

CALIFORNIA COASTAL COMMISSION

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



W10

Prepared November 2, 2023 for the November 15, 2023 Hearing

To: Commissioners and Interested Parties
From: Shana Gray, North Coast District Deputy Director
Subject: **North Coast District Deputy Director's Report for November 2023**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the North Coast District Office are being reported to the Commission on November 15, 2023. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's North Coast District Office in Arcata. Staff is asking for the Commission's concurrence on the waivers, immaterial amendments, and time extensions. The other items are presented for the Commission's information. Staff will report any objections received and any other relevant information on these items to the Commission when it considers the North Coast District Deputy Director's report on November 15.

With respect to the November 15th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on November 15, 2023 (see attached)

Immaterial Amendments

- 1-87-006-A2 (Colety, Bruzzese) – Single Family Residence Repair and Maintenance (Manchester, Mendocino County)
- NCR-75-CC-493-A1 (Rutledge) – Single Family Residence Improvements & After-the-Fact Development (Mendocino, Mendocino County)
- NCR-75-CC-212-A1 (Hill House LLC) – Visitor Serving Facility Improvements (Town of Mendocino, Mendocino County)

CDP Extensions

- 1-20-0261-E1 (City of Eureka) – Boat Launch Facility Improvements (Eureka)

Waivers

- 1-23-0765-W (Shinn, Lutz) – Lot Line Adjustment (Ferndale area, Humboldt Co.)

- 1-23-0553-W (Williams, Whitney, Sommer) – Lot Line Adjustment & Merger (Trinidad area, Humboldt County)

Emergency CDPs and LCP Certifications

- None

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: October 31, 2023

To: All Interested Parties

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

Subject: Amendment to Coastal Development Permit (CDP) **1-87-006**
Applicant: Michael Colety & Stephanie Bruzzese

Project Site

14940 Navarro Way, Manchester, Mendocino County (APN: 132-040-01)

Original CDP Approval and Past Amendments

Construction of a single-family residence, garage and installation of a septic system. One previous amendment authorized relocating the permitted single-family residence approximately 20 feet westward to accommodate a septic tank and leach field.

Proposed CDP Amendment

Replace the siding, replace the windows and re-roof the existing single-family residence with in-kind materials; and mount solar panels to the roof. The Commission's reference number for this proposed amendment is **1-87-006-A2**.

Executive Directors Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The subject site is located west of Highway 1 within the Irish Beach subdivision and designated Rural Residential 5[1]-acre under Mendocino County's certified LCP. The parcel is not within an LCP-designated highly scenic area, and as proposed, the minor modifications to the residence on the property will not impact visual resources. The addition of the solar panels to the existing residence will not result in an increase in height of the development approved by CDP 1-87-006 as previously amended. The proposed replacement of the roofing and siding is in-kind, and even with the addition of the roof-mounted solar panels, the proposed project will not significantly alter the appearance of the originally approved single-family residence.

The repair and maintenance activities proposed by the amendment will not be located within nor will affect any Environmentally Sensitive Habitat Areas (ESHA). Although federally endangered Point Arena Mountain Beaver (PAMB) is known to occur within the general vicinity, no expansion of the existing building footprint is proposed, and the proposed development will not disturb vegetation or soils where the rare species may be present. On September 25, 2023, the applicant submitted email correspondence from Gregory Schmidt, a U.S. Fish and Wildlife Service Biologist with the Service's Endangered Species Program, confirming that the project as proposed will avoid the "take" of endangered PAMB, and the project may be conducted at any time of the year, without seasonal restrictions.

Therefore, as the permit amendment does not have a potential for adverse impacts, either individually or cumulatively, on coastal resources or public access, and the proposal is consistent with the Mendocino County certified LCP, the Executive Director has determined that the proposed amendment is immaterial.

Coastal Commission Review Procedure

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to NorthCoast@coastal.ca.gov. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, November 15, 2023.. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

IMPORTANT! PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the **Coastal Commission's Hybrid Hearing Procedures** posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email NorthCoast@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at **288 Golf Course Drive Rohnert Park, CA 94928**. The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

If you have any questions about the proposal or wish to register an objection, please contact Bente Jansen in the North Coast District office at Bente.Jansen@coastal.ca.gov or by calling (707) 826-8950.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: October 31, 2023

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Tamara Gedik, North Coast District Supervisor
Tatiana Garcia, Coastal Program Analyst

Subject: Amendment to Coastal Development Permit (CDP) NCR-75-CC-493
Applicant: Jeff Rutledge
Agent: Danielle Compa, Swithenbank Construction

Project Site

45500 South Caspar Drive, Mendocino (Mendocino County) (APN: 118-380-08)

Original CDP Approval and Past Amendments

CDP NCR-75-CC-493, approved by the Commission on August 14, 1975, authorized the development of a single-story, two-bedroom, two-bath house with garage and underground utilities.

