

CALIFORNIA COASTAL COMMISSION

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CDP 1-20-0711 (CITY OF ARCATA)

SEPTEMBER 8, 2022

APPENDICES

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APPENDIX A – Substantive File Documents

California Coastal Act

City of Arcata. June 2022. Disaster Preparedness Assessment and Action Plan, City of Arcata Publicly Owned Treatment Works.

Coastal Development Permit (CDP) Application File No. 1-20-0711 and associated file documents.

CDP File No. 79-P-64 (City of Arcata/ Terrascan)

CDP File No. 1-84-105 (City of Arcata)

City of Arcata Certified Local Coastal Program

McDaniel Slough Final Environmental Impact Report, December 2006.

Related Permit Actions (Refer to Appendix C)

APPENDIX B - Proposed Mitigation Measures

7. Mitigation Monitoring and Reporting Program

Mitigation Measure Biol-1: Section 7 Consultation (Note: This measure is from the McDaniel Slough EIR for Outfall 003).

Through the Section 7 process, consult with the USFWS and NMFS regarding federally listed species. Adhere to minimization measures that are developed as part of this process, to ensure that no adverse impacts occur.

- Construction activities occurring within the watercourse would occur following recommendations from qualified CDFG biologists.
- In-stream work will be done during the dry season at low tide with a fish biologist on-site during in-stream operations to monitor for the presence of anadromous fish and other wildlife species.
- Consult with the USFWS regarding Tidewater Goby.
- Consult with the NOAA Fisheries regarding salmonids.

Timing of/Implementation for Compliance: Consultation to occur prior to issuance of Army Corps section 404 permit. Timing and implementation for adherence to minimization measures will be specified during Section 7 consultation process after minimization measures have been finalized.

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services, qualified biologist (as necessary)

Monitoring Frequency: 404 Issuance prior to construction

Evidence of Compliance: Signed Section 404 permit by the Army Corps of Engineers

Mitigation Measure Biol-2: Aquatic Species at Outfall 003

Potential impacts are limited to activities associated with construction of Outfall 003. The City's standard practices include the following to minimize impacts; 1) the work area will be isolated during construction; 2) In-water construction activities required to isolate the work area will be scheduled during low tides between June 15 and September 15, when aquatic species are least likely to be present; 3) a qualified biologist who possesses the appropriate handling permits (i.e. Scientific Collection Permit, NOAA 4(d) Rule Permit) will be responsible for fish relocation. Prior to installation of the coffer dam, fish exclusion fences (meeting "fry-size" criteria of CDFW and FWS) will be installed in water surrounding the construction area. The area within the fish exclusion fences will be seined, and fish will be relocated to an appropriate adjacent habitat. Fish exclusion and methodology may be modified slightly, should field conditions require. All modifications will be consistent with resource agency requirements and qualified biologist recommendations. will survey the area and relocate any fish species before commencement of construction activities; and 4) consistent with the City of Arcata's Stormwater Best Management Practices Manual, the City's stormwater ordinance, and the SWRCB's

construction general permit, Standard best management practices will be implemented to prevent sedimentation and/or turbidity from entering WOTS or WOTUS.

Timing of/Implementation for Compliance:

- 1) prior to and during construction
- 2) prior to construction
- 3) prior to construction
- 4) during and after construction

Person/Agency Responsible for Monitoring:

- 1) City of Arcata Environmental Services
- 2) City of Arcata Environmental Services
- 3) City of Arcata Environmental Services
- 4) Construction project Qualified Stormwater Practitioner and City of Arcata Environmental Services

Monitoring Frequency:

- 1) On-going throughout construction
- 2) Daily until work area has been isolated
- 3) Once
- 4) Ongoing during construction

Evidence of Compliance:

- 1) photo documentation
- 2) construction inspector notes
- 3) biologist fish relocation report
- 4) photo documentation and QSP reports

Mitigation Measure Biol-3: Northern Red-Legged Frog

All construction in waterways and wetlands with standing water, shall be outside of the Northern red-legged frog breeding season (Nov-Apr).

Timing of/Implementation for Compliance: During construction, contractor shall adhere to requirement

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services

Monitoring Frequency: Scheduling prior to construction, implementation during construction

Evidence of Compliance: Construction inspector notes

Mitigation Measure Biol-4: Northern Red-Legged Frog & Western Pond Turtle

If any Northern red-legged frogs or western pond turtles are encountered during construction activities, activities in the vicinity shall cease until appropriate corrective measures have been implemented or it has been determined by a qualified biologist that the species will not be harmed. This includes relocating these species to an appropriate habitat adjacent to the work area. Any listed reptile or amphibian species that are trapped, injured, or killed, shall be reported immediately to CDFW.

