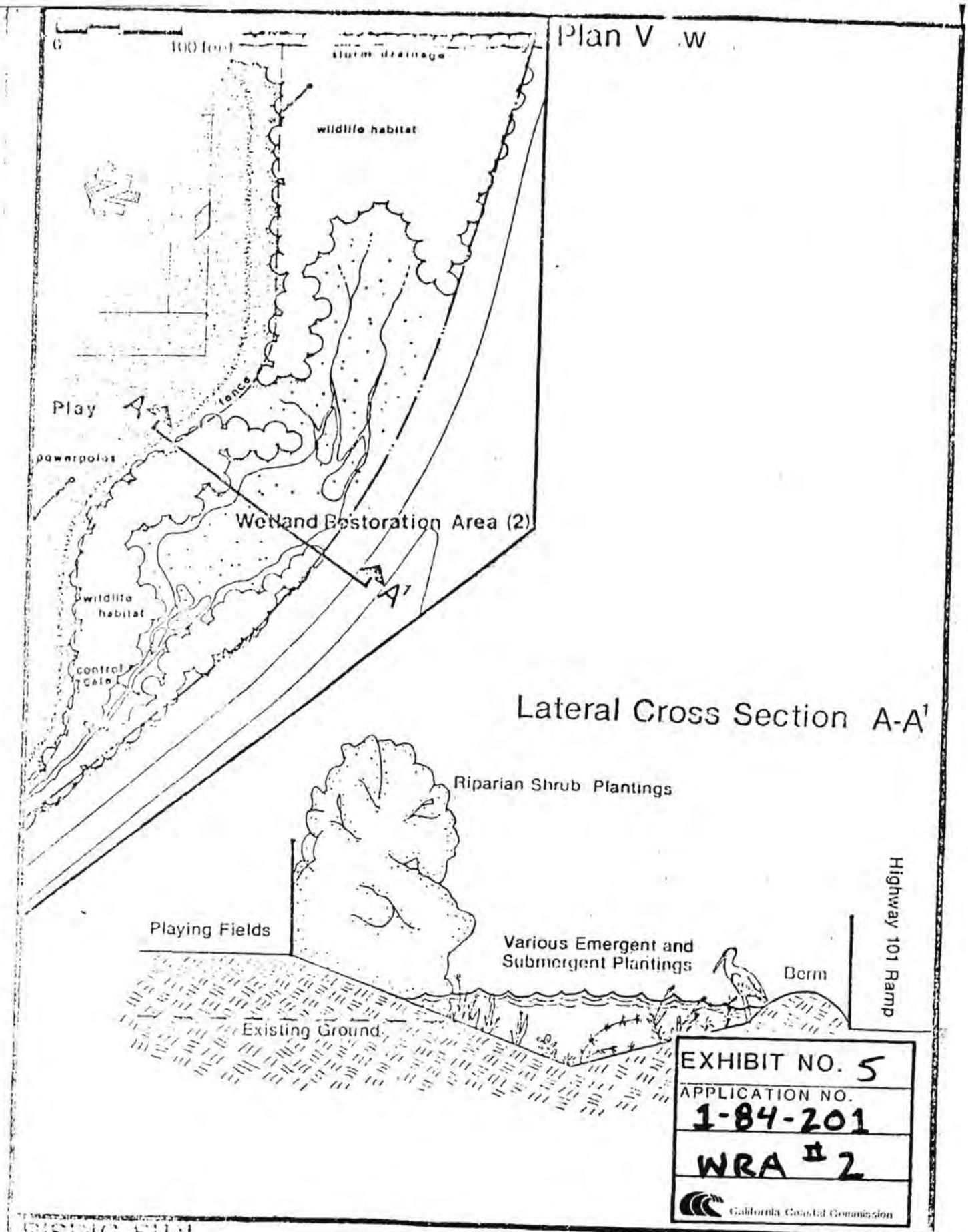

Plan View




Lateral Cross Section A-A'

EXHIBIT NO. 3
APPLICATION NO.
1-84-201
WRA # 1
California Coastal Commission


6.0' Contour
RIPARIAN VEGETATION
WETLANDS
Area below 6' contour
(No hydrophytes present)
Hydrophytes present
0
200 feet
EXHIBIT NO. 4
APPLICATION NO.
1-84-201
HYDROPHYTES
California Coastal Commission
RISING SUN
Wildlife/Wetlands


Plan View
0
100 feet
storm drainage
wildlife habitat
Play
A
fence
powerpoles
Wetland Restoration Area (2)
A'
wildlife habitat
control gate
Lateral Cross Section A-A'
Riparian Shrub Plantings
Playing Fields
Various Emergent and Submergent Plantings
Berm
Highway 101 Ramp
Existing Ground
EXHIBIT NO. 5
APPLICATION NO.
1-84-201
WRA # 2
California Coastal Commission
RISING SUN
Wetland Restoration Area Number 2

# ADDENDUM

Addendum to: 1-84-201
City of Arcata
Dept. of Parks & Recreation

At its February 13, 1985, hearing, the Commission revised Special Condition 1 to read:

Prior to the transmittal of the permit and therefore construction, the applicant shall submit a final restoration and management plan for the fisheries and wetlands restoration and enhancement elements of the project. The plan shall include standards, goals, and objectives for which the area is being developed and shall include monitoring and management techniques to be used to insure that the area is developing and being maintained in a manner consistent with these goals and objectives. The plan shall be subject to the review and approval of the Executive Director, and shall provide for phasing and completion of wetland restoration consistent with phasing of project development.



END OF DOCUMENT

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR

CALIFORNIA COASTAL COMMISSION
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

October 27, 2006

Susan Ornelas, Executive Director
Jacoby Creek Land Trust
P.O. Box 33
Bayside, CA 95524

RE: **Recorded Certificate of Acceptance for Offer to Dedicate (OTD) Open-Space Easement - Coastal Development Permit 1-84-201, Arcata Public Improvement Corp./City of Arcata**

Dear Susan,

Enclosed is the original recorded Certificate of Acceptance of the Arcata Offer to Dedicate (OTD) Open-Space Easement for your files. Thank you again for JCLT's efforts to help protect the important mitigations associated with this coastal permit.

Please let me know, at bvanbeckum@coastal.ca.gov or at 415-904-5293, if you have any questions about the Certificate.

Sincerely,

Bill Van Beckum
Coastal Program Analyst
Statewide Land Use Planning

cc: Bob Merrill, Coastal Commission North Coast
Jim Baskin, Coastal Commission North Coast

**2006-28161-2**
Recorded — Official Records
**Humboldt County, California**
Carolyn Crnich, Recorder
Recorded by JACOBY CREEK LAND TRUST
Rec Fee 10.00
Clerk: MM Total: 10.00
Sep 28, 2006 at 11:47

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
CALIFORNIA COASTAL COMMISSION
725 Front Street, Suite 300
Santa Cruz, CA 95060

ATTN: Legal Division

STATE OF CALIFORNIA OFFICIAL BUSINESS
Document entitled to free recordation
Pursuant to Government Code §27383

CDP 1-84-201

CERTIFICATE OF ACCEPTANCE
IRREVOCABLE OFFER TO DEDICATE OPEN-SPACE EASEMENT
AND DECLARATIONS OF RESTRICTIONS

This is to certify that the JACOBY CREEK LAND TRUST, a private association, hereby accepts the Irrevocable Offer to Dedicate Open-Space Easement and Declaration of Restrictions executed by Arcata Public Improvement Corporation and the City of Arcata, Lessee, on March 12, 1986, and recorded on April 25, 1986, as Instrument No. 7584, Vol. 1795, Pg. 1385, in the Official Records of Humboldt County, California.

Dated: 9/26/06

JACOBY CREEK LAND TRUST

By: _____
Mark Fritzke, President

STATE OF CALIFORNIA
COUNTY OF Humboldt

On Sept. 26, 2006, before me, Jean Legaz, a Notary Public personally appeared Mark Fritzke, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

JEAN LEGAZ
Commission # 1663129
Notary Public - California
Humboldt County
My Comm. Expires Apr 30, 2010

PAGE ONE (1) OF TWO (2)

ACKNOWLEDGMENT BY CALIFORNIA COASTAL COMMISSION

This is to certify that the JACOBY CREEK LAND TRUST is a private association acceptable to the Executive Director of the California Coastal Commission to be Grantee under the Irrevocable Offer to Dedicate Open-Space Easement and Declaration of Restrictions executed by Arcata Public Improvement Corporation and the City of Arcata, Lessee, on March 12, 1986, and recorded on April 25, 1986, as Instrument No. 7584, Vol. 1795, Pg. 1385, in the Official Records of Humboldt County, California.