Proposed CDP Amendment

(1) Construct a roof deck and railing above the existing garage; (2) install a staircase connecting the roof deck to the backyard; (3) remove a bedroom window and convert to a doorway; (4) authorize, after-the-fact (ATF) the installation of approximately 176 square feet of decking; and (5) ATF perimeter fencing surrounding the backyard; and (6) the ATF construction of a single-story 414-square-foot attached addition to the residence.

The Commission's reference number for this amendment request is **NCR-75-CC-493-A1**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The subject site is located west of Highway 1 within the Caspar South subdivision and designated Rural Residential 5[1]-acre under Mendocino County's certified LCP. The parcel is not within an LCP-designated highly scenic area, and as proposed, the minor modifications to structures on the property will not impact visual resources. The proposed garage roof-top deck, safety railing, and staircase will be constructed on and

Coastal Development Permit Amendment NCR-75-CC-493-A1

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within existing developed areas requiring only minor modifications to roof joists for the deck and displacing less than one cubic yard of soil for the staircase.

Regarding the proposed after-the-fact development, evidence submitted by the applicant demonstrates that the 414-sq.ft. addition was constructed in approximately 1980. It is unknown when the perimeter fence was constructed, but historical imagery shows that it has been in place for over 25 years. Neither the addition nor fence, as constructed, block public views to the ocean as seen from Highway 1.

The subject site is a privately owned lot which contains no public access trails or easements. Public access is available about 300 feet to the north at the Caspar Headlands State Natural Reserve and the proposed development will not affect this existing access. All proposed development is located at least 100 feet from environmentally sensitive habitat areas, as required by the Mendocino County certified LCP.

Therefore, as the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, and the proposal is consistent with the Mendocino County certified LCP, the Executive Director has determined that the proposed amendment is immaterial.

Coastal Commission Review Procedure

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to NorthCoast@coastal.ca.gov. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, November 15, 2023. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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The in-person hearing will be held at Graton Resort at **288 Golf Course Drive Rohnert Park, CA 94928**. The Commission still strongly encourages continued participation virtually through video and teleconferencing to reduce our carbon footprint. To view the live stream of the hearing, please visit <https://cal-span.org/>.

If you have any questions about the proposal or wish to register an objection, please contact Tatiana Garcia in the North Coast District office at Tatiana.Garcia@coastal.ca.gov or by calling (707) 826-8950.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: October 31, 2023

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Tamara Gedik, North Coast District Supervisor
Tatiana Garcia, Coastal Program Analyst

Subject: Amendment to Coastal Development Permit (CDP) NCR-75-CC-212
Applicant: Alan Kusov, Castle Peak Holdings Hill House LLC
Agent: David Hamblen, Synectic Design Incorporated

Project Site

10701 Palette Drive, Mendocino (Mendocino County) (APN: 119-070-11, 119-140-05)

Original CDP Approval and Past Amendments

CDP NCR-75-C-212 (approved on appeal A-150-75 on March 31, 1977) authorized the construction of 22 motel rooms, a 75-seat restaurant, and a 10-seat bar and parking spaces, subject to certain special conditions.

Proposed CDP Amendment

(1) Repaint the exterior of the Hill House hotel brown/taupe; (2) improve the northwestern parking by repaving asphalt and replacing sections of asphalt with permeable pavers; (3) relocate a propane tank and install a new propane line along the northern parcel boundary; and (4) create an outdoor event lawn by removing existing tree trunks, replacing landscaping with gravel, mulch, and new vegetation plantings, and installing various garden furniture.

The Commission's reference number for this amendment request is **NCR-75-CC-212-A1**.

Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The subject site is located west of Highway 1 within the Town of Mendocino. The site is designated Multifamily Residential (RM) under the Mendocino Town certified LCP and is intended to support visitor accommodations, including hotels and inns. The existing 44-unit hotel has been established since 1977, following approval of the subject permit and

Coastal Development Permit Amendment NCR-75-CC-212-A1

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associated CDP 81-P-088 (approved on appeal A-80-81 on July 18, 1981) that authorized construction of a two-story 22-unit addition to the site.