Timing of/Implementation for Compliance: During construction. Construction crews and construction inspector shall be trained in appropriate species recognition and protocols and adhere to protocols during construction activities

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services

Monitoring Frequency: Ongoing, during construction activities

Evidence of Compliance: Construction inspector notes

Mitigation Measure Biol-5: Conduct Nest Survey and Establish Buffers

If vegetation removal or disturbance cannot be confined to periods outside of the nesting season (generally March-August), a qualified biologist shall conduct pre-construction surveys, within the vicinity of the Proposed Project (construction buffer area) to check for nesting activity of native birds. The construction buffer area is 50 feet beyond disturbance areas for native birds and 500 feet for raptors and special-status bird species. The biologist shall conduct a minimum one day preconstruction survey within the 7-day period prior to vegetation removal and ground-disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a qualified biologist shall conduct a supplemental avian pre-construction survey before project work is reinitiated. If active nests are detected within the construction footprint or within the construction buffer established by the Project biologist, the biologist shall flag a buffer around each nest. Construction activities shall avoid nest sites until the biologist determines that the young have fledged, or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within the construction buffer, nest buffers would be implemented as needed. In general, the buffer size for common species would be determined on a case-by-case basis in consultation with the CDFW. Buffer sizes would take into account factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2) distance and amount of vegetation or other screening between the construction site and the nest; and (3) sensitivity of individual nesting species and behaviors of the nesting birds. If active nests are detected during the pre-construction surveys, the qualified biologist shall monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified biologist, disturb nesting activities (e.g., excessive noise), shall be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified biologist shall immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, 99 halting disruptive construction activities in the vicinity of the nest until fledging is confirmed, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors.

Timing of/Implementation for Compliance: Within 7 days prior to construction, qualified biologist shall conduct surveys as specified should vegetation removal or disturbance be scheduled during avian nesting season

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services, qualified biologist

Monitoring Frequency: once prior to construction, on-going nest monitoring until mitigation measure has been fulfilled

Evidence of Compliance: Written avian survey documentation

Mitigation Measure Biol-6: Salt Marsh Plant Species

If construction occurs within suitable habitat during the blooming season of any of the sensitive annual salt marsh species (Humboldt Bay owl's-clover [*Castilleja ambigua* var. *humboldtiensis*], sea-watch [*Angelica lucida*], Point Reyes bird's-beak [*Chloropyron maritimum* ssp. *Palustre*], western sand-spurrey [*Spergularia canadensis* var. *occidentalis*]), the area shall be surveyed at appropriately timed surveys (early/late season) by a qualified biologist prior to construction using CA Fish and Wildlife Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. If any species are present within the vicinity, they shall be flagged for avoidance. If avoidance is infeasible, construction will occur after seeds have been set. Seeds from the affected individuals shall be collected and planted in appropriate locations the following year during the phenologically appropriate time.

Timing of/Implementation for Compliance: Prior to construction, during appropriate blooming period as determined by qualified biologist. Should sensitive species be present and avoidance unnecessary, seeds shall be collected after they have been set and prior to construction activities

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services, qualified biologist

Monitoring Frequency: Once prior to construction. Should species be present, on-going during construction until seeds have set

Evidence of Compliance: Written documentation prepared by qualified biologist

Mitigation Measure Biol-7: Non-Salt Marsh Plant Species

Prior to vegetation removal, vegetated areas shall be surveyed for Lyngbye's sedge (*Carex lyngbyei*), Siskiyow checkerbloom (*Sidalcea malviflora* ssp. *patula*), coast checkerbloom (*Sidalcea oregana* ssp. *eximia*), western lily (*Lilium occidentale*) and alpine marsh violet (*Viola palustris*) by a qualified biologist using CA Fish and Wildlife Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. If these species are found to be present and impacted by construction, they shall be transplanted and/or compensatory planting shall occur in a suitable habitat such that there is no net loss of these species. Transplants and/or new plantings shall be monitored for five years to ensure survival.

Timing of/Implementation for Compliance: Prior to construction, during appropriate blooming period as determined by qualified biologist.