Dated: Apr. 13, 2006

CALIFORNIA COASTAL COMMISSION

John Bowers

John Bowers, Staff Counsel

STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

On 4/13/06, before me, Jeff G. Staben, a Notary Public personally appeared John Bowers, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

JEFF G. STABEN
Comm. # 1449647
NOTARY PUBLIC - CALIFORNIA
City and County of San Francisco
My Comm. Expires Dec. 3, 2007

**EXHIBIT NO. 11**

**CDP APPLICATION NO. 1-20-0539** (PG&E)

**Project Comments and Applicant's Responses**

## Gedik, Tamara@Coastal

**From:** Kimberly Tays <[redacted]>
**Sent:** Monday, June 20, 2022 11:13 AM
**To:** Gedik, Tamara@Coastal
**Subject:** More Thoughts on 6/17/22 Phone Call

Hi Tamara,
Thank you for your call last Friday. I appreciate the time you took explaining PG&E's plans for the Campbell Creek area in Arcata.

While I feel better about the mitigation plans for the Eel River Wildlife Area and the fact that the site will be monitored and reported on for 10 years, I still have a lot of concerns about the cutting of willows and other low-growing vegetation in the Campbell Creek area. In doing a bit of research, I learned that the willows growing in that area (Pacific, Sitka and Arroyo willows) range in height from 23 to 45 feet. I did not see any information in the staff report or exhibits about the height of the Campbell Creek powerlines, but they appear to be much higher than the maximum height of the willows, so PG&E would not need to cut them to the ground, because they do not pose any threat or interfere with the powerlines there.

In my opinion, PG&E is using reasons that do not apply in our area to justify its intrusive approach to vegetation maintenance in the Campbell Creek area. PG&E is using a cookie cutter, one-size-fits-all approach for removing vegetation when a more judicious approach is warranted to protect the ESHA and wildlife.

I noticed several issues that negate the need to cut vegetation as intensively as proposed. (1) In Exhibit 4, the lattice tower structures with dangling lines on both sides—illustrating sagging and swaying—are totally different from the power poles and lines that run above Campbell Creek. (2) While we have high winds from time to time, I do not recall ever seeing these particular lines sagging or swaying. I drive by that area frequently and would notice something like that. (3) High temps would not affect the sagging/swaying of powerlines in our area, because we have such mild weather. (4) High loads also would not likely apply, because most people and businesses do not have air conditioning, and our county is not heavily populated. (5) General Order 95, Rule 35 should not be used to justify aggressive vegetation removal in the Campbell Creek area, because it is **not** a high-fire prone area.

For these reasons, the CCC should ask PG&E to come back with a less intensive vegetation removal plan for the Campbell Creek area. The only way California's coastal wetlands will ever be protected from the likes of PG&E is if the CCC demands that sensitive environments like this are managed in a very careful and thoughtful way. PG&E will **never** adopt less destructive vegetation removal practices unless they are forced to do so. They are a profit-driven corporation, and protecting the environment is not a priority.

I would still like to see the proposal to cut down willows and other low-growing vegetation abandoned. If the willows are getting too tall, PG&E should **only be allowed** to top them to the point where they would not interfere with the lines. Cutting them to the ground is too destructive and harmful to the ESHA and wildlife.

Thank you for considering my additional comments and concerns on this issue.

Kim Tays
Arcata Resident

## Gedik, Tamara@Coastal

**From:** Stephanie Mietz <[redacted]>
**Sent:** Monday, June 6, 2022 5:00 PM
**To:** Emily Sinkhorn
**Cc:** Gedik, Tamara@Coastal; Joe Mateer; Emily Benvie; Loya, David@City of Arcata; Mike Rice; Kraemer, Melissa@Coastal
**Subject:** Re: PG&E vegetation maintenance project (CDP 1-20-0539)

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Hello Tamara and all,

I appreciate this discussion about the permit for long term vegetation management by PG&E in the lower Jacoby Creek watershed and opportunities to mitigate its effects. Thank you, Emily, for outlining some of the project plans that will be developed in the near term that may be appropriate for this purpose. Not only do we anticipate the creation of project plans for wetland and riparian mitigation, but these projects could offer the opportunity to increase the mitigation ratios from 1:1 to at least 3:1.

Best,
Stephanie

On Mon, Jun 6, 2022 at 1:09 PM Emily Sinkhorn <esinkhorn@cityofarcata.org> wrote:

> Hi Tamara –
>
> Thank you again for the productive conversation regarding PG&E's CDP for vegetation maintenance in the lower Jacoby Creek watershed. We really appreciate the time Coastal staff dedicated to sharing the history of the permit application and brainstorming potential next steps.
>
> At this time the City and Land Trust do not have immediate shovel-ready mitigation project opportunities in the watershed that could be developed in the next month. The City did discuss the spartina removal in Gannon Slough with PG&E consultants and the City will continue to complete our due diligence to identify if this work could be compatible.
>
> We hope that a condition of approval could be considered for this CDP for PG&E to coordinate closely with the City and JCLT to explore mitigation opportunities within the lower Jacoby Creek watershed to mitigate for other planned PG&E work/permits along the Humboldt County. The Land Trust's Enhancement project has updated habitat mapping with the lower watershed and is currently evaluating potential projects to develop, several of which are likely to be identified on City and JCLT properties. We feel with clear communication from PG&E and their consultants on scope and intention of potential mitigation that we could work together to identify potential mitigation projects to meet PG&E's permit needs and implement restoration goals in the Jacoby Creek watershed.

Thank you,

Emily

Emily Sinkhorn

Environmental Services Director

City of Arcata

736 F Street

Arcata, CA 95521

707-825-2163

www.cityofarcata.org

Pronouns: she, her, hers

---

**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Thursday, June 2, 2022 11:26 AM
**To:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>; Stephanie Mietz <[redacted]>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Emily et al,

Thanks to all of you for your time meeting with us last week to discuss the subject project and the City's and the Land Trust's concerns. Yesterday Melissa Kraemer and I met with PG&E staff and relayed the concerns noted below. We also forwarded to PG&E the City's comments. Our staff have recommended that the hearing for this item be postponed one month, to the July hearing (scheduled to occur July 13-15) to allow time to address the concerns and issues raised. PG&E staff are discussing this recommendation and we will inform you once we hear back from them.

In the meantime, we understand that City staff had ideas for potential mitigation opportunities within the watershed that could occur now, in addition to the ideas for the future restoration projects led by Jacoby Creek Land Trust for which feasibility studies will commence soon. I understand from my conversation with you in December and as noted below that there were some discussions with PG&E about possible Spartina mitigation but also outstanding questions regarding the compatibility of the proposed mitigation with potential grant and deed restrictions. Could you tell me, were any other potential mitigation sites specifically discussed with PG&E? And could you also share the City's thoughts for any other potential mitigation opportunities that are currently available without grant-funding/deed restrictions within the watershed (and ideally on City-owned lands to ensure ownership authorization)?

Many thanks,

-Tamara

---

**From:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Sent:** Wednesday, May 25, 2022 4:01 PM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; Loya, David@City of Arcata <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>; Stephanie Mietz <swmietzjclt@gmail.com>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Hi Tamara –

Thank you for the quick reply and offer to meet and discuss. Below is some potential availability:

Tomorrow, Thurs May 26, between 8-10am or 2:30-4pm

Tues, May 31 between 12:30-2:30pm

Wed, June 1 after 10:30am

Thurs, June 2 between 8-11am

Thank you for sharing the kmz file and key items to read further in the staff report. The City has certainly been made aware of the proposed project, though I think the scale of the project and its impacts had not been clearly communicated or understood from the scope of the emergency permit.

I look forward to meeting soon. Jacoby Creek Land Trust may also be interested in joining as they hold an easement on City property along Campbell Creek.

Best,

Emily

Emily Sinkhorn

Environmental Services Director

City of Arcata

736 F Street

Arcata, CA 95521

707-825-2163

www.cityofarcata.org

Pronouns: she, her, hers

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**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Wednesday, May 25, 2022 1:48 PM
**To:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Emily,

Thank you for your feedback and documents. And, I apologize for the confusion- we did receive evidence from PG&E that they had notified the City about the project application for a long-term programmatic permit in September 2020 (attached), but I didn't realize that PG&E hadn't been corresponding in more detail with the City about its plans, or that my communication about the project scope was unclear when we last spoke about this project in December.

I think it would be great to meet to discuss the City's questions and concerns further. Are there particular days/times that work better for City staff?