The amendment request does not propose changes to the number of hotel rooms or parking spaces and thus there are no anticipated changes to traffic, water, or sewer demand. In addition, no public access trails are established on the property and no environmentally sensitive habitat areas occur within 100 feet of the project site.

Minor site improvements within the northwest corner of the property are proposed to redevelop a portion of the existing hotel parking lot to create a new event lawn. To create the new outdoor event space, three (3) tree stumps will be removed by grinding below the ground surface, displacing up to 1.5 cubic yards of soil, and two (2) other tree stumps will be left in place and used as seating areas. An existing propane tank will be relocated east and the existing landscaped area will be redeveloped with gravel, mulch, and native landscaping as provided in submitted plans dated August 17, 2023. Approximately 100 square feet of asphalt will be removed and replaced with permeable pavers connecting the western edge of the hotel to the new event lawn. New landscaping will also be placed along areas with new pervious paving. The total disturbed area for the project is approximately 8,000 square feet.

The Town of Mendocino certified LCP requires new development to be compatible with the character of its setting to protect scenic views as seen from the Town and from nearby public vantage points, including adjacent State Parks and Highway 1. Existing vegetation substantially screens the site, although portions of the hotel are visible to travelers heading north along the Highway. The proposed parking lot improvements and new event lawn would not be visible from the Highway or the Town due to the topography of the site as well as the height of the existing two-story hotel. The hotel is located outside of the Town's established historic district. Nearby residential development includes homes with brown wood cladding and various colors of painted siding. Thus, repainting the hotel from green to brown will be visually compatible with the character of the surrounding areas.

Therefore, as the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, and the proposal is consistent with the Mendocino Town certified LCP, the Executive Director has determined that the proposed amendment is immaterial.

Coastal Commission Review Procedure

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to NorthCoast@coastal.ca.gov. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Wednesday, November 15, 2023. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the Coastal Commission's Hybrid Hearing Procedures posted on the Coastal Commission's webpage at www.coastal.ca.gov/mtgcurr.html for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email ExecutiveStaff@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at the Graton Resort at **288 Golf Course Drive Rohnert Park, CA 94928**. The Commission still strongly encourages continued participation virtually through video and teleconferencing to reduce our carbon footprint. To view the live stream of the hearing, please visit <https://cal-span.org/>.

If you have any questions about the proposal or wish to register an objection, please contact Tatiana Garcia in the North Coast District office at Tatiana.Garcia@coastal.ca.gov or by calling (707) 826-8950.

cc: Mendocino County Planning and Building Services

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October 31, 2023

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that the City of Eureka has applied for a one-year extension of 1-20-0261 granted by the California Coastal Commission on August 12, 2021 for:

Application of City of Eureka to improve an existing public boat launch facility by: (1) replacing a portion of an existing floating dock and installing a second floating dock; (2) demolishing and replacing an existing public restroom building with a new building containing public restroom facilities and storage for water rescue boats and equipment with associated utility connections; (3) installing ADA-compliant pedestrian pathways connecting the public boat launch facility to Waterfront Drive and the California Coastal Trail; (4) resurfacing and restriping the existing parking lot; (5) replacing signage; and (6) removing derelict piles at Parcel 4 as mitigation for 2.4 square feet of mudflat fill.

at: along the shoreline of Humboldt Bay, off Waterfront Drive beneath the Highway 255 Bridge with offsite mitigation at "Parcel 4" behind the Bayshore Mall in Eureka, Humboldt County (APNs 002-241-006, 002-241-013, & 007-071-014)

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

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

Sincerely,

Kate Huckelbridge, PhD
Executive Director

A handwritten signature in cursive script that reads "Tatiana Garcia".