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services, qualified biologist

Monitoring Frequency: Prior to construction. Should transplanting be required, annual monitoring for five years

Evidence of Compliance: Written documentation prepared by qualified biologist

Mitigation Measure Biol-8: Compensatory Mitigation for Wetlands Impacts

As specifically determined during preparation of construction bid documents, the City shall identify specific wetlands to be directly impacted by construction activities and compensate for these permanent wetland impacts through restoration, rehabilitation, and/or creation of wetland at a ratio of no less than 1:1. A Wetlands Mitigation and Monitoring Plan shall be prepared prior to project construction in coordination with the North Coast Regional Water Quality Control Board, US Army Corps of Engineers, and California Coastal Commission. Compensation for wetlands shall occur so there is no net loss of wetland habitat at ratios to be determined in consultation with the permitting authorities. Wetland mitigation monitoring will be conducted for a minimum of five years to ensure successful establishment. Specific monitoring and remediation procedures will be developed in coordination with permitting authorities to ensure that the plan meets regulatory agency requirements. The Wetlands Mitigation and Monitoring Plan shall be acceptable to the permitting authorities and include the following elements: proposed mitigation ratios; description and size of the restoration or 100 compensatory area; site preparation and design; success criteria; monitoring schedule; and remedial measures. The Plan shall be implemented by the City.

Timing of/Implementation for Compliance: Impacted wetlands to be identified on final design plan set, prior to construction. Compensatory mitigation shall take place within 1 year following construction completion

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services

Monitoring Frequency: Identification of impacted wetlands to occur once prior to construction, compensatory mitigation monitoring to occur annually for five years

Evidence of Compliance: construction plan set, wetland mitigation written and photo documentation, annual wetland mitigation monitoring reports

Mitigation Measure CU-1 If human remains are discovered during project construction, work within the discovery location plus nearby areas reasonably suspected to overlie human remains, will cease (Public Resources Code, Section 7050.5). The Humboldt County Coroner will be contacted by the Project Archaeologist to determine if the cause of death must be investigated. If the Coroner determines that the remains are of Native American origin, it is necessary to comply with state laws regarding the disposition of Native American burials, which fall within the jurisdiction of the California NAHC (Public Resources Code, Section 5097). In this case, the Coroner will contact NAHC. The descendants or most likely descendants (MLD) of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or person responsible for excavation work with direction regarding appropriate means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Mitigation Measure CU-1 would reduce the impact on cultural resources to a less-than-significant level by assuring proper protocols are in place for inadvertent discovery of potential cultural resources disturbed during construction.

Timing for/Implementation for Compliance: During construction

Person/Agency Responsible for Monitoring: City of Arcata Environmental Services, workers on-site

Monitoring Frequency: ongoing during construction

Evidence of Compliance: visual inspection

APPENDIX C – Related Permit Actions

Related Permits

Permit Number	Permit Description
79-P-20	Wastewater facility improvements: installed transfer pump at the headworks to pump wastewater directly to the aeration pond. The discharge point was modified to provide both longer detention time and more chlorination capacity. Also installed discharge pumps to eliminate the tidal controlled discharge.
79-P-64	Marsh restoration – this permit created Klopp Lake and the three marshes that are now the enhancement wetlands. CDP 1-84-105 permitted the piping of treated effluent to feed the three marshes.
1-84-105	Upgrading of existing sewage treatment plan including stormwater bypass, chlorination facilities, sludge drying beds and new headworks. In addition, the project will include a new footbridge over Butcher Slough and a pipe system while will allow the City to deliver nutrient rich waters to the existing Arcata Marsh complex.
1-86-031	Place concrete rip-rap along the bay side of the dike that separates Klopp Lake from Humboldt Bay
1-94-20	Repair Klopp Lake outlet pipe and dike, at Butchers Slough between South G and I Streets, Arcata
1-95-033-W	Construct new pole building to house water and sewer pipe, at 600 S G Street
1-96-052-W	Construct 522-square-foot restroom/locker room addition to the control building at the City of Arcata wastewater treatment plant, at 600 South G Street
1-97-026	Repair to prevent further erosion of 350 feet of the west shore of Klopp Lake and 150 feet of the northeast shore of Klopp Lake. The City is proposing to place approximately 95 cubic yards of rock rip rap along the shore where the shoreline has eroded. The erosion has cut away 2-3 feet of the shore. The riprap will fill in this area so that no new net fill will result.
1-97-053-W	Augment added effluent pumping capacity to equalize wet weather flows at the treatment plant, at the existing City of Arcata wastewater treatment plant, off of South G St. Also bury transmission line & install baffle curtain in oxidation Pond 2.
1-97-066-W	<ol style="list-style-type: none"> 1. Remove the outside 25 feet of asphalt (approx.. 6,875 square feet) from the west and south sides of the S I St. parking lot. 2. Revegetate the area with native grasses and trees. 3. Install posts, logs, rocks and berm to prevent cars from driving on the newly planted area. 4. Remove concrete slabs adjacent to boat ramp and picnic area. 5. Paint RV/boat lines in north area of parking lot. 6. Move E Clampus Vitus marker to new pavement area
Permit Number	Permit Description