I'm also attaching a Google Earth file that PG&E provided as part of its emergency permit application last year that shows the locations of the vegetation clearing activities that occurred previously and that are anticipated to continue to occur under the proposed programmatic permit. You should be able to double-click the file to open and zoom to any of the vegetation clearing points. Clicking on any of the numbered points will open up a pop-up window specifying the work proposed at that location. Additionally, I've attached the estimated work scope that is also included in Exhibit 3 of the staff report. Please let me know if there are any other documents you'd like to receive in advance of meeting.

I've also copied our District Manager Melissa Kraemer to keep her in the loop. Once I hear back on the City's preferred availability I'll outreach with our staff to coordinate a meeting and I can also send along a Zoom invite.

Thank you again Emily,

*~Tamara L. Gedik*
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521

Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)

**Tamara.Gedik@coastal.ca.gov**

*~To purchase a whale tail license plate or access Coastal Commission information, go to www.coastal.ca.gov*

Please note that public counter hours for all Commission offices are currently suspended until further notice in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business. The best way to contact me is by email. In addition to the regular means of mailing documents (please, no UPS or FEDEX at this time) as required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to me via email.

**From:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Sent:** Wednesday, May 25, 2022 12:17 PM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; Loya, David@City of Arcata <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Hello Tamara –

Thank you for the notice of the staff report for the consolidated coastal development permit for ongoing PG&E vegetation management activities on City of Arcata property along the Arcata Sports Complex and Gannon Slough area. The City agreed to consolidate CDP requirements within our jurisdictional area with the California Coastal Commission through a letter sent June 4, 2021 (see attached file Lttr 2021 06 04). In the letter we requested a copy of the planned scope of work from PG&E and Coastal Commission so that the City could evaluate the project and reserve our ability to make recommendations. The City was in support for an emergency permit to PG&E (also attached) for a scope limited to the removal of 3 trees, trimming of 51 trees and removal of 29 brush units (see attached PGE consolidate request letter). The City then provided an authorization letter (attached 12.21.21 file) for PG&E to conduct work at the Sports Complex as PGE did not have an easement in this location with the understanding that the scope of work was the same as previously communicated (removal of 3 trees, trimming of 51 trees and removal of 29 brush units).

In reviewing this past correspondence we do not believe the City was provided information or notice by either the Coastal Commission or PGE on the full Project Description/scope of work of the consolidated CDP. The proposed repeated clearing over a 10-year period of 4.78 acres of wetland and riparian ESHA and removal of 61 trees is a drastically larger scope than previously communicated to the City (see attached PGE consolidate request letter 5.26.21) and may have negative implications for habitat along Campbell Creek and Gannon Slough.

We did have correspondence in February with a PGE consultant focused solely on logistics for potential spartina mitigation at lower Gannon Slough. The City was asked if there were collaboration opportunities for spartina removal for PGE mitigation; however, the City was not informed that his potential mitigation was tied to this consolidated CDP. The City began research to identify if spartina removal would be compatible with deed and grant restrictions for the property and then communication ceased.

The City is in support of working with PGE for vegetation maintenance work; however, the City (as property owner and jurisdictional partner) was not provided an opportunity to evaluate or help shape the larger scope of the consolidated CDP and its proposed mitigation. Additionally, the project as proposed could be in direct conflict with grant and deed restrictions on these City of Arcata properties as multiple acquisition and restoration grants have assisted in improving habitat along these riparian corridors.

Please let us know if there may be an opportunity to discuss this project ahead of the June 10 hearing.

Thank you,

Emily

Emily Sinkhorn

Environmental Services Director

City of Arcata

736 F Street

Arcata, CA 95521

707-825-2163

www.cityofarcata.org

Pronouns: she, her, hers

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**From:** David Loya <dloya@cityofarcata.org>
**Sent:** Monday, May 23, 2022 8:33 AM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>; Joe Mateer <jmateer@cityofarcata.org>; Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Mike Rice <mrice@cityofarcata.org>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Thanks, Tamara.

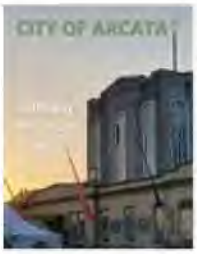
David Loya (him)

Community Development Director

City of Arcata

p. 707-825-2045

To grow opportunity and build community equitably.




Exciting work is happening in the Arcata Gateway – 138 acres once used for mostly industrial purposes. The Arcata Gateway Plan allows innovative residential development, using streamlined permitting while protecting working forests, ag lands, open space and natural resources.

You are encouraged to take part in the public process that will affect the City for years to come.

## READ THE GATEWAY PLAN

### Learn More About Public Meetings and Planning

**City Hall is open for business between 9 and 5.**

**Visitors to City Hall are required to wear a mask inside regardless of vaccination status. Thank you for complying with this local practice.**

**Some services, such as water bills and police services, are available on-call. Please check our website www.cityofarcata.org for the latest information on accessing City services.**

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welcoming • safe • racially equitable
equityarcata.com

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**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Friday, May 20, 2022 9:33 PM
**To:** Joe Mateer <jmateer@cityofarcata.org>; Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>
**Subject:** PG&E vegetation maintenance project (CDP 1-20-0539)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings All,

You likely recall that we have been working on processing a consolidated coastal development permit for ongoing vegetation management activities that PG&E proposes to undertake for a 10-year term at the Arcata Sports Complex, Little League Fields, and continuing south until just before Bayside Cutoff. The permit also includes follow-up authorization for the emergency permits the Commission authorized for similar vegetation maintenance work in 2020 and 2021.

The hearing notice for this project was mailed to you today and is also attached. You can view the staff report and supporting documents on the Commission's website at www.coastal.ca.gov/mtgcurr.html. Click on the Friday tab and scroll down to agenda item 8a. Additionally, the direct links to the report materials are as follows:

- Report: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-report.pdf
- Exhibits: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-exhibits.pdf
- Appendices: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-appendix.pdf

You can also view other documents PG&E has provided for our review on our ftp site using the following access instructions:

-Go to: http://ftp.coastal.ca.gov

-Click on "General Public"

-Log in: user name – public; password – ocean03

-File: "PG&E - Arcata Vegetation Mgmt."

If you would like to receive any additional project materials, please let me know, and please don't hesitate to contact me if you have any questions.

Sincerely,

-Tamara

~Tamara L. Gedik
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521

Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)

**Tamara.Gedik@coastal.ca.gov**

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--
Stephanie Mietz
Executive Director
Jacoby Creek Land Trust
www.jclandtrust.org
(707) 822-0900

Pronouns: She, her, hers

## Gedik, Tamara@Coastal

**From:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Sent:** Monday, June 6, 2022 1:09 PM
**To:** Gedik, Tamara@Coastal
**Cc:** Joe Mateer; Emily Benvie; Loya, David@City of Arcata; Mike Rice; Kraemer, Melissa@Coastal; Stephanie Mietz
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Hi Tamara –

Thank you again for the productive conversation regarding PG&E's CDP for vegetation maintenance in the lower Jacoby Creek watershed. We really appreciate the time Coastal staff dedicated to sharing the history of the permit application and brainstorming potential next steps.

At this time the City and Land Trust do not have immediate shovel-ready mitigation project opportunities in the watershed that could be developed in the next month. The City did discuss the spartina removal in Gannon Slough with PG&E consultants and the City will continue to complete our due diligence to identify if this work could be compatible.

We hope that a condition of approval could be considered for this CDP for PG&E to coordinate closely with the City and JCLT to explore mitigation opportunities within the lower Jacoby Creek watershed to mitigate for other planned PG&E work/permits along the Humboldt County. The Land Trust's Enhancement project has updated habitat mapping with the lower watershed and is currently evaluating potential projects to develop, several of which are likely to be identified on City and JCLT properties. We feel with clear communication from PG&E and their consultants on scope and intention of potential mitigation that we could work together to identify potential mitigation projects to meet PG&E's permit needs and implement restoration goals in the Jacoby Creek watershed.

Thank you,
Emily

Emily Sinkhorn
Environmental Services Director
City of Arcata
736 F Street
Arcata, CA 95521
707-825-2163
www.cityofarcata.org
Pronouns: she, her, hers

---

**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Thursday, June 2, 2022 11:26 AM
**To:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>; Stephanie Mietz <swmietzjclt@gmail.com>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Emily et al,

Thanks to all of you for your time meeting with us last week to discuss the subject project and the City's and the Land Trust's concerns. Yesterday Melissa Kraemer and I met with PG&E staff and relayed the concerns noted below. We also forwarded to PG&E the City's comments. Our staff have recommended that the hearing for this item be postponed one month, to the July hearing (scheduled to occur July 13-15) to allow time to address the concerns and issues raised. PG&E staff are discussing this recommendation and we will inform you once we hear back from them.

