

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8th STREET SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
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F10a

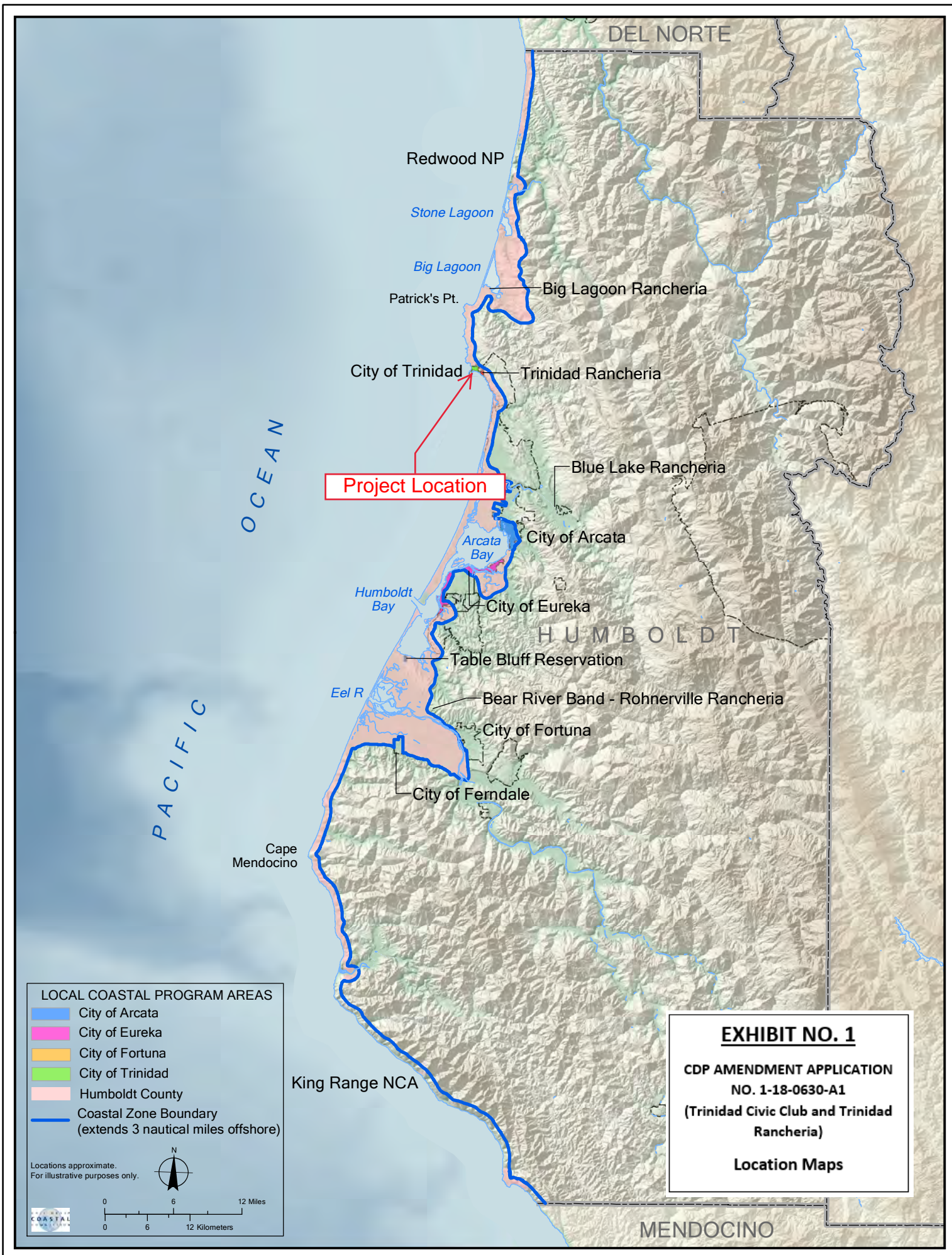
CDP 1-18-0630-A1 (Trinidad Civic Club & Trinidad Rancheria)

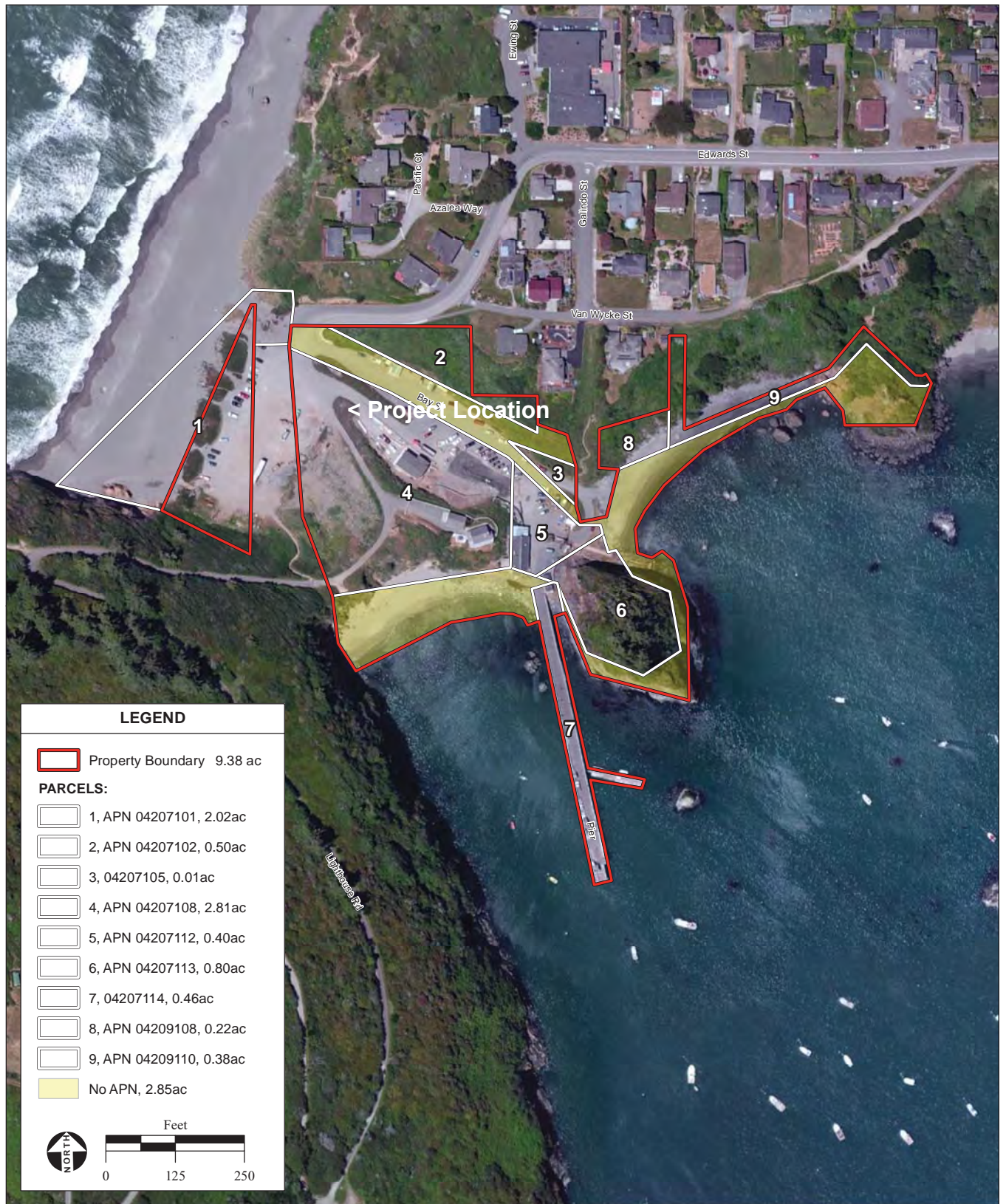
FEBRUARY 10, 2023

EXHIBITS

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SOURCE: Humboldt County Parcel GIS Data, 2013;
DigitalGlobe aerial photograph, 6/6/2013; AES, 2/25/2016