1-00-008-W	Resurfacing existing trails at the Arcata Marsh and Wildlife Sanctuary currently covered with wood chips with crushed rock to reduce maintenance costs and improve public safety. The width of the trails will remain the same, with no alteration to the present level or type of public use of the trails resulting. Crushed rock will be delivered to select spots, wheelbarrow-transported and hand-applied, and tamped to create a firm surface using a vibration plate compactor.
1-00-011-W	1) Replacing existing pedestrian bridge across Butcher Slough at the Arcata Marsh and Wildlife Sanctuary whose decking and supports are rotting out. The bridge will be removed by a crane and replaced with a 5-ft.-wide bridge. The existing abutments will be reused and not encroach any closer into the watercourse. The replacement stringer beams will be 36 feet in length (compared to the 33-ft.-long existing members) which will require minor expansion (1.5 ft. on each side) of the existing abutments away from the watercourse. All ground areas exposed during bridge replacement will be seeded and mulched upon completion of bridge construction. The width of the bridge will remain the same, with no alteration to the present level or type of public use of the trails resulting. 2) Installation of a 24 in. x 30 in. x 4-ft.-ht. framed wooded sign announcing the pending expansion of the Arcata Marsh and Wildlife Sanctuary.
1-00-012	Construction of a 4,000 square foot public transit bus barn and attached 910 square foot canopied storage area, and installation of an oil-water separator and landscaping.
1-01-023-G	(1) Relocate, stockpile, and winterize 240 cubic yards of previously extracted contaminated soils; (2) over-excavation, winterize, and stockpile of an additional 500 cubic yards of soil materials from the spill excavation pit; (3) install of recovery trenching and piping for removal of tainted groundwater into an onsite 3,500 gallon above-ground tank; and (4) placement of approximately 740 cubic yards of clean backfill.
1-01-070	1) Excavating, storing, and onsite bioremediation/ aeration of 860 cubic yards of contaminated soil and placing 860 cubic yards of backfill; 2) installing recovery trenching and piping for removal of tainted groundwater into an onsite 3,500-gallon above-ground . storage tank; 3) installing five (5) groundwater monitoring wells; 4) installing a sand/oil interceptor stormwater drainage system; and 5) creating 768 square feet of saltwater wetlands within the adjoining Arcata Marsh and Wildlife Sanctuary to mitigate for wetland fill from spill clean-up and monitoring well installation activities.
1-01-070-A1	Modify previously-granted permit to continue onsite bio-remedial treatment of contaminated soils by phytoremediation, entailing amending the contaminated soils with Class A wastewater treatment facility biosolids, establish a 30,000 planting bed, and planting soils with native alders and willows.
Permit Number	Permit Description