In the meantime, we understand that City staff had ideas for potential mitigation opportunities within the watershed that could occur now, in addition to the ideas for the future restoration projects led by Jacoby Creek Land Trust for which feasibility studies will commence soon. I understand from my conversation with you in December and as noted below that there were some discussions with PG&E about possible Spartina mitigation but also outstanding questions regarding the compatibility of the proposed mitigation with potential grant and deed restrictions. Could you tell me, were any other potential mitigation sites specifically discussed with PG&E? And could you also share the City's thoughts for any other potential mitigation opportunities that are currently available without grant-funding/deed restrictions within the watershed (and ideally on City-owned lands to ensure ownership authorization)?

Many thanks,
-Tamara

---

**From:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Sent:** Wednesday, May 25, 2022 4:01 PM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; Loya, David@City of Arcata <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>; Stephanie Mietz <swmietzjclt@gmail.com>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Hi Tamara –

Thank you for the quick reply and offer to meet and discuss. Below is some potential availability:

Tomorrow, Thurs May 26, between 8-10am or 2:30-4pm
Tues, May 31 between 12:30-2:30pm
Wed, June 1 after 10:30am
Thurs, June 2 between 8-11am

Thank you for sharing the kmz file and key items to read further in the staff report. The City has certainly been made aware of the proposed project, though I think the scale of the project and its impacts had not been clearly communicated or understood from the scope of the emergency permit.

I look forward to meeting soon. Jacoby Creek Land Trust may also be interested in joining as they hold an easement on City property along Campbell Creek.

Best,
Emily

Emily Sinkhorn
Environmental Services Director
City of Arcata
736 F Street
Arcata, CA 95521
707-825-2163
www.cityofarcata.org
Pronouns: she, her, hers

---

**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Wednesday, May 25, 2022 1:48 PM
**To:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

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Hi Emily,

Thank you for your feedback and documents. And, I apologize for the confusion- we did receive evidence from PG&E that they had notified the City about the project application for a long-term programmatic permit in September 2020 (attached), but I didn't realize that PG&E hadn't been corresponding in more detail with the City about its plans, or that my communication about the project scope was unclear when we last spoke about this project in December.

I think it would be great to meet to discuss the City's questions and concerns further. Are there particular days/times that work better for City staff?

I'm also attaching a Google Earth file that PG&E provided as part of its emergency permit application last year that shows the locations of the vegetation clearing activities that occurred previously and that are anticipated to continue to occur under the proposed programmatic permit. You should be able to double-click the file to open and zoom to any of the vegetation clearing points. Clicking on any of the numbered points will open up a pop-up window specifying the work proposed at that location. Additionally, I've attached the estimated work scope that is also included in Exhibit 3 of the staff report. Please let me know if there are any other documents you'd like to receive in advance of meeting.

I've also copied our District Manager Melissa Kraemer to keep her in the loop. Once I hear back on the City's preferred availability I'll outreach with our staff to coordinate a meeting and I can also send along a Zoom invite.

Thank you again Emily,

*~Tamara L. Gedik*
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521
Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)
**Tamara.Gedik@coastal.ca.gov**

Please note that public counter hours for all Commission offices are currently suspended until further notice in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business. The best way to contact me is by email. In addition to the regular means of mailing documents (please, no UPS or FEDEX at this time) as required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to me via email.

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**From:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Sent:** Wednesday, May 25, 2022 12:17 PM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; Loya, David@City of Arcata <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Hello Tamara –

Thank you for the notice of the staff report for the consolidated coastal development permit for ongoing PG&E vegetation management activities on City of Arcata property along the Arcata Sports Complex and Gannon Slough area. The City agreed to consolidate CDP requirements within our jurisdictional area with the California Coastal Commission through a letter sent June 4, 2021 (see attached file Lttr 2021 06 04). In the letter we requested a copy of the planned scope of work from PG&E and Coastal Commission so that the City could evaluate the project and reserve our ability to make recommendations. The City was in support for an emergency permit to PG&E (also attached) for a scope limited to the removal of 3 trees, trimming of 51 trees and removal of 29 brush units (see attached PGE consolidate request letter). The City then provided an authorization letter (attached 12.21.21 file) for PG&E to conduct work at the Sports Complex as PGE did not have an easement in this location with the understanding that the scope of work was the same as previously communicated (removal of 3 trees, trimming of 51 trees and removal of 29 brush units).

In reviewing this past correspondence we do not believe the City was provided information or notice by either the Coastal Commission or PGE on the full Project Description/scope of work of the consolidated CDP. The proposed repeated clearing over a 10-year period of 4.78 acres of wetland and riparian ESHA and removal of 61 trees is a drastically larger scope than previously communicated to the City (see attached PGE consolidate request letter 5.26.21) and may have negative implications for habitat along Campbell Creek and Gannon Slough.

We did have correspondence in February with a PGE consultant focused solely on logistics for potential spartina mitigation at lower Gannon Slough. The City was asked if there were collaboration opportunities for spartina removal for PGE mitigation; however, the City was not informed that his potential mitigation was tied to this consolidated CDP. The City began research to identify if spartina removal would be compatible with deed and grant restrictions for the property and then communication ceased.

The City is in support of working with PGE for vegetation maintenance work; however, the City (as property owner and jurisdictional partner) was not provided an opportunity to evaluate or help shape the larger scope of the consolidated CDP and its proposed mitigation. Additionally, the project as proposed could be in direct conflict with grant and deed restrictions on these City of Arcata properties as multiple acquisition and restoration grants have assisted in improving habitat along these riparian corridors.

Please let us know if there may be an opportunity to discuss this project ahead of the June 10 hearing.

Thank you,
Emily

Emily Sinkhorn
Environmental Services Director
City of Arcata
736 F Street
Arcata, CA 95521
707-825-2163
www.cityofarcata.org
Pronouns: she, her, hers

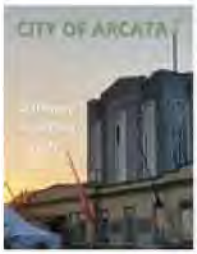
---

**From:** David Loya <dloya@cityofarcata.org>
**Sent:** Monday, May 23, 2022 8:33 AM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>; Joe Mateer <jmateer@cityofarcata.org>; Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Mike Rice <mrice@cityofarcata.org>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Thanks, Tamara.

David Loya (him)
Community Development Director
City of Arcata
p. 707-825-2045

To grow opportunity and build community equitably.




Exciting work is happening in the Arcata Gateway – 138 acres once used for mostly industrial purposes. The Arcata Gateway Plan allows innovative residential development, using streamlined permitting while protecting working forests, ag lands, open space and natural resources.

You are encouraged to take part in the public process that will affect the City for years to come.

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equityarcata.com

**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Friday, May 20, 2022 9:33 PM
**To:** Joe Mateer <jmateer@cityofarcata.org>; Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>
**Subject:** PG&E vegetation maintenance project (CDP 1-20-0539)

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Greetings All,

You likely recall that we have been working on processing a consolidated coastal development permit for ongoing vegetation management activities that PG&E proposes to undertake for a 10-year term at the Arcata Sports Complex, Little League Fields, and continuing south until just before Bayside Cutoff. The permit also includes follow-up authorization for the emergency permits the Commission authorized for similar vegetation maintenance work in 2020 and 2021.

The hearing notice for this project was mailed to you today and is also attached. You can view the staff report and supporting documents on the Commission's website at www.coastal.ca.gov/mtgcurr.html. Click on the Friday tab and scroll down to agenda item 8a. Additionally, the direct links to the report materials are as follows:

- Report: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-report.pdf
- Exhibits: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-exhibits.pdf
- Appendices: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-appendix.pdf

You can also view other documents PG&E has provided for our review on our ftp site using the following access instructions:

-Go to: http://ftp.coastal.ca.gov

-Click on "General Public"

-Log in: user name – public; password – ocean03

-File: "PG&E - Arcata Vegetation Mgmt."

If you would like to receive any additional project materials, please let me know, and please don't hesitate to contact me if you have any questions.

Sincerely,
-Tamara

*~Tamara L. Gedik*
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521
Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)
**Tamara.Gedik@coastal.ca.gov**

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## Gedik, Tamara@Coastal

**From:** Goldie, Brittney <BAGM@pge.com>
**Sent:** Monday, June 6, 2022 12:37 PM
**To:** Kraemer, Melissa@Coastal; Gedik, Tamara@Coastal
**Cc:** Walker, Valerie
**Subject:** PG&E- Arcata Ball Fields Meeting Follow Up
**Attachments:** FW: City of Arcata mitigation trees

**Importance:** High

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Hi There Tamara and Melissa,

I checked in with our mitigation team on the corresponded with the City of Arcata in which the below response reflects our diligence in working with the City of Arcata and additional agencies for this project. Given our extensive outreach this should be sufficient to clear the concerns of the City that were recently raised.