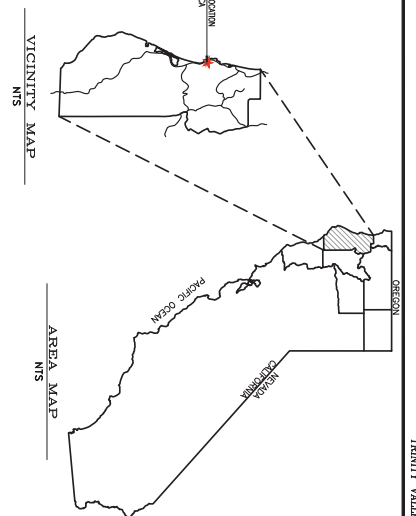
Figure 1-3
Aerial Photograph

LIGHTHOUSE RELOCATION PLAN

EXHIBIT NO. 2 CDP AMENDMENT APPLICATION NO. 1-18-0630-A1 (Trinidad Civic Club and Trinidad Rancheria) Project Plans and Elevations

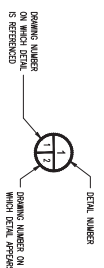
FOR
TRINIDAD CIVIC CLUB
P.O. BOX 295
TRINIDAD, CA 95570

PROJECT LOCATION
TRINIDAD, CALIFORNIA



AREA MAP
NTS

SYMBOLS



DRAWING #	TITLE	REVISION	DATE
101	TITLE SHEET	0	4/20/2022
102	NOTES	0	4/20/2022
103	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
104	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
105	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
106	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
107	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
108	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
109	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
110	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
111	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
112	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
113	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
114	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
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116	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
117	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
118	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
119	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022
120	PROPOSED LAYOUT & ELEVATION PLAN	0	4/20/2022

TRINIDAD CIVIC CLUB
LIGHTHOUSE RELOCATION
TITLE SHEET

P.O. BOX 295 TRINIDAD, CA 95570

TVCE
TRINITY VALLEY CONSULTING ENGINEERS, INC.
P.O. BOX 295
TRINIDAD, CA 95570
TEL: (530) 265-3000
FAX: (530) 265-3001

PROPOSED	EXISTING
CHIEF TV OVERHEAD	CHIEF TV OVERHEAD
POWER OVERHEAD	POWER OVERHEAD
TELEPHONE OVERHEAD	TELEPHONE OVERHEAD
TELEPHONE PO	TELEPHONE PO
POWER (UNDERGROUND) UP	POWER (UNDERGROUND) UP
CAS LINE	CAS LINE
ANCHOR/GRV WIRE	ANCHOR/GRV WIRE
SERIES WHOLE	SERIES WHOLE
SERIES LINE	SERIES LINE
FLUSHING BRANCH/CLEANOUT	FLUSHING BRANCH/CLEANOUT
SERIES SERVICE	SERIES SERVICE
STORM DRAIN MANHOLE	STORM DRAIN MANHOLE
STORM DRAIN PIPE	STORM DRAIN PIPE
STORM DRAIN INLET	STORM DRAIN INLET
WATER LINE	WATER LINE
WATER VALVE	WATER VALVE
REDUCER	REDUCER
BLOW OFF ASSEMBLY	BLOW OFF ASSEMBLY
AIR RELIEF VALVE	AIR RELIEF VALVE
FIRE HYDRANT ASSEMBLY	FIRE HYDRANT ASSEMBLY
R.P. BACKFLOW PREVENTER	R.P. BACKFLOW PREVENTER
DRAIN WAY	DRAIN WAY
SEWERAGE PUMP	SEWERAGE PUMP
SEWERAGE	SEWERAGE
SEWER MANHOLE	SEWER MANHOLE
CENTERLINE	CENTERLINE
RIGHT OF WAY LINE	RIGHT OF WAY LINE
PROPERTY LINE	PROPERTY LINE
EXISTING LINE	EXISTING LINE
EDGE OF PAVEMENT	EDGE OF PAVEMENT
POLE LINE	POLE LINE
FENCE LINE	FENCE LINE
CONTOUR LINE	CONTOUR LINE
STORMWATER	STORMWATER
STREET LIGHT	STREET LIGHT
STREET NAME SIGN	STREET NAME SIGN

ABBREVIATIONS

AC	ACRYLIC CONCRETE
AD	ADJUSTABLE
AL	ALUMINUM
AP	APPROXIMATE
AS	AS SHOWN
AT	AT THE
AV	AVAILABILITY
BA	BALANCE
BB	BALANCE
BC	BALANCE
BD	BALANCE
BE	BALANCE
BF	BALANCE
BH	BALANCE
BI	BALANCE
BJ	BALANCE
BK	BALANCE
BL	BALANCE
BM	BALANCE
BN	BALANCE
BO	BALANCE
BP	BALANCE
BQ	BALANCE
BR	BALANCE
BS	BALANCE
BT	BALANCE
BU	BALANCE
BV	BALANCE
BW	BALANCE
BY	BALANCE
BZ	BALANCE
CA	CALIFORNIA
CB	CALIFORNIA
CC	CALIFORNIA
CD	CALIFORNIA
CE	CALIFORNIA
CF	CALIFORNIA
CG	CALIFORNIA
CH	CALIFORNIA
CI	CALIFORNIA
CJ	CALIFORNIA
CK	CALIFORNIA
CL	CALIFORNIA
CM	CALIFORNIA
CN	CALIFORNIA
CO	CALIFORNIA
CP	CALIFORNIA
CQ	CALIFORNIA
CR	CALIFORNIA
CS	CALIFORNIA
CT	CALIFORNIA
CU	CALIFORNIA
CV	CALIFORNIA
CW	CALIFORNIA
CX	CALIFORNIA
CY	CALIFORNIA
CZ	CALIFORNIA
DA	DALLAS
DB	DALLAS
DC	DALLAS
DD	DALLAS
DE	DALLAS
DF	DALLAS
DG	DALLAS
DH	DALLAS
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GX	GALVESTON
GY	GALVESTON
GZ	GALVESTON
HA	HALL
HB	HALL
HC	HALL
HD	HALL
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HF	HALL
HG	HALL
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IG	IDAHO
IH	IDAHO
II	IDAHO
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IS	IDAHO
IT	IDAHO
IU	IDAHO
IV	IDAHO
IW	IDAHO
IX	IDAHO
IY	IDAHO
IZ	IDAHO
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JB	JACKSON
JC	JACKSON
JD	JACKSON
JE	JACKSON
JF	JACKSON
JG	JACKSON
JH	JACKSON
JI	JACKSON
JJ	JACKSON
JK	JACKSON
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LF	LAKESIDE
LG	LAKESIDE
LH	LAKESIDE
LI	LAKESIDE
LJ	LAKESIDE
LK	LAKESIDE
LL	LAKESIDE
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LN	LAKESIDE
LO	LAKESIDE
LP	LAKESIDE
LQ	LAKESIDE
LR	LAKESIDE
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LT	LAKESIDE
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LZ	LAKESIDE
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NZ	NANTUCKET
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OB	OKLAHOMA
OC	OKLAHOMA
OD	OKLAHOMA
OE	OKLAHOMA
OF	OKLAHOMA
OG	OKLAHOMA
OH	OKLAHOMA
OI	OKLAHOMA
OJ	OKLAHOMA
OK	OKLAHOMA
OL	OKLAHOMA
OM	OKLAHOMA
ON	OKLAHOMA
OO	OKLAHOMA
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OR	OKLAHOMA
OS	OKLAHOMA
OT	OKLAHOMA
OU	OKLAHOMA
OV	OKLAHOMA
OW	OKLAHOMA
OX	OKLAHOMA
OY	OKLAHOMA
OZ	OKLAHOMA
PA	PALM BEACH
PB	PALM BEACH
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PS	PALM BEACH
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PZ	PALM BEACH
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QB	QUINCY
QC	QUINCY
QD	QUINCY
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QK	QUINCY
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QR	QUINCY
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QV	QUINCY
QW	QUINCY
QX	QUINCY
QY	QUINCY
QZ	QUINCY
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RJ	RANDOLPH
RK	RANDOLPH
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RM	RANDOLPH
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RU	RANDOLPH
RV	RANDOLPH
RW	RANDOLPH
RX	RANDOLPH
RY	RANDOLPH
RZ	RANDOLPH
SA	SAN ANTONIO
SB	SAN ANTONIO
SC	SAN ANTONIO
SD	SAN ANTONIO
SE	SAN ANTONIO
SF	SAN ANTONIO
SG	SAN ANTONIO
SH	SAN ANTONIO
SI	SAN ANTONIO
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SO	SAN ANTONIO
SP	SAN ANTONIO
SQ	SAN ANTONIO
SR	SAN ANTONIO
SS	SAN ANTONIO
ST	SAN ANTONIO
SV	SAN ANTONIO
SW	SAN ANTONIO
SX	SAN ANTONIO
SY	SAN ANTONIO
SZ	SAN ANTONIO
TA	TAMPA
TB	TAMPA
TC	TAMPA
TD	TAMPA
TE	TAMPA
TF	TAMPA
TG	TAMPA
TH	TAMPA
TI	TAMPA
TJ	TAMPA
TK	TAMPA
TL	TAMPA
TM	TAMPA
TN	TAMPA