1-02-020	<p>Within the site of the former Little Lake Industries wood products manufacturing site and the adjoining Arcata Marsh and Wildlife Sanctuary, 46 South "I" Street, Arcata:</p> <p>Restoration and enhancement of 1,600 lineal feet of Jolly Giant Creek/Butchers Slough by removing approximately 11,000 cubic yards of fill, developing a naturalized flood terrace and backwater alcoves on the western bank of the creek and the northern bank of the slough, and establishing riparian vegetation.</p>
1-02-140-W	Perform interim measures for remediation of hazardous materials contamination associated with the unauthorized burial and later removal of left-over road asphalt emulsion at the City Corporation Yard including: (1) installation of six perimeter groundwater monitoring wells; and (2) grading a 150-ft. area to convey surface stormwater runoff from the contaminated site into the City wastewater treatment plant's oxidation ponds during the remediation groundwater testing period.
1-03-003-X	Project Description: A 10-ft. x 20-ft. addition along the south side of the City's wastewater treatment plant's control room.
1-03-021	Repair of eroded dikes and islands as follows: placement of 700 cubic yards of 1/4 th ton, 1/2 ton and 12 to 14 inch diameter rip rap along 740 lineal feet of island shoreline within Klopp Lake, placement of 900 cubic yards of fill (rock slope protection and rip rap) along 2000 linear feet of the inboard area of the Klopp Lake dike, 3000 Cubic yards of fill along 2210 linear feet of the outboard side of the Klopp Lake dike and 1250 cubic yards of concrete and rip rap material along 1050 linear feet of the outboard side of the Oxidation Pond dike. Ten year permit for routine repair and maintenance of the Oxidation Pond and Klopp Lake and islands.(APN 503-041-10)
1-03-021-A1	Amend the project description to include (1) after-the-fact approval of levee repair work performed in 2009 outside of the approved project area but still within the historic levee footprint, including along 700 feet of levee adjacent to South I Street and 2,000 feet of levee along the wastewater ponds; and (2) creation of 0.70-acre of new salt marsh and brackish marsh habitat within upland areas adjacent to the South I Street parking lot and Butcher Slough.
1-ARC-04-315	South I Street Wetland/Pond Enhancement Project - On the 3 acre site, the City proposes to excavate to create a two-acre pond and revegetate with appropriate upland and wetland native plant species to benefit public trust resources (wildlife habitat). There will be a net increase of approximately 1-acre of wetland habitat. The area will be managed as part of the Arcata Marsh and Wildlife Sanctuary.
1-05-004-W	After-the-fact authorization for the installation of eight groundwater monitoring wells and installation of three additional groundwater monitoring wells as part of a leaking underground storage tank remediation project.
1-06-001-X	Replace existing 36 inch tidegate
1-06-002-W	Authorization for the installation of two additional groundwater monitoring wells as part of an ongoing leaking underground storage tank remediation project.
Permit Number	Permit Description

1-06-036	McDaniel Slough Enhancement: Restore and enhance wetland function to 240 acres of reclaimed former tidal salt/brackish marsh to a combination of 205 acres of intertidal salt marsh wetlands and 35 acres of impounded freshwater and brackish wetlands by: 1) excavating the pond areas; 2) deepening approximately 5,200 lineal feet of existing slough channels within the reclaimed area; 3) constructing approximately 21,000 lineal feet of flood, eco-levee, and pond perimeter levees around the periphery of the project component areas; 4) removing a total of approximately 1,200 lineal feet of portions of portions of the existing flood control levees along the lower reaches of McDaniel Slough to form roosting islands out of the remnant portions of the levees; 5) breaching the reclamation levee separating the project site from Arcata Bay at two locations to form muted tidal openings to provide access for anadromous salmonids, tidewater goby, and other marine fish species; 6) planting appropriate elevation-specific native salt marsh plants on the inner faces of the eco levees; and 7) developing pedestrian and bicycle trail segments along the pond perimeters and out to the reclamation levee breach site.
1-06-036-A1	Expand the project area by (1) adding 12 acres of salt marsh habitat to the approved salt marsh restoration area by changing the approved footprint of the western flood levee; (2) creating 10 acres of brackish marsh habitat on the western side of the reconfigured levee adjacent to Arcata Bay by lowering the existing surface approximately 18-24 inches to allow for muted tidal inundation; and (3) enhancing 23 acres of existing seasonal wetlands on the western side of the reconfigured levee by lowering the existing surface approximately 12 inches to prolong the area's seasonal inundation.
1-09-043-W	Install a 268 foot long, 12-foot wide RSP levee along the Klopp Lake parking lot located at the foot of South I Street. Approximately 920 square feet will be revegetated with sod to match the surrounding grassy surface, and approximately 3,100 square feet will be repaved with asphalt to match the existing asphalt parking lot grade.
1-12-012-W	Installation of 31 interpretive panels and/or directional signs to both replace and update seven existing signs and construct 24 new interpretive signs along the five-mile network of trails within the 307-acre complex of the Arcata Marsh and Wildlife Sanctuary, situated along the northern shoreline of Humboldt Bay.
1-16-0122	Coastal Trail through marsh
1-16-0327	salt marsh living shoreline proposal
1-18-0882-W	Maintenance grading of existing service roads at the Arcata WWTP. Roads are un-paved and used as public access trails also. Grading to eliminate ruts and uneven surfaces, adding 3" of soil that will be compacted; (rolled) and topping with 2"-3" of crushed rock for optimal all season use. The surface rock will be compacted clean crushed rock. Roads are internal to the WWTP facility.