> The City of Arcata was emailed to inquire about lands for mitigation in December of 2020 (specifically to Julie Neander on 12/8/2020). Julie passed me on to Mike Rice in January of 2021, and via email Mike passed me along to Emily Benvie in late January 2021. Emily's email specifically stated that "*at this time we don't have specific locations to compensate for the entire impacted area of 4.21 acres (or 135 trees). I think in the future the City would be interested in partnering, as we may have some planting opportunities coming up within the next couple of years, but in the immediate present we don't have a big need.*" We did later pursue wetland mitigation with the City of Arcata and Redwood Community Action Agency (RCAA), on Spartina treatments; however, this line of mitigation was later denied by the Coastal Commission.
>
> In addition to the City of Arcata, we also reached out to McKinleyille Community Services District, but that mitigation plan had complications between their permitting and funding and our needs. We also spoke with Mike Cipra at Friends of the Dunes, Mary Burke at CalTrout, Andrea Pickhart at the Lanphere Dunes Unit of the Humboldt Bay National Wildlife Refuge, and further discussed options with Susannah Ferson at RCAA.
>
> During our field site meetings at the Arcata Ballfields complex and Cock Robin Island (CRI) with the Coastal Commission, CDFW, and Samara Restoration (in early February) we all agreed that CRI provided the most contiguous acreage and restoration need that had been proposed to date. At that time the discussion was around the Habitat Mitigation Plan and how to meet the restoration needs of CRI, CDFW, and the mitigation requirements of the Coastal Commission and the Ballfields work. Laurie Koteen and Tamara (both from the Coastal Commission) were in email exchanges with us, after the field site meeting, to discuss the planting pallet and restoration planning (will forward that exchange). At this time we agreed to pursue writing the Habitat Mitigation Plan, and the draft version was sent to Tamara on Tuesday, May 31st.

Our team is not able to provide location information for the exact trees that will require removal over the next ten years as this is dependent on many factors that require inspections each year to determine such as growth and defects. It may be helpful to understand the 40 trees is an estimate based off polygons of vegetation that have been identified in the areas included in the application. Each year those polygons will be reviewed by our inspection team that is made up of certified arborists who will be identifying work that is needed each year under the CPUC current thresholds of maintaining vegetation around our powerlines. While the polygons identify the expected area of which trees may be identified as hazards to our lines we are not able to definitely confirm the exact tree.

Is there any information you need from us for the additional comments received on Friday? We look forward to receiving the updated mitigation list from the City of Arcata and meeting with the larger team shortly after. Do confirm with our team if the above is sufficient and if there is any follow up items I have missed from our meeting last week.

Thank you,
Brittney Goldie
Land Planner | Vegetation Management
Phone: (925) 216-4766

Together, Building
a Better California

*Some of the measures included in this document are contemplated as additional precautionary measures intended to further reduce the risk of future ignitions following the 2018 Camp wildfire

**From:** Stephanie Martin
**To:** Goldie, Brittney
**Cc:** McKay, Jordan
**Subject:** FW: City of Arcata mitigation trees
**Date:** Thursday, June 2, 2022 8:22:46 AM

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*******CAUTION: This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*******

Brittney-

See below for the decline to participate by the City of Arcata.

I will respond to your other questions shortly.

The treatment of the slough (owned by the City) was declined as a potential mitigation site by the Coastal Commission.

Stephanie

---

**From:** Emily Benvie <ebenvie@cityofarcata.org>
**Sent:** Tuesday, January 26, 2021 10:26 AM
**To:** Stephanie Martin <smartin@ncrm.com>; Mike Rice <mrice@cityofarcata.org>
**Cc:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Subject:** Re: City of Arcata mitigation trees

Sounds great, thanks Stephanie. A couple other entities that might be worthwhile to reach out to for the current mitigation needs could be the Jacoby Creek Land Trust or North Coast Regional Land Trust

Emily Benvie (she/her)

Environmental Programs Manager

City of Arcata - Environmental Services

736 F Street Arcata, CA 95521

office: (707) 825-2102

cell: (774)-218-6991

ebenvie@cityofarcata.org

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**From:** Stephanie Martin <smartin@ncrm.com>
**Sent:** Tuesday, January 26, 2021 10:23:02 AM
**To:** Emily Benvie; Mike Rice
**Cc:** Gedik, Tamara@Coastal
**Subject:** RE: City of Arcata mitigation trees

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Thanks for getting back to me Emily.
If the City has future plans for replanting areas, restoring wetlands, or otherwise, please keep my email handy as I am always in search of mitigation lands and partners in the Humboldt area.
Best,
Stephanie

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**From:** Emily Benvie <ebenvie@cityofarcata.org>
**Sent:** Monday, January 25, 2021 9:08 AM
**To:** Stephanie Martin <smartin@ncrm.com>
**Cc:** Mike Rice <mrice@cityofarcata.org>
**Subject:** City of Arcata mitigation trees

Hi Stephanie,
Mike Rice recently let me know that PGE is looking for opportunities to plant trees to mitigate for impacts to tree-trimming at the ball field. I saw the earlier emails that he had suggested some locations which all looked good to me. However, I think at this time we don't have specific locations to compensate for the entire impacted area of 4.21 acres (or 135 trees). I think in the future the City would be interested in partnering, as we may have some planting opportunities coming up within the next couple of years, but in the immediate present we don't have a big need. Please feel free to give me a call if you'd like to discuss further. Best,

Emily Benvie
Environmental Programs Manager
City of Arcata - Environmental Services
736 F Street Arcata, CA 95521
(707) 825-2102
ebenvie@cityofarcata.org

## Gedik, Tamara@Coastal

**From:** Stanley Binnie <[redacted]>
**Sent:** Thursday, June 2, 2022 3:24 PM
**To:** NorthCoast@Coastal
**Subject:** Public Comment on June 2022 Agenda Item Friday 8a - Application No. 1-20-0539 (Pacific Gas

This is an addendum to my public comment submitted yesterday, June 1, 2022, via my husband's iPad and icloud account. Kimberly Tays

Dear Commissioners,

My apologies for not submitting these comments yesterday, but today I had some additional thoughts on the above agenda item.

1) Issuing a permit for ten-years in such a sensitive environment seems like an extremely long time when the vegetation removal activities could cause irreparable harm to the Campbell Creek ESHA.

2) A Coastal Commission biologist or a biologist mutually selected by the Coastal Commission and PG&E should conduct a biological assessment every couple years to insure that the vegetation removal activities being done by PG&E are <u>not</u> causing irreparable harm to the Campbell Creek ESHA.

3) If a Coastal Commission biologist or a qualified biologist (selected by both parties) determines that severe or irreparable harm is being caused to the Campbell Creek site, then PG&E should be required to halt any further vegetation removal work and submit a new permit application that entails less damaging/harmful impacts to the Campbell Creek ESHA.

Because of the advances in science and fast-changing impacts from Climate Change, it does not seem prudent to issue a permit such as this for ten years without periodic biological assessments to insure that PG&E is abiding by the conditions of the permit.

Please do not allow PG&E to work in the Campbell Creek ESHA without stricter permit parameters and conditions. I fear, without regular biological assessments by a Coastal Commission biologist or a mutually-selected biologist, the conditions of the permit will not be adhered to and after ten years of ongoing vegetation removal activities (that have not been assessed by a neutral party) PG&E will have caused permanent and irreparable harm to the Campbell Creek site.

Sincerely,
Kimberly Tays
Resident of Arcata

Sent from my iPad

## Gedik, Tamara@Coastal

**From:** Stanley Binnie <[redacted]>
**Sent:** Wednesday, June 1, 2022 12:56 PM
**To:** NorthCoast@Coastal
**Subject:** Public Comment on June 2022 Agenda Item Friday 8a - Application No. 1-20-0539 (Pacific Gas

NOTE: My public comment is being sent from my husband's iPad and icloud account, because my keyboard is not working. Kimberly Tays

Dear Commissioners:

I am writing this public comment to oppose staff's recommendations and conditions put forth in the staff report for the above agenda item.

In February of 2019, I submitted a written complaint to a Coastal Commission staff member in the Arcata office about vegetation removal that was done adjacent to the Samoa Blvd. on-ramp to Hwy 101. The cutting done in that area was severe and seemed to be completely unnecessary, as much of the vegetation cut to the ground was low-growing and was not interfering with the electrical lines. I suspected PG&E was responsible for the cutting, but I did not understand why the work needed to be done in such a destructive and insensitive manner.