Lighthouse Relocation Plan

FOR
TRINIDAD CIVIC CLUB
P.O. BOX 295
TRINIDAD, CA 95570



67 WALNUT WAY
PO BOX 1667
WILLOW CREEK, CA 95573
P:(530)629-3000
F:(530)629-3011

[illegible]

TRINIDAD CIVIC CLUB
LIGHTHOUSE RELOCATION

P.O. BOX 295 TRINIDAD, CA 95570

SUMMARY OF QUANTITIES:		PLAN QUANTITY
ITEM	DESCRIPTION	TOTAL
001	TEMPORARY FACILITIES	1
002	PROPOSED GRADING ACTIVITY (CU)	75.6
003	PROPOSED EXCAVATION (CU)	24.80
004	PROPOSED DISTURBED AREA	24.80
005	PROPOSED CONCRETE PAVEMENT	8.60
006	PROPOSED CONCRETE CURB	11.75
007	PROPOSED DRIVEWAYS	127.5
008	PROPOSED ASPHALT DRIVE	127.5
009	PROPOSED CONCRETE SIDEWALK	11.75
010	PROPOSED CONCRETE CURB	19.60
011	PROPOSED ASPHALT DRIVE	19.60
012	PROPOSED ASPHALT DRIVE	16.50
013	PROPOSED ASPHALT DRIVE	16.50
014	PROPOSED WATER LINE	16.50
015		
016		
017		
018		
019		
020		
021		
022		
023		
024		
025		

QUANTITIES:

1. QUANTITIES AND LENGTHS OF ITEMS PROVIDED WITHIN THIS PLAN SET ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ACTUAL QUANTITIES OF COMPONENTS REQUIRED FOR THE SUCCESSFUL AND SATISFACTORY COMPLETION OF THE PROJECT.

CULTURALLY SENSITIVE AREAS:

5. ALL APPLICABLE FEES TO BE PAID AND PENALTIES REQUIRED SHALL BE OBTAINED BY THE CONTRACTOR BEFORE COMMENCEMENT OF CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES SHOWN ON THESE INSTRUMENTS. UTILITIES SHALL BE OBTAINED FROM SOURCES OF INFORMATION RELIABLE TO THE CONTRACTOR. THE CONTRACTOR IS CLARIFIED THAT ONLY ACTUAL EXCAVATION WILL REVEAL THE EXACT LOCATION OF UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, UTILITIES, A RESPONSIBLE PARTY HAS BEEN MADE TO LOCATE AND DELINEATE ALL UTILITIES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
8. THE CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED PRACTICES, THE CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO OBTAIN ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, THE COMPLETENESS OR ACCURACY OF ITS DELINEATION OF SUCH UTILITIES SHALL NOT BE ENCOURAGED BUT MUST NOT BE DEPENDENT ON THESE DRAWINGS.
13. UNOBTAINED PILING EXPOSED DURING CONSTRUCTION SHALL BE LOCATED AND PROTECTED BY THE CONTRACTOR'S DESIGN.
14. ALL NEW BORED PILING SHALL HAVE A MINIMUM OF 3 FEET OF COVER UNLESS OTHERWISE SPECIFIED.

TRAFFIC CONTROL NOTES:

1. WHENEVER THE WORK AREA IS ADJACENT TO A TRAFFIC LANE AND THERE IS A CUT OR A CHANGE IN THE DIRECTION OF TRAFFIC, THE TRAFFIC CONTROL PERSONNEL SHALL APPROXIMATELY SET THE BEACON SPACING TO 200 FEET. THE CUT, DITCH OR OBSTRUCTION SHALL BE MARKED WITH BEACONS AT 200 FEET INTERVALS FOR THE ENTIRE LENGTH OF THE WORK AREA. THE BEACON SPACING SHALL BE INCREASED TO 300 FEET WHEN THE WORK AREA IS MORE THAN TEN FEET FROM A TRAFFIC LANE. THE BEACON SPACING MAY BE INCREASED TO 400 FEET WHEN THE WORK AREA IS MORE THAN 20 FEET FROM A TRAFFIC LANE.
2. UNLESS SPECIFICALLY STATED, BEACON SPACING SHALL BE 200 FEET.
3. BEACONS SHALL BE USED TO CONTROL TRAFFIC DURING THE CONSTRUCTION OF THE PROJECT.
4. SAFE VEHICULAR AND PEDESTRIAN ACCESS SHALL BE PROVIDED AT ALL TRIPS DISBURSED FROM THE PROJECT.
5. TRACK MOUNTED VEHICLES SHALL NOT BE OPERATED ON PAVED ROADS.

AGGREGATE BASE ROCK NOTES

1. AGGREGATE BASE SHALL BE CALTRANS CLASS II.
2. AGGREGATE BASE SHALL BE INSTALLED PER SECTION 28 OF THE CALTRANS STANDARD SPECIFICATIONS.
3. AGGREGATE BASE SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION PER CAL 316.

ASPHALT CONCRETE NOTES

1. ASPHALT CONCRETE SHALL BE 1" MAXIMUM GRAIN HOT MIX TYPE A.
2. ASPHALT CONCRETE SHALL BE INSTALLED IN STRICT ACCORDANCE WITH SECTION 39 OF THE CURRENT STANDARD SPECIFICATIONS.
3. ASPHALT CONCRETE SHALL BE COMPACTED TO A MINIMUM OF 95% RELATIVE COMPACTION AS VERIFIED PER CAL. 216.
4. EXISTING AC SURFACES SHALL BE CUT TO A NEAT STRAIGHT LINE PARALLEL WITH THE CURBLINE, AND THE EXPOSED EDGE SHALL BE TACKED WITH EMULSION PRIOR TO THE NEW ASPHALT. THE EXPOSED SUBGRADE SHALL BE GRADED, RE-COMPACTED, AND RESEDED PRIOR TO PAVING.

ELECTRIC GENERAL NOTES:

1. ALL ELECTRICAL FACILITIES AND WIRING TO BE IN STRICT COMPLIANCE WITH APPLICABLE NATIONAL ELECTRICAL CODES AND ALL ELECTRICAL (WIRING) REQUIREMENTS PER COMPETENT OPEN BOOK.
2. REFER TO POKE SITE PLAN FOR ADDITIONAL DETAILS NOT EXPRESSED ON THIS SHEET.
3. CONTRACTOR TO COORDINATE WITH POKE FOR ALL REQUIRED TESTING/OBSERVATION REPORTS.
4. OWNER HAS THE RESPONSIBILITY OF PAYING ALL FEES TO PACE DIRECT FOR THEMATIC SERVICES/FACILITIES UNDER THE ORIGINAL APPLICATION FOR THIS PROJECT. ADDITIONAL FEES WILL BE CHARGED FOR ANY CHANGES TO THE PROJECT. THE CONTRACTOR SHALL BE COVERED UNDER THE ORIGINAL APPLICATION WILL BE THE SOLE EXPENSE OF THE CONTRACTOR.
5. POWER/ELECTRICAL FACILITIES DEPICTED ON THESE PLAN SETS ARE FOR GENERAL INFORMATION ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL ELECTRICAL FACILITIES PROVIDED BY PACE AND ALL ELECTRICAL (WIRING) CONTRACTORS TO COORDINATE WITH PACE FOR DESIGN AND INSTALLATION OF REQUIRED COMMUNICATION FACILITIES.

DUST CONTROL NOTES:

1. THE CONTRACTOR SHALL IMPLEMENT ONE OR BOTH OF THE FOLLOWING MEASURES FOR DUST CONTROL ON THIS SITE:
- 1.1 SPRINKLING OF WATER SO AS NOT TO GENERATE ADDITIONAL RUNOFF. NO DUST SPREADING MATERIALS OR OTHER NON-WATER BASED PRODUCTS ARE ALLOWED ON NON-PORTABLE WATER IS TO BE USED. IT MUST BE CONVEYED IN TANKS OF PIPES CLEARLY LABELED AS "NON-PORTABLE WATER - DO NOT DRINK."
- 1.2 COVERS FOR EXPOSED AREAS.