Tatiana Garcia
Coastal Program Analyst

cc: Commissioners/File

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NOTICE OF PROPOSED PERMIT WAIVER

Date: November 1, 2023

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Catherine Mitchell, Coastal Program Analyst

Subject: **Coastal Development Permit (CDP) Waiver 1-23-0765-W**
Applicants: Raymond & Terry Shinn, and Sharon Lutz

Location: 1580 & 1288 Waddington Road, Ferndale, Humboldt County
(APNs: 106-031-013 & 106-031-014)

Proposed Development

Lot line adjustment (LLA) between two agricultural properties involving the transfer of 6 acres from Parcel A (106-031-014) to Parcel B (106-031-013), increasing the size of Parcel A from 43 to 49 acres, and decreasing the size of Parcel B from 79 to 73 acres.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed LLA will facilitate more efficient agricultural use by aligning the reconfigured lots with Waddington Road and increasing the conformity of Parcel A to the minimum parcel size (60 acres) under the Humboldt County certified LCP (Eel River Area Plan and Coastal Zoning Implementation Plan). The existing 43-acre lot currently is developed with an existing farmhouse, detached garage, barn, and hay storage shed. The existing 79-acre parcel is developed with two farm residences, a detached garage, a barn, hay sheds, and accessory structures. Both properties are served by on-site wells and wastewater treatment systems. Both parcels are used for livestock grazing and hay production and will continue to support cattle grazing and other agricultural uses following the LLA. The LLA will not increase the development potential of either lot, and the parcel reconfiguration is consistent with the rural land division criteria of section 30250(a) of the Coastal Act, with 76.5% of the existing agriculturally zoned parcels in the surrounding area being developed, and both lots will be larger than the median size of the parcels in the surrounding area.

Therefore, the proposed development protects agricultural lands, will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

Procedural Note

The project site is bisected by the boundary between the Commission's retained jurisdiction and Humboldt County's certified LCP jurisdiction. The Applicant, the County, and the Executive Director have agreed to the processing of a consolidated CDP application by the Commission pursuant to Coastal Act section 30601.3(a)(2).

Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission and the site of the proposed development has been appropriately noticed, pursuant to sec. 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. **This waiver is proposed to be reported to the Commission on Wednesday, November 15, 2023.** If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the Coastal Commission's Hybrid Hearing Procedures posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Hybrid Hearing Procedures, please email northcoast@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at **Graton Resort, 288 Golf Course Drive, Rohnert Park, CA 94928.** The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

If you have any questions about the proposal or wish to register an objection, please contact Catherine Mitchell in the North Coast District office at catherine.mitchell@coastal.ca.gov.

cc: Humboldt County Planning & Building Dept.

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NOTICE OF PROPOSED PERMIT WAIVER

Date: November 1, 2023

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Catherine Mitchell, Coastal Program Analyst

Subject: **Coastal Development Permit (CDP) Waiver 1-23-0553-W**

Applicants: Susan Whitney, Lawrence Williams, and Mark Sommer

Location: Lands adjacent to Scenic Drive, Trinidad area, Humboldt County (APNs: 514-151-003; 514-152-021; 514-154-001; 514-171-008)

Proposed Development

Lot line adjustment (LLA) between three legal parcels [Parcel 1 (514-152-021, 1.01 acres), Parcel 2 (514-171-008, 2.98 acres), and Parcel 3 (514-154-001, 0.61 acres)] resulting in three adjusted parcels, and a subsequent merger of two of the resulting parcels (Parcel 2 will merge with 0.34-acre APN 514-154-008). Following the LLA and merger, resultant Parcel 1 will be 1.04 acres, resultant Parcel 2 will be 3.32 acres, and resultant Parcel 3 will be 0.37 acres.

Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The purpose of the proposed LLA is to align property lines with the physical location of Scenic Drive, which is the first public road paralleling the sea in this area. Following the LLA, the proposed merger will combine adjacent properties that are under the same ownership. The subject properties, under two separate ownerships, currently include portions of the former County road right of way, which has, over the past few years, been slightly realigned following the County's vacation of narrow portions of the roadway immediately adjacent to the road alignment. The proposed LLA will align the parcel boundaries with the current right of way. Existing Parcel 1 and Parcel 2 are developed with single-family residences, and existing Parcel 3 is vacant. Parcel 1 is served by a wastewater treatment system and spring located on an adjacent property

not involved in this LLA, and Parcel 2 is served by an on-site wastewater treatment system and on-site diversion from a creek. The proposed LLA and merger will not increase the possibility of new development on any of the adjusted lots. The parcels do not provide public access to the beach, and the proposed LLA and merger will not impact existing public access to beaches located north and south of the subject parcels.

Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

Procedural Note

The project site is bisected by the boundary between the Commission's retained jurisdiction and Humboldt County's certified LCP jurisdiction. The Applicant, the County, and the Executive Director have agreed to the processing of a consolidated CDP application by the Commission pursuant to Coastal Act section 30601.3(a)(2).

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