I did not realize, until reading the staff report for the upcoming June Coastal Commission meeting, the extent of this area's importance. I had no idea this narrow stretch of wetlands was part of a larger complex of an environmentally sensitive habitat area called the Jacoby Creek-Gannon Slough Wildlife Area. I had no idea that 1) the "Lower Campbell Creek enters Gannon Slough, that 2) "Campbell Creek has historically supported anadromous fish rearing habitat," that 3) "Campbell Creek and Gannon Slough both support well-established riparian corridors," that the area is 4) "situated along the Pacific Flyway as a part of the major migratory corridor for thousands of birds traveling between California, Mexico and Central and South America and provides nesting and roosting habitat for several species of birds," and that the area 5) "supports wildlife species such as northern red-legged frogs, gray foxes, raccoon, and striped skunk." [Staff report, pages 23-24–emphasis added.]

I also did not realize the tremendous importance of areas such as this until I read the following statements in the staff report:

**"Riparian and freshwater vegetation communities are among California's most sensitive habitats due to their high level of productivity, biodiversity, importance as migration corridors, and limited geographic distribution. Historically, these habitat types have been heavily degraded as a result of stream alteration, vegetation clearing, floodplain development and the draining and filling of wetlands."**

**The coastal streams, sloughs and wetland in and around … Jacoby Creek-Gannon Slough Wildlife Area additionally provide habitats suitable for various rare and sensitive species, including … northern red-legged frog (Rana aurora aurora), which has been observed in freshwater habitats throughout the project area. Although the applicant's biological resource assessments did not include avian surveys, the riparian and wetland habitats at the project work sites were determined suitable habitat for nesting birds. Birds using the project site may include sensitive species such as raptors and other species protected under Fish and Game Code sections 3503 and 3503.5."** [Staff report, pages 24-25—emphasis added.]

The bolded language above is profound. And that is why it is so important for the Coastal Commission to do everything in its power to protect the last remaining coastal wetlands in California, since so few of them are still in tact. PG&E

should be required to come up with a less damaging alternative to the proposed project set forth in this application. Commissioners should directly ask PG&E why such an intensive and damaging manner of vegetation removal is necessary, especially when they are proposing to even cut down low-growing vegetation within 6 inches of the ground. It seems excessive to allow PG&E to cut down vegetation that is not interfering with their electrical lines.

In addition to a less damaging alternative for vegetation removal, PG&E should **not** be allowed a 1:1 mitigation ratio, as it appears that PG&E is being held to a different standard than others when it comes to protection of California's wetlands/ESHAs.

The staff report says: **"The Commission has typically required mitigation at a 3:1 ratio (acres of restored habitat to each acre of impacted habitat) for permanent impacts to sensitive habitat areas containing habitat that support state or federally listed rare, threatened, or endangered, species of special concern, or riparian or wetland habitat …. The traditional 3:1 mitigation ratio applies to habitat restoration or creation. <u>Established mitigation ratios</u> for habitat restoration or replacement are important because: (1) in most cases there is a time gap with a loss of ecosystem function between the direct, indirect, or cumulative impacts to, or removal of, the respective habitat, and 2) there is uncertainty that habitat creation or restoration will be entirely successful."** [Staff report, pages 28-29, emphasis added.]

While I wholly support restoration activities at the Cock Robin Island Unit of the Eel River Wildlife Area in Lolita, I do not support a 1:1 mitigation ratio for PG&E under this project, as it appears that PG&E is being given preferential treatment to harm and/or damage our coastal resources and ESHAs.

Another troubling aspect of the proposed 1:1 mitigation ratio is that the Lolita mitigation site is located 25 miles southwest of the Arcata project site. This disregards the importance of protecting wetlands/ESHA in the Arcata vicinity, along with the visual resources for those of us who enjoy seeing this natural habitat in an otherwise heavily altered, man-made environment.

PG&E should be required to fulfill a 3:1 mitigation ratio for this proposed project, due to the extensive damage it will cause for the next 10 years. If PG&E is permitted to remove 61 trees, they should be required to replant the area with native shrubs and other low-growing vegetation that will not interfere with their electrical lines. If the Campbell Creek site is permitted to be managed in such an intensive and harmful way, the effects could be deleterious for the greater wetland complex in that area and compromise the habitat values for a variety of different plants, animals, migrating birds, raptors and other protected species—some of them sensitive, vulnerable and imperiled.

California's coastal wetland environments are already so fragmented and compromised. That is why it is so important that PG&E be required to conduct 3:1 mitigation activities at the Campbell Creek Wetlands Riparian Site, as well as Cock Robin Island Unit of the Eel River Wildlife Area, in order to offset the harm and damage that will be done to this sensitive environment.

In addition to planting native shrubs and other low-growing native vegetation to offset the damage from removing so many trees, I would like Commissioners to incorporate removal of English ivy into its mitigation activities for the Campbell Creek area, as ivy is growing in that area now, and its highly invasive nature is detrimental to the health of the remaining trees, shrubs, and other understory vegetation and wildlife habitat.

Commissioners, please deny PG&E's project, as proposed, and ask the company to come back with a less damaging and impactful vegetation removal plan for this sensitive wetland area and request a 3:1 mitigation ratio to help offset the damage and harm that would be done to the Campbell Creek Wetlands Riparian Site over the next 10 years.

Sincerely,
Kimberly Tays
Resident of Arcata

Sent from my iPad

## Gedik, Tamara@Coastal

**From:** Kimberly Tays <k[redacted]>
**Sent:** Tuesday, May 31, 2022 1:43 PM
**To:** Gedik, Tamara@Coastal
**Subject:** PG&E CDP 1-20-0539

Hi Tamara,
I just read the staff report re the above project near the Arcata Sports Complex and Jacoby Creek in Arcata.

I am disturbed by the amount of vegetation and the nature of what is proposed to be removed, especially the number of trees.

Back in 2019, I complained to Josh Levine about the severe nature of the vegetation removal in that same wetland area, as it appeared that much of the veg that was hacked down did not even interfere with the power lines. The area looked devastated afterwards—as if no thought whatsoever was given to the nature of the setting. For example, why did the willows and other low growing vegetation need to be cut down when they were not a threat to overhead power lines. It looked like such overkill to me and that it unnecessarily damaged a lot of wetland habitat.

Considering the highly sensitive nature of these wetlands, it seems a more sensitive and selective approach to vegetation removal should be required by the CCC.

Did you or other CCC staff push for alternatives to PGE's standard approach to veg removal? Did you or anyone else insist that a less impactful, less destructive manner of veg removal be done here? It just seems that when so many species of plants and animals will be impacted, including migratory birds along the Pacific Flyway, that there should be stricter standards of veg removal to protect ESHAs along PGE easements.

Again, I feel the veg cutting proposed here seems excessive, insensitive and unnecessary. It appears that PGE uses a "one size fits all" approach to veg maintenance when feasible alternatives could be used to better protect ESHA.

Also, the 1:1 mitigation ratio does not seem fair when the staff report says the CCC typically requires a 3:1 ratio.

Why should this ESHA be treated as any less important than others, especially when the staff report states: "Riparian and freshwater vegetation communities are among California's most sensitive habitats due to their high level of productivity, biodiversity, importance as migration corridors, and limited geographic distribution. Historically, these habitat types have been heavily degraded as a result of stream alteration, vegetation clearing, floodplain development and the draining and filling of wetlands."

The development pressures are getting worse and worse and the environment is in peril because humans are demanding more and more from it and not respecting these last bits of unique environments that are supposed to be protected but really aren't because there are always an EXCEPTIONS to the protections. We have to change our business as usual approach to these projects or the last remaining remnants of these pocket wetlands will be destroyed too.

Would you have time to discuss my concerns on the phone? I plan to submit my written comments but would like to talk to you or someone else about this project.

Thank you, Kim Tays

## Gedik, Tamara@Coastal

**From:** Stephanie Mietz <[redacted]>
**Sent:** Friday, May 27, 2022 1:38 PM
**To:** Gedik, Tamara@Coastal
**Cc:** Joe Mateer; Emily Benvie; Loya, David@City of Arcata; Mike Rice; Kraemer, Melissa@Coastal; Emily Sinkhorn
**Subject:** Re: PG&E vegetation maintenance project (CDP 1-20-0539)

Hello Tamara,

Thank you for the opportunity to meet via Zoom with everyone yesterday to discuss this project history.

Upon further reflection I remembered a call I received some time ago about potential mitigation projects on Jacoby Creek Land Trust properties. The caller identified himself as a consultant and would not disclose the name of his client, which I understand, but not knowing the context of the project including the geographic location of the project in the watershed, the impact to a JCLT easement, and the regulatory requirements to complete the mitigation, I did not fully explore the potential benefits to all parties. Without this information, it was not clear that this type of mitigation project would not violate grant deed restrictions on JCLT properties, all of which were purchased with public funding from the State of California. JCLT receives periodic requests for resource use by members of the public that often fall outside the scope of public benefit and / or would violate the grant deed restrictions; these are criteria we must evaluate. I was unable to make this determination, despite my inquiries to the consultant. It was a gross miscommunication. It's also possible that this call was unrelated to this project and PG&E.