EQUIPMENT & MATERIALS STORAGE NOTES

1. THE CONTRACTOR'S RESPONSIBILITY IS TO ENSURE THAT ALL MATERIALS AND EQUIPMENT ARE PROPERLY STORED, HANDLED, AND CONTAINED TO PREVENT LEAKAGE AND SPILLS.
 2. ALL MATERIALS AND EQUIPMENT SHALL BE STORED IN DESIGNATED AREAS. THE AREAS SHALL BE BARRICADED WITH EARTH DIKES THAT THE CONTRACTOR SHALL INSTRUCT AND MAINTAIN WEEKLY.
 3. ALL FLAMMABLE, REACTIVE, AND/OR CONTAINABLE LIQUIDS MUST COMPLY WITH LOCAL FIRE CODES.
 4. DURING THE WARM SEASON (OCTOBER THROUGH APRIL) THE CONTRACTOR SHALL ENSURE THAT MATERIALS ARE COVERED.
 5. NO CHEMICALS, OILS, OR BAGGED MATERIALS SHALL BE STORED DIRECTLY ON THE GROUND. ITEMS SHALL BE PLACED ON PALETTES AND/OR IN SECONDARY CONTAINMENT.
 6. IF DRUGS MUST BE KEPT UNCOVERED, THE CONTRACTOR SHALL STORE THEM IN A CONTAINER ABLE TO RESIST POUNDING OR RAINFALLER AND REDUCE CORROSION.
 7. WHEN DANGEROUS MATERIALS AND/OR LIQUID CHEMICALS ARE UNCOVERED ON-SITE, THE CONTRACTOR SHALL HAVE EMPLOYEES TRAINED IN EMERGENCY SPILL CLEANUP PROCEDURES PRESENT.
- VEHICLE MAINTENANCE NOTES:**
1. EQUIPMENT AND VEHICLES TRAVELING NORTH SHALL BE INSPECTED REGULARLY FOR OIL LEAKS. OILS SHOULD BE KEPT IN TIGHTLY SEaled CONTAINERS. OILS SHOULD BE REMOVED AND CONTAINED TO NOT ALLOW EXCESSIVE BUILDUP OF OIL AND GROUND.
 2. USE OTHER REPAIR SHOPS WHENEVER POSSIBLE. A SIGNED REPAIRS ARE NECESSARY, INSPECT THIS WORK WEEKLY AND AFTER EACH RAINFALLING EVENT TO INSURE THAT THE REPAIRS ARE EFFECTIVE. MAINTAINING PROPERLY, ANY NON-FUNCTIONING EQUIPMENT SHALL BE REPAIRED IMMEDIATELY.
 3. MATERIALS FOR SMALL SPILLS AND SPILLS OR PREVENT, USE A SECONDARY CONTAINMENT DURING FLUID CHANGES AND REPAIRS TO CATCH SPILLS.
 4. SEPARATE AND RECYCLE WASTES (INCLUDING BUT NOT LIMITED TO USED OIL AND OIL, USED FLUIDS, USED MATERIALS). AFTER REPAIRS, OILS, USED FLUIDS, USED FLUIDS AND WASTES TO THEIR PROPER CONTAINMENT AREAS AND CONTAINERS.

VEHICLE MAINTENANCE NOTES

1. EQUIPMENT AND VEHICLES INVOLVED: NIGHT SHELTER CAN BE ACCEPTED RECYCLABLE FOR REPAIR AND REUSE. REPAIRS SHOULD BE DONE BY THE SAME PERSONS WHO MAINTAINED THE EQUIPMENT AND VEHICLES CLEAN (DO NOT ALLOW EXCESSIVE BUILDUP OF OIL AND GREASE).
2. USE OF OTHER REPAIR SHOPS: WHENEVER POSSIBLE, IF NIGHT REPAIRS ARE NECESSARY, INSPECT THIS AREA, WASH, AND AFTER CLEAN HANDWASH ONLY TO ENSURE THAT THE NIGHT BEANS ARE IN PLACE AND FUNCTIONING PROPERLY; AND NON-FUNCTIONING BEANS SHOULD BE REPLACED IMMEDIATELY.
3. USE OF OTHER REPAIR SHOPS: WHENEVER POSSIBLE, IF NIGHT REPAIRS ARE NECESSARY, INSPECT THIS AREA, WASH, AND AFTER CLEAN HANDWASH ONLY TO ENSURE THAT THE NIGHT BEANS ARE IN PLACE AND FUNCTIONING PROPERLY; AND NON-FUNCTIONING BEANS SHOULD BE REPLACED IMMEDIATELY.
4. SEGREGATE AND RECYCLE WASTES (INCLUDING BUT NOT LIMITED TO, USED OIL AND OIL FILLS, BATTERIES, ETC.). REPAIR COMPANIES MUST SEGREGATE WASTE AND FLUORESCENT LIGHTS AND DISPOSE THEM PROPERLY. REPAIR COMPANIES MUST NOT REUSE FLUORESCENT WASTES TO THEIR PROPER CONTAINERS AND CONTAINERS.

50

DATE OF ISSUE
OCTOBER 2002

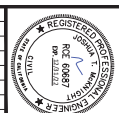
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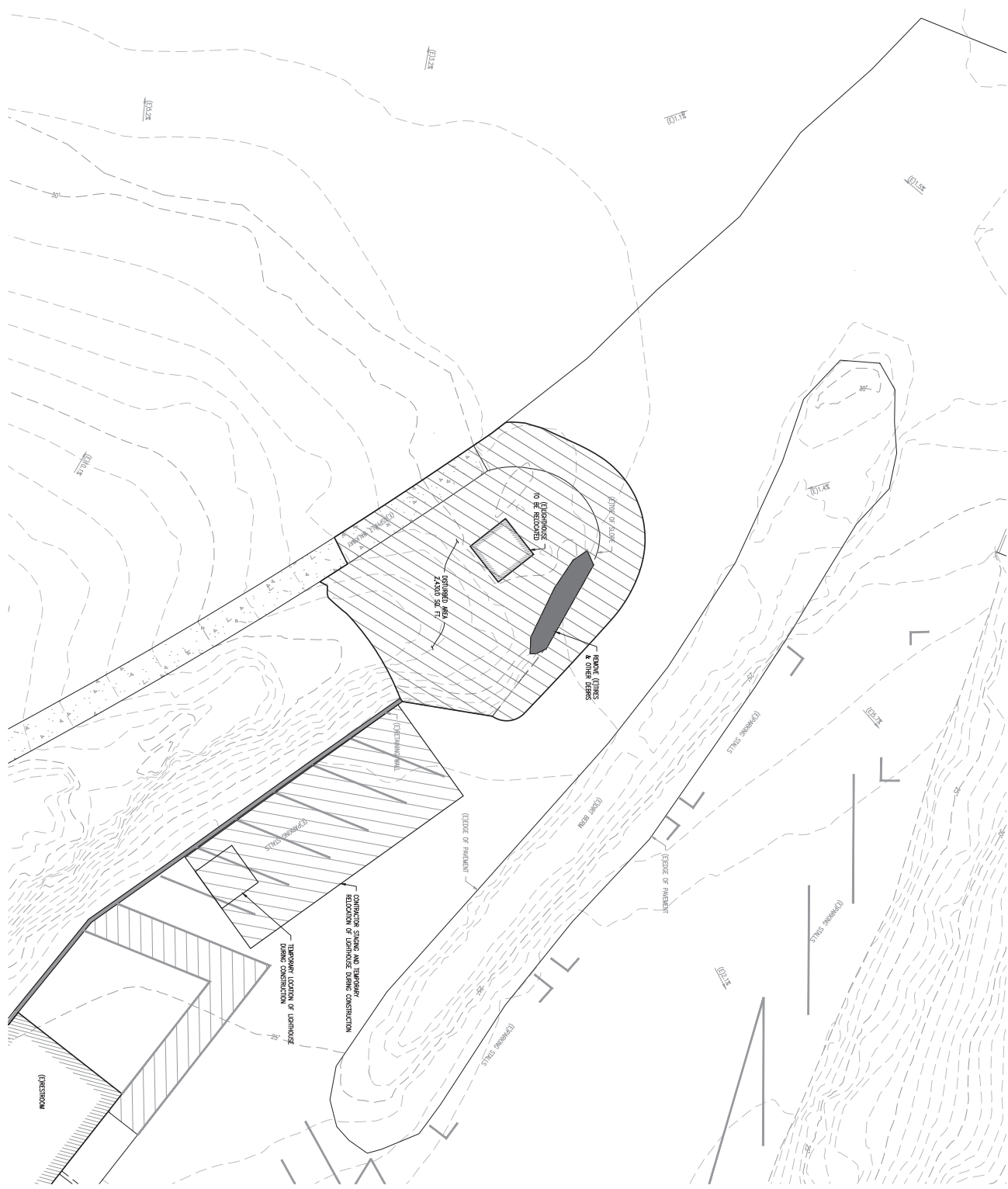
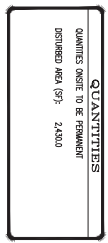


67 WALNUT WAY
PO BOX 1567
WILLOW CREEK, CA 95577
P:(530)629-3000
F:(530)629-3011



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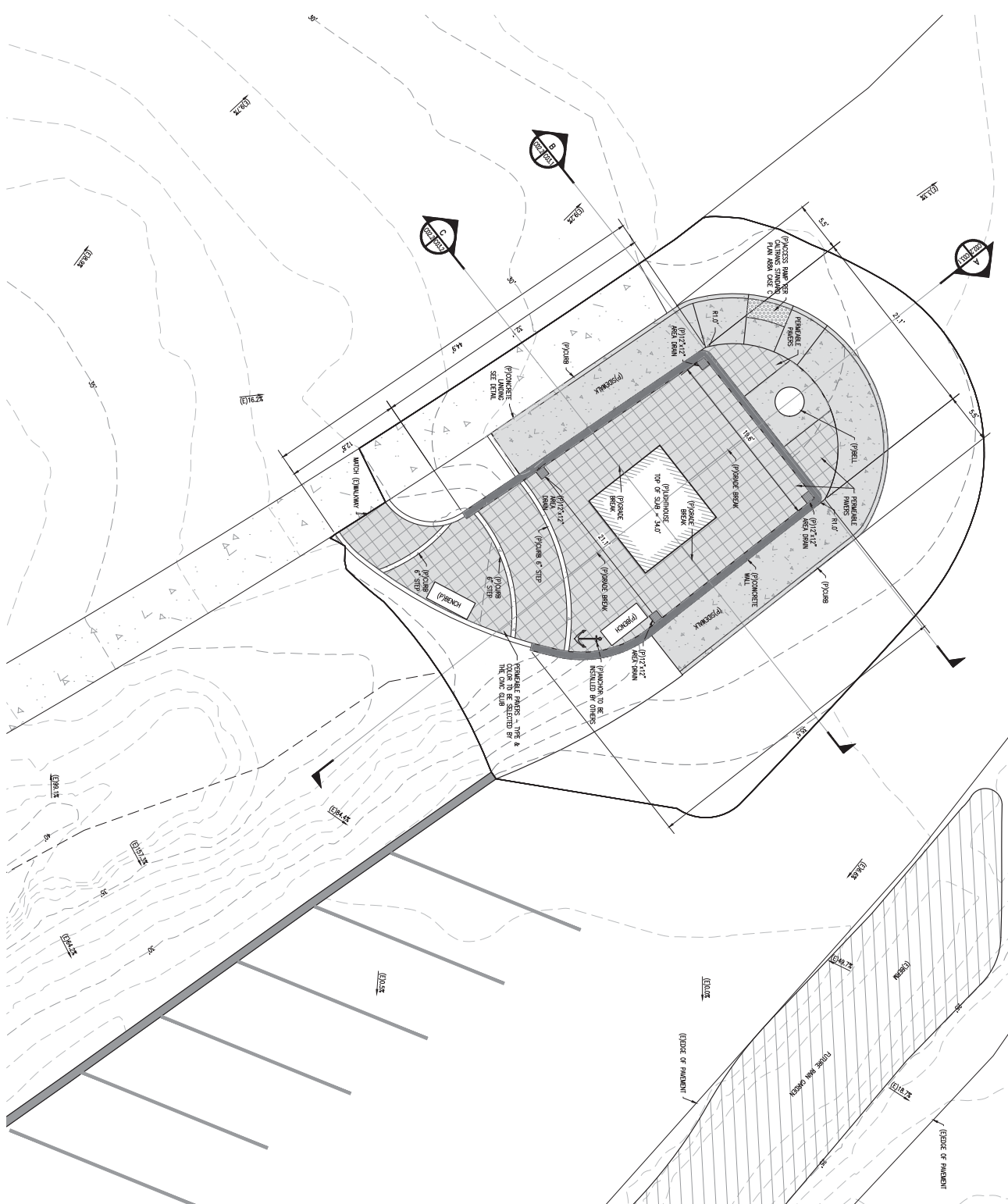
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TRINIDAD CIVIC CLUB
LIGHTHOUSE RELOCATION

DEMOLITION PLAN

P.O. BOX 295 TRINIDAD, CA 95570

DATE OF ISSUE:	APRIL 2022
SCALE:	AS SHOWN
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DRAWING NO:	



TYCE



67 WALNUT WAY
PO BOX 1567
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P-(530)629-3000
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P.O. BOX 295 TRINIDAD, CA 95570

DRAFTING NO.:

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6 of 13

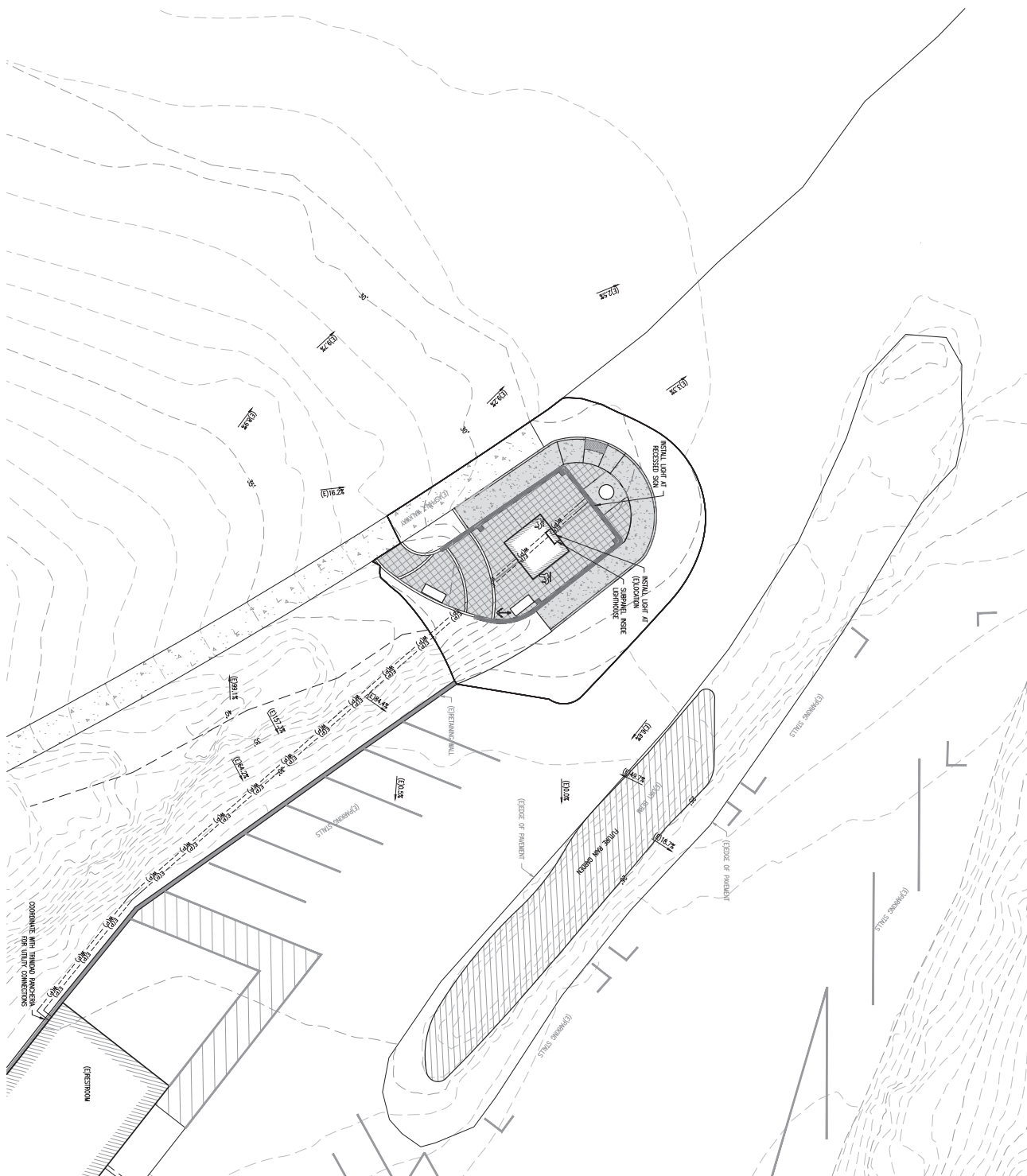
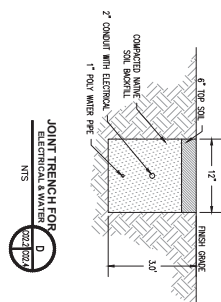


1. ALL GRADING AND IMPROVEMENTS SHALL CONFORM TO THE TARRANT RANCHER'S STORAGE/IMPROVEMENT PROJECT, TO BE CONSTRUCTED AT A LATER DATE.
2. DRAINAGE FROM SITE SHALL DRAIN IN THE DIRECTION FOR THE FUTURE RAIN GARDEN.
3. SIDEWALK AT LOWER LEVEL WILL CONFORM TO AMERICAN DISABILITIES ACT (ADA) REQUIREMENTS.

(P) EARL H. WORK QUANTITIES:

EXCAVATION (CY):	75
CONCRETE FILL (CY):	145
8" BASE ROCK (SF):	563
4" CONCRETE PAPER (SF):	737
4" CONCRETE SIDEWALK (SF):	504
CONCRETE CURB (LF):	170
CONCRETE WALL (LF):	90
PAVING (LF):	90

NOTE:
CUT AND FILL QUANTITIES ONSITE TO BE PERMANENT

[illegible]

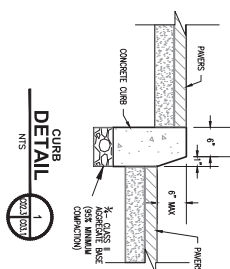
TRINIDAD CIVIC CLUB
LIGHTHOUSE RELOCATION

ELECTRICAL & WATER CONNECTION PLAN

P.O. BOX 295 TRINIDAD, CA 95570

DATE OF ISSUE:	APRIL 2022
SCALE:	AS SHOWN
PROJECT NO:	1431
DRAWING NO:	

C02.4



P.O. BOX 295 TRINIDAD, CA 95570

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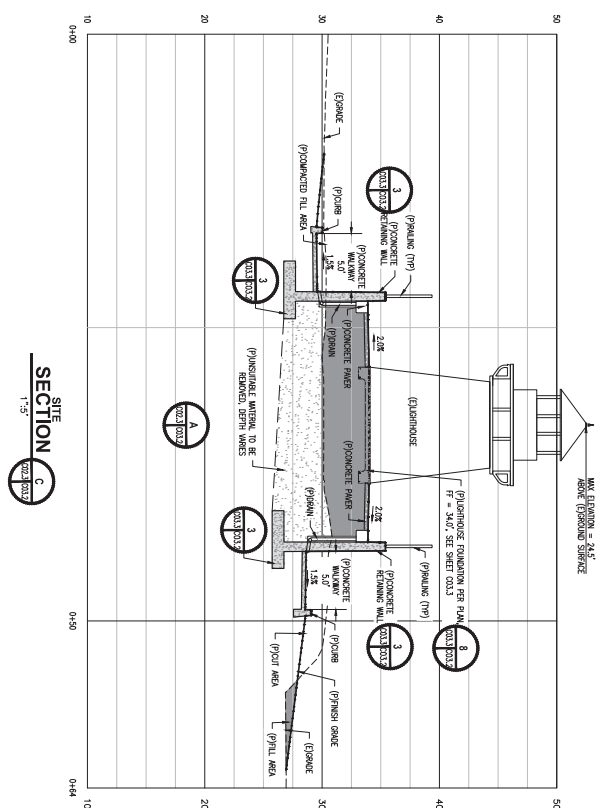
677 WALNUT WAY
PO BOX 1567
WILLOW CREEK, CA 95577
P:(530)629-3000
F:(530)629-3011

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P.O. BOX 295 TRINIDAD, CA 95570

DATE OF ISSUE:	APRIL 2022
SCALE:	AS SHOWN
PROJECT NO:	1431
DRAWING NO:	

C03.2

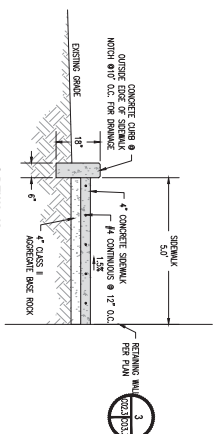


- PERMIT NOTES:**
1. THE ENGINEER HAS REVIEWED THE REGIONAL AGENCIES FOR SPECIFIC PERMIT REQUIREMENTS OR ATTENTION MEASURES SUCH AS REGIONAL WATER QUALITY CONTROL BOARD (RWQCB) 401 CERTIFICATION, U.S. ARMY CORPS OF ENGINEERS 404 PERMIT AND APPROVAL, BY CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE SERVICE 1600 PERMIT.
 2. SPECIFIC REQUIREMENTS COULD INCLUDE IN-WATER WORK, WINDROWS, VEGETATION SPECIES, SEED MIXES, STABILIZATION MEASURES, WATER QUALITY MONITORING PROTOCOLS, AND SPECIFIC REPORTING REQUIREMENTS.
 3. IF NUMERICAL-BASED WATER QUALITY STANDARDS ARE MENTIONED IN ANY OF THESE OR OTHER RELATED PERMITS, TESTING ANY SAMPLING MAY BE REQUIRED.
 4. PROPER PLANNING, DESIGN, AND CONSTRUCTION TECHNIQUES CAN MINIMIZE IMPACTS NORMALLY ASSOCIATED WITH IN-STREAM CONSTRUCTION ACTIVITIES. POST PLANNING CAN OCCUR AFTER SOIL, FISH, AND WILDLIFE RESOURCES, SAND BEDS, OR SAND USHERS.

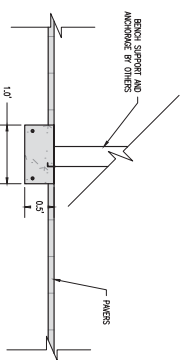
FILL PLACEMENT LOCATION	COMPACTION RECOMMENDATIONS (ASTM D 1557-MODIFIED PROTOCOL)	MOISTURE CONTENT (PERCENT OPTIMUM)
STRUCTURAL FILL SUPPORTING FOOTING	90%	-1 TO +3 PERCENT
STRUCTURAL FILL SUPPORTING SLABS-ON-GRADE	90%	-1 TO +3 PERCENT
STRUCTURAL FILL PLACED WITHIN 3 FEET BEYOND THE PERIMETER OF THE BUILDING PAD	90%	-1 TO +3 PERCENT
UTILITY TRENCHES, EXISTING BUILDING AND ANY UTILITY TRENCHES BEYOND LANDSCAPE AND GRASS AREAS	90%	-1 TO +3 PERCENT

- GRADING NOTES:**
1. ALL EXISTING, INCLUDING BUT NOT LIMITED TO, SITE CLEARING, GRUBBING, STRIPPING, AND GRADING WILL BE COMPLETED DURING DRY WEATHER CONDITIONS. (TYPICALLY PERMITS TO CONSIDER 10) DAY OF BECOMING AVAILABLE FOR CONSTRUCTION. ANY OTHER DESIRED RECOMMENDED POTENTIAL FILLS.
 2. THE SITE SHOULD BE GRADED TO PROVIDE ADEQUATE DRAINAGE SUCH THAT NO WATER IS ALLOWED TO POND ANYWHERE ON THE SITE OR IMPOSE DRAINAGE DEVELOPMENTS.
 3. ALL FILL MATERIAL SHALL BE PLACED IN HORIZONTAL LIFTS NOT TO EXCEED EIGHT INCHES (8") IN DEPTH AND SHALL BE COMPACTED MECHANICALLY.
 4. ALL FILL MATERIAL SHALL BE FREE OF ORGANICS, ROCKS LARGER THAN 3", WOODY DEBRIS, ROOTS, AND NONSOLUBLE MATERIAL.
 5. ALL FILL MATERIAL SHALL HAVE A UNIFORM MOISTURE CONTENT AT OR NEAR OPTIMUM MOISTURE CONTENT FOR THE MATERIAL.
 6. ALL FILL MATERIAL SHALL BE APPROVED BY THE ENGINEER.
 7. NONSTRUCTURAL FILL SHALL BE COMPACTED MECHANICALLY TO A FIRM UNYIELDING SURFACE AS APPROVED BY THE ENGINEER.
 8. COMPACTION TESTING WILL BE DETERMINED AT THE ENGINEER'S DISCRETION.
 9. IT IS RECOMMENDED THAT ANY MATERIAL PROPOSED FOR STRUCTURAL FILL MATERIAL TO SUPPORT ANY NONSTRUCTURAL FILL, EXISTING BUILDING AND ASSOCIATED UTILITIES BE COMPACTED AS OUTLINED IN THE SOILS REPORT.
 10. ALL FILL SLOPES SHALL BE TO A SMOOTH AND EVEN GRADE, SHALL BE SURFACE TRACKMAKED, AND FINAL GRADES NOT TO EXCEED 2:1 (H:V) WITHOUT ENGINEER APPROVAL.
 11. SUFFICIENT TESTING AND INSPECTION SHOULD BE PERFORMED TO MONITOR THE STABILITY OF FILL MATERIALS AND ASSURE COMPLIANCE WITH THE RECOMMENDED COMPACTION STANDARDS.

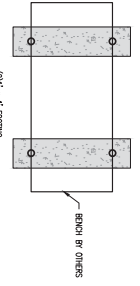
- CLEARING, GRUBBING, & DEMOLITION NOTES:**
1. ALL EXISTING, INCLUDING BUT NOT LIMITED TO, SITE CLEARING, GRUBBING, STRIPPING, AND GRADING WILL BE COMPLETED DURING DRY WEATHER CONDITIONS. (TYPICALLY PERMITS TO CONSIDER 10) DAY OF BECOMING AVAILABLE FOR CONSTRUCTION. ANY OTHER DESIRED RECOMMENDED POTENTIAL FILLS.
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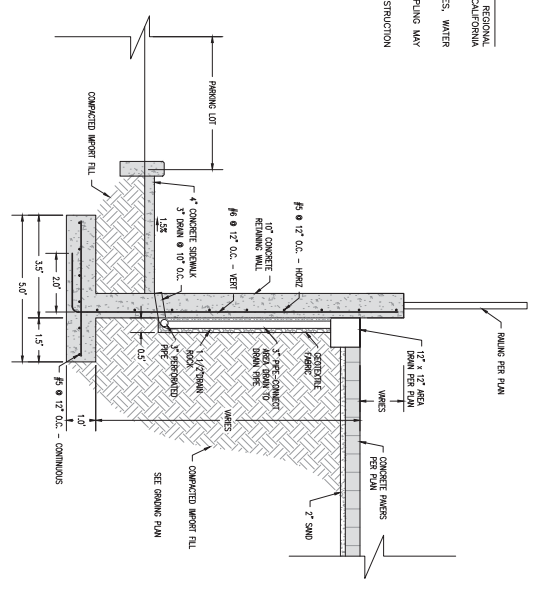
SIDEWALK DETAIL
1'-2"
2



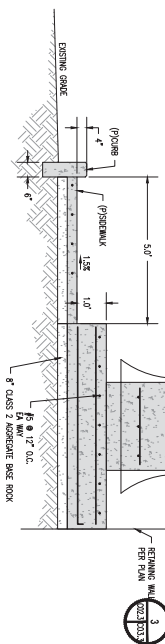
FOOTING FOR BENCH SECTION
1'-2"
5



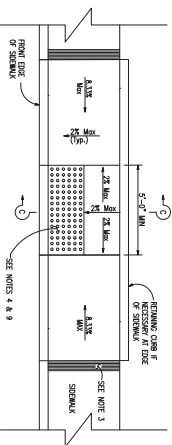
FOOTING FOR BENCH SECTION
1'-2"
8



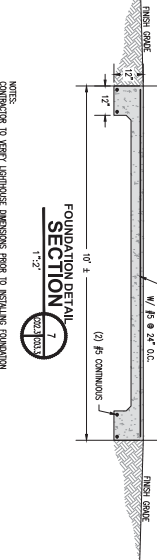
RETAINING WALL SECTION
1'-2"
3



BELL PLATFORM SECTION
1'-2"
6



HANDICAP RAMP DETAIL
1'-2"
9



FOUNDATION DETAIL
1'-2"
10

CLUB RAMP NOTES

1. THE ENGINEER HAS REVIEWED THE REGIONAL AGENCIES FOR SPECIFIC PERMIT REQUIREMENTS OR ATTENTION MEASURES SUCH AS REGIONAL WATER QUALITY CONTROL BOARD (RWQCB) 401 CERTIFICATION, U.S. ARMY CORPS OF ENGINEERS 404 PERMIT AND APPROVAL, BY CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE SERVICE 1600 PERMIT.
2. SPECIFIC REQUIREMENTS COULD INCLUDE IN-WATER WORK, WINDROWS, VEGETATION SPECIES, SEED MIXES, STABILIZATION MEASURES, WATER QUALITY MONITORING PROTOCOLS, AND SPECIFIC REPORTING REQUIREMENTS.
3. IF NUMERICAL-BASED WATER QUALITY STANDARDS ARE MENTIONED IN ANY OF THESE OR OTHER RELATED PERMITS, TESTING ANY SAMPLING MAY BE REQUIRED.
4. PROPER PLANNING, DESIGN, AND CONSTRUCTION TECHNIQUES CAN MINIMIZE IMPACTS NORMALLY ASSOCIATED WITH IN-STREAM CONSTRUCTION ACTIVITIES. POST PLANNING CAN OCCUR AFTER SOIL, FISH, AND WILDLIFE RESOURCES, SAND BEDS, OR SAND USHERS.

GRADING DETAILS

P.O. BOX 295 TRINIDAD, CA 95570

REV	DATE	DESCRIPTION		DWN BY	DES BY	CHK BY	APP BY

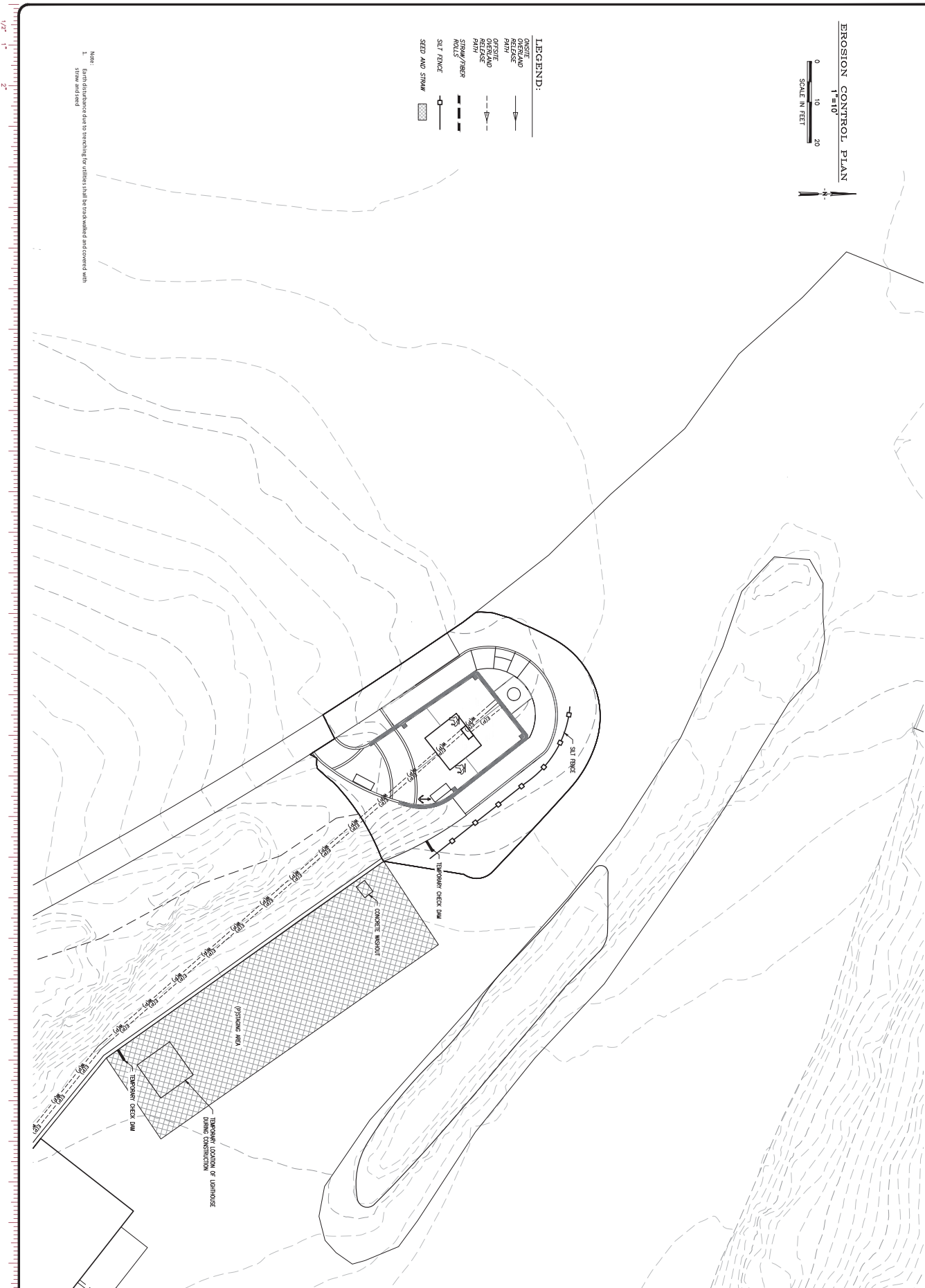
TVCE
TRINITY VALLEY CONSULTING ENGINEERS, INC.
REGISTERED PROFESSIONAL ENGINEER
CIVIL
NO. 60487
STATE OF CALIFORNIA
10/15/2011

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P.O. BOX 295 TRINIDAD, CA 95570

DATE OF ISSUE:	APRIL 2022
SCALE:	AS SHOWN
PROJECT NO:	1431
DRAWING NO:	

C04.1

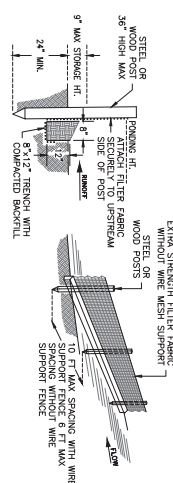


1. STRAW SHALL BE DERIVED FROM WHEAT, RICE OR BARLEY, HARVESTED BY THE PLANS, SPECIFICATIONS, AND/OR STANDARD PRACTICES, AND SHALL BE USED TO CONSTRUCT THE FOLLOWING:
2. A TACKLER IS THE PREFERRED METHOD FOR ANCHORING STRAW MULCH TO THE SOIL ON SPECIFICATIONS.
3. CHAINING, PUNCH ROLLERS, THE ROLLER OR THE WALKER MAY ALSO BE USED TO INCORPORATE STRAW MULCH INTO THE SOIL ON SPECIFICATIONS.
4. AVOID PLACING STRAW ONTO POLES, STUMPS, DRAINAGE CHANNELS, SOUND WALLS, EXISTING VEGETATION, ETC.
5. STRAW MULCH WITH TACKLER SHALL NOT BE APPLIED DURING OR IMMEDIATELY BEFORE RAINFALL.
6. APPLY STRAW AT A MINIMUM RATE OF 4,000 LBS/ACRE, EITHER BY HAND DISTRIBUTION.
7. RICHARD DIMMUNNETTS AND TIL RATES BEFORE PLACING THE STRAW MULCH BY ROLLING WITH A CHAINING OR PUNCHING THE ROLLER OR BY TRACK MOWER.
8. EVENLY DISTRIBUTE STRAW MULCH ON THE SOIL SURFACE.
9. ON SMALL AREAS, A SHOPEL OR SHOVEL CAN BE USED TO PUNCH IN STRAW MULCH.
10. ON SLOPES WITH SOILS THAT ARE STABLE ENOUGH, AND OF SUFFICIENT GRADIENT TO SAFELY SUPPORT CONSTRUCTION EQUIPMENT WITHOUT CONSIDERING TO COMPLICATION AND INSTABILITY PROBLEMS, STRAW CAN BE PLACED ON SLOPES USING A WALKER OR ROLLER OR A SHOVEL DRIVEN CULTIVATOR, KNOWN COMMERCIALLY AS A "COMBER".
11. ON SMALL AREAS AND/OR STEEP SLOPES, STRAW CAN ALSO BE HELD IN PLACE USING JUTE, THE NETTING SHALL BE HELD IN PLACE USING 1/2" GAUGE WIRE STAPLES, DECEPTIVE PLUGS OR WOODEN STAKES AS DESCRIBED IN 10.1, 10.2, 10.3, AND 10.4.
12. SELECTED BASED ON LENGTHY AND ABUNDANT TO HOLD THE FIRMS IN PLACE, A TACKLER IS TYPICALLY APPLIED AT A RATE OF 125 LBS/ACRE, IN MANY CONDITIONS, THE RATES ARE TYPICALLY 100/LBS/ACRE.

1. EROSION CONTROL: BEST MANAGEMENT PRACTICES (BMP'S) SHALL BE INSTALLED AND MAINTAINED DURING THE CONSTRUCTION PERIOD (October 1 through March 30). SEDIMENT CONTROL BMP'S SHALL BE INSTALLED AND MAINTAINED ALL YEAR.
2. ALL DRAINAGE NETS IMMEDIATELY, DOWNSTREAM OF THE WORK AREA AND WITHIN THE WORK AREA SHALL BE PROTECTED WITH SEDIMENT CONTROL AND NET FILTER MATS, YEAR ROUND.
3. ALL STABILIZED CONSTRUCTION OR LEAKS PADDED AREAS, BE CONSTRUCTED PER STANDARD DRAWING TC-1 WHERE CONSTRUCTION TRAFFIC, ENTRY OR LEAKS LOCATED AREAS. THE STABILIZED AREAS SHALL BE MAINTAINED ON YEAR-ROUND BASIS UNTIL THE COMPLETION OF CONSTRUCTION.
4. AREAS DISTURBED DURING CONSTRUCTION, BY GRADING, TRENCING, OR OTHER ACTIVITIES, SHALL BE IMMEDIATELY PROTECTED WITH EROSION CONTROL MATS, YEAR ROUND.
5. MUST BE PLACED BY SEPTEMBER 15. UNPROTECTED PLACED DURING THE NET SEASON SHALL USE A SECONDARY EROSION PROTECTION METHOD.
6. SENSITIVE AREAS AND AREAS WHERE EXISTING VEGETATION IS BEING PRESERVED SHALL BE PROTECTED WITH CONSTRUCTION FENCING. SEDIMENT CONTROL BMP'S SHALL BE INSTALLED WHERE ACTIVE CONSTRUCTION AREAS DRAINING OR SEPARATE OR PREPARED VACUATION AREAS.
7. SEDIMENT CONTROL: BMP'S SHALL BE PLACED ALONG THE PROJECT PERIMETER WHERE DRAINAGE LEAVES THE PROJECT OR THE DRAINAGE ATTENTION HAS BEEN CHANGED AND NO LONGER LEAVES THE SITE.
8. ALL SLOPES GREATER THAN 1:1 SHALL RECEIVE SEED AND STRAW OR OTHER EROSION CONTROL.
9. ALL FENCING AND EROSION CONTROL METHODS SHALL BE MAINTAINED THROUGHOUT ALL ON-SITE CONSTRUCTION ACTIVITIES.
10. ALL BMP'S SHALL BE INSTALLED AND FUNCTIONING PRIOR TO ANY ANTICIPATED STORM EVENT.

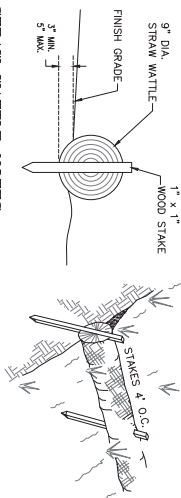
1. THE INFORMATION THESE DRAWINGS ARE ACQUIRED FOR: WATER POLLUTION