Had I understood at that time that the mitigation was required for work on public city property upon which Jacoby Creek Land Trust holds an open space easement "for wetlands and restoration areas ...permitted uses within...shall be limited to nature study, wildlife and fisheries management, routine maintenance, and passive recreation," I am certain we could have developed a suitable mitigation project with our partners. As I mentioned yesterday, JCLT's Project, the Jacoby Creek Waters Sustainability and Anadromous Fish Habitat Enhancement Feasibility Study, will result in a number of potential suitable mitigation projects. Data collection is now complete and we will be developing the project plans this summer and fall. Now is an ideal time to collaborate on plans and we ask that future mitigation within the Jacoby Creek watershed be included as a condition of approval for this programmatic permit.

I appreciate your openness to exploring options that will support all parties' goals and requirements.

Best,
Stephanie

Stephanie Mietz

Executive Director

Jacoby Creek Land Trust

www.jclandtrust.org

(707) 822-0900

Pronouns: She, her, hers

On Wed, May 25, 2022 at 4:01 PM Emily Sinkhorn <esinkhorn@cityofarcata.org> wrote:

Hi Tamara –

Thank you for the quick reply and offer to meet and discuss. Below is some potential availability:

Tomorrow, Thurs May 26, between 8-10am or 2:30-4pm

Tues, May 31 between 12:30-2:30pm

Wed, June 1 after 10:30am

Thurs, June 2 between 8-11am

Thank you for sharing the kmz file and key items to read further in the staff report. The City has certainly been made aware of the proposed project, though I think the scale of the project and its impacts had not been clearly communicated or understood from the scope of the emergency permit.

I look forward to meeting soon. Jacoby Creek Land Trust may also be interested in joining as they hold an easement on City property along Campbell Creek.

Best,

Emily

Emily Sinkhorn

Environmental Services Director

City of Arcata

736 F Street

Arcata, CA 95521

707-825-2163

www.cityofarcata.org

Pronouns: she, her, hers

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**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Wednesday, May 25, 2022 1:48 PM
**To:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

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Hi Emily,

Thank you for your feedback and documents. And, I apologize for the confusion- we did receive evidence from PG&E that they had notified the City about the project application for a long-term programmatic permit in September 2020 (attached), but I didn't realize that PG&E hadn't been corresponding in more detail with the City about its plans, or that my communication about the project scope was unclear when we last spoke about this project in December.

I think it would be great to meet to discuss the City's questions and concerns further. Are there particular days/times that work better for City staff?

I'm also attaching a Google Earth file that PG&E provided as part of its emergency permit application last year that shows the locations of the vegetation clearing activities that occurred previously and that are anticipated to continue to occur under the proposed programmatic permit. You should be able to double-click the file to open and zoom to any of the vegetation clearing points. Clicking on any of the numbered points will open up a pop-up window specifying the work proposed at that location. Additionally, I've attached the estimated work scope that is also included in Exhibit 3 of the staff report. Please let me know if there are any other documents you'd like to receive in advance of meeting.

I've also copied our District Manager Melissa Kraemer to keep her in the loop. Once I hear back on the City's preferred availability I'll outreach with our staff to coordinate a meeting and I can also send along a Zoom invite.

Thank you again Emily,

~Tamara L. Gedik
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521

Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)

**Tamara.Gedik@coastal.ca.gov**

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Please note that public counter hours for all Commission offices are currently suspended until further notice in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business. The best way to contact me is by email. In addition to the regular means of mailing documents (please, no UPS or FEDEX at this time) as required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to me via email.

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**From:** Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Sent:** Wednesday, May 25, 2022 12:17 PM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Cc:** Joe Mateer <jmateer@cityofarcata.org>; Emily Benvie <ebenvie@cityofarcata.org>; Loya, David@City of Arcata <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Hello Tamara –

Thank you for the notice of the staff report for the consolidated coastal development permit for ongoing PG&E vegetation management activities on City of Arcata property along the Arcata Sports Complex and Gannon Slough area. The City agreed to consolidate CDP requirements within our jurisdictional area with the California Coastal Commission through a letter sent June 4, 2021 (see attached file Lttr 2021 06 04). In the letter we requested a copy of the planned scope of work from PG&E and Coastal Commission so that the City could evaluate the project and reserve our ability to make recommendations. The City was in support for an emergency permit to PG&E (also attached) for a scope limited to the removal of 3 trees, trimming of 51 trees and removal of 29 brush units (see attached PGE consolidate request

letter). The City then provided an authorization letter (attached 12.21.21 file) for PG&E to conduct work at the Sports Complex as PGE did not have an easement in this location with the understanding that the scope of work was the same as previously communicated (removal of 3 trees, trimming of 51 trees and removal of 29 brush units).

In reviewing this past correspondence we do not believe the City was provided information or notice by either the Coastal Commission or PGE on the full Project Description/scope of work of the consolidated CDP. The proposed repeated clearing over a 10-year period of 4.78 acres of wetland and riparian ESHA and removal of 61 trees is a drastically larger scope than previously communicated to the City (see attached PGE consolidate request letter 5.26.21) and may have negative implications for habitat along Campbell Creek and Gannon Slough.

We did have correspondence in February with a PGE consultant focused solely on logistics for potential spartina mitigation at lower Gannon Slough. The City was asked if there were collaboration opportunities for spartina removal for PGE mitigation; however, the City was not informed that his potential mitigation was tied to this consolidated CDP. The City began research to identify if spartina removal would be compatible with deed and grant restrictions for the property and then communication ceased.

The City is in support of working with PGE for vegetation maintenance work; however, the City (as property owner and jurisdictional partner) was not provided an opportunity to evaluate or help shape the larger scope of the consolidated CDP and its proposed mitigation. Additionally, the project as proposed could be in direct conflict with grant and deed restrictions on these City of Arcata properties as multiple acquisition and restoration grants have assisted in improving habitat along these riparian corridors.

Please let us know if there may be an opportunity to discuss this project ahead of the June 10 hearing.

Thank you,

Emily

Emily Sinkhorn

Environmental Services Director

City of Arcata

736 F Street

Arcata, CA 95521

707-825-2163

www.cityofarcata.org

Pronouns: she, her, hers

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**From:** David Loya <dloya@cityofarcata.org>
**Sent:** Monday, May 23, 2022 8:33 AM
**To:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>; Joe Mateer <jmateer@cityofarcata.org>; Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** Mike Rice <mrice@cityofarcata.org>
**Subject:** RE: PG&E vegetation maintenance project (CDP 1-20-0539)

Thanks, Tamara.

David Loya (him)

Community Development Director

City of Arcata

p. 707-825-2045

To grow opportunity and build community equitably.

Exciting work is happening in the Arcata Gateway – 138 acres once used for mostly industrial purposes. The Arcata Gateway Plan allows innovative residential development, using streamlined permitting while protecting working forests, ag lands, open space and natural resources.

You are encouraged to take part in the public process that will affect the City for years to come.

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**Visitors to City Hall are required to wear a mask inside regardless of vaccination status. Thank you for complying with this local practice.**

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**From:** Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>
**Sent:** Friday, May 20, 2022 9:33 PM
**To:** Joe Mateer <jmateer@cityofarcata.org>; Emily Sinkhorn <esinkhorn@cityofarcata.org>
**Cc:** David Loya <dloya@cityofarcata.org>; Mike Rice <mrice@cityofarcata.org>
**Subject:** PG&E vegetation maintenance project (CDP 1-20-0539)

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Greetings All,

You likely recall that we have been working on processing a consolidated coastal development permit for ongoing vegetation management activities that PG&E proposes to undertake for a 10-year term at the Arcata Sports Complex, Little League Fields, and continuing south until just before Bayside Cutoff. The permit also includes follow-up authorization for the emergency permits the Commission authorized for similar vegetation maintenance work in 2020 and 2021.

The hearing notice for this project was mailed to you today and is also attached. You can view the staff report and supporting documents on the Commission's website at www.coastal.ca.gov/mtgcurr.html. Click on the Friday tab and scroll down to agenda item 8a. Additionally, the direct links to the report materials are as follows:

- Report: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-report.pdf
- Exhibits: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-exhibits.pdf

- Appendices: https://documents.coastal.ca.gov/reports/2022/6/F8a/f8a-6-2022-appendix.pdf

You can also view other documents PG&E has provided for our review on our ftp site using the following access instructions:

-Go to: http://ftp.coastal.ca.gov

-Click on "General Public"

-Log in: user name – public; password – ocean03

-File: "PG&E - Arcata Vegetation Mgmt."

If you would like to receive any additional project materials, please let me know, and please don't hesitate to contact me if you have any questions.

Sincerely,

-Tamara

~Tamara L. Gedik
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521

Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)

**Tamara.Gedik@coastal.ca.gov**

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Please note that public counter hours for all Commission offices are currently suspended until further notice in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business. The best way to contact me is by email. In addition to the regular means of mailing documents (please, no UPS or FEDEX at this time) as required by the regulations or statute,

please make sure that you also send a copy of all correspondence or other documents electronically to me via email.

--
Stephanie Mietz
Executive Director
Jacoby Creek Land Trust
www.jclandtrust.org
(707) 822-0900

Pronouns: She, her, hers

## Gedik, Tamara@Coastal

**From:** Daniel Holsapple <dholsapple@bluelakerancheria-nsn.gov>
**Sent:** Wednesday, May 25, 2022 11:25 AM
**To:** Gedik, Tamara@Coastal; Janet Eidsness; Hazel James; ted@wiyot.us; Adam Canter; melaniemccavour@brb-nsn.gov; Janet Eidsness; Jacob Pounds
**Subject:** RE: PG&E vegetation management project, Arcata

Hi Tamara,

I don't have any comments besides to point out the cultural sensitivity of the area where this work is going to occur. It sounds like there is going to be little-to-no ground disturbance with this vegetation management work though. Thank you for notifying us about this.

All the best,

Daniel Holsapple

Assistant THPO

Blue Lake Rancheria
dholsapple@bluelakerancheria-nsn.gov
Office: (707) 668-5101 ext.1062

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I acknowledge my residence in Goudi'ni (Arcata), part of the ancestral territory of the Wiyot peoples. I offer my reconciliation and respect to their elders past and present. https://www.wiyot.us/162/Wiyot-Placename-Video

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**From:** Gedik, Tamara@Coastal [mailto:Tamara.Gedik@coastal.ca.gov]
**Sent:** Friday, April 22, 2022 2:48 PM
**To:** Janet Eidsness <jpeidsness@yahoo.com>; Hazel James <hazel@wiyot.us>; ted@wiyot.us; Adam Canter <adam@wiyot.us>; melaniemccavour@brb-nsn.gov; Daniel Holsapple <dholsapple@bluelakerancheria-nsn.gov>
**Subject:** RE: PG&E vegetation management project, Arcata

**[EXTERNAL EMAIL]** This e-mail originated from outside the Blue Lake Rancheria. Please take caution with its content and do not click links or attachments unless you recognize the sender and know that they are safe.

Thank you, THPO Eidsness for the updated contact information; I've updated our records accordingly. This particular application (CDP application No. 1-20-0539) is located primarily within the CA Coastal Commission's retained jurisdiction, and within a portion of the City of Arcata's delegated jurisdiction area. Both the City of Arcata and PG&E have requested a consolidated permit application process, meaning that our office will be reviewing this particular project within the project area depicted on the maps provided in my previous email (I am aware of other pending permit applications underway with PG&E in other locations in Humboldt County however this project is separate and unrelated to those).

I'd be happy to discuss further, and please don't hesitate to contact me with any additional questions or comments.

Thank you,

*~Tamara L. Gedik*
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521
Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)
**Tamara.Gedik@coastal.ca.gov**

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**From:** Janet Eidsness <jpeidsness@yahoo.com>
**Sent:** Friday, April 22, 2022 2:12 PM
**To:** Hazel James <hazel@wiyot.us>; ted@wiyot.us; Adam Canter <adam@wiyot.us>; melaniemccavour@brb-nsn.gov; Gedik, Tamara@Coastal <Tamara.Gedik@coastal.ca.gov>; Daniel Holsapple <dholsapple@bluelakerancheria-nsn.gov>
**Subject:** Re: PG&E vegetation management project, Arcata

Please make note of staff changes:

Bear River, Erika Cooper resigned, Melanie McCavour is new THPO and her assistant is Ana Canter

At Blue Lake rancheria, I am still THPO and Daniel Holsapple is assistant THPO

Will this CDP for PG&E be routed through the Co of Humboldt Planning Dept? We've been working with PG&E staff (Jennifer Darcangelo) to get the contracting set up ($30 fee for THPO review per Tribe).

Please advise and thanks

JANET P. EIDSNESS, M.A. Tribal Historic Preservation Officer (THPO) for Blue Lake Rancheria HOME: 2488 Sonnenfelt Road, Bayside, CA 95524 (707) 825-0460 (VOICE), (530) 623-0663 (CELL)
jpeidsness@yahoo.com

On Wednesday, April 20, 2022, 10:09:30 PM PDT, Gedik, Tamara@Coastal <tamara.gedik@coastal.ca.gov> wrote:

Greetings,

The California Coastal Commission (Commission) is writing to notify you that we have received an application for a coastal development permit (CDP) from Pacific Gas and Electric (PG&E) for the proposed implementation of a 10-year program of on-going vegetation maintenance along utility lines, including removal of approximately 61 trees and vegetation clearing around distribution and transmission lines. The proposed work would occur in riparian, wetland and upland habitats at up to 139 sites in and around the Arcata Sports Complex, Arcata Little League Fields, and the Jacoby Creek-Gannon Slough Wildlife Area. Project sites occur within a 10.85-acre project area located North and South of Samoa Blvd., east of the intersection with Highway 101, at the Arcata Sports Complex and along a portion of Jacoby Creek (APN(s): 503-202-003, 503-202-004, 501-061-001, and 501-061-023) within the City of Arcata. This project proposal also includes follow-up authorization from emergency permits the Coastal Commission issued in 2020 and 2021 for similar work within the same areas (see attached vicinity map, site plans, and project description contained in the CDP application).

PG&E's proposed measures for vegetation management include, but are not limited to the following:

- All staging of equipment shall be limited to the existing parking areas.
- No vehicles or other mechanized equipment needed for the tree pruning and removal operations shall be driven or operated within (a) riparian habitat areas, and (b) landscaped areas and paved pathways of the Arcata Sports Complex facility and the Arcata Little League facility, except that mechanized vehicles with track-mounted wheels and all-terrain quad vehicles may be used to access landscaped areas at the Sports Complex facility outside the field of play and within 12 feet of the fenceline adjacent to the vegetation corridor.
- Equipment used to cut vegetation shall be limited to chainsaws and other non-mechanized hand tools.

The proposed work will not result in any dredging or fill of wetlands, however vegetation removal work will occur within wetland and riparian environmentally sensitive habitat areas (ESHAs). PG&E proposes to mitigate for impacts resulting from the removal of trees and annual pruning of vegetation in ESHAs by restoring riparian habitat on 4.78 acres of land owned and managed by CA Department of Fish and Wildlife at Cock Robin Island, approximately 25 miles south of the project area, in Loleta.

The Commission is reviewing this Project pursuant to the California Coastal Act. Per the Commission's Tribal Consultation Policy (TCP) adopted August 8th, 2018, the Commission has committed to early and effective communication.

We were provided your contact information by the Native American Heritage Commission, and/or through previous outreach efforts on other coastal projects in the general vicinity. Consistent with the Commission's TCP, we are writing to

inform you of the proposed Project in your Tribe's potential area of interest. If you wish to correct or clarify your Tribe's interest area with respect to the Commission's jurisdiction, please contact us at your earliest convenience.

PG&E has included with its application materials copies of correspondence between certain tribal representatives that occurred in October 2020. We also want to ensure you have the opportunity to review the proposal and provide meaningful input to us on Tribal Cultural Resources prior to finalizing the staff's recommendation and scheduling the project for Commission consideration (scheduled for the **June 8-10** meeting). To do so, we respectfully ask that you notify us of any concerns and/or desire for formal or informal consultation by **May 13**. If you have any questions or wish to discuss the Project, please contact me via electronic mail at Tamara.Gedik@coastal.ca.gov

You can also view other documents PG&E has provided for our review on our ftp site using the following access instructions:

-Go to: http://ftp.coastal.ca.gov

-Click on "General Public"

-Log in: user name – public; password – ocean03

-File: "PG&E - Arcata Vegetation Mgmt."

If you would like to receive any additional project materials, please let me know. Please also let me know if there are any additional Tribal contacts not included in this email that you believe would be interested in receiving this information.

Thank you,

**~Tamara L. Gedik**
Supervising Analyst
California Coastal Commission

1385 8th Street, Suite 130, Arcata, CA 95521

Phone: (707) 826-8950, extension 4 (currently teleworking; voice mail only)

**Tamara.Gedik@coastal.ca.gov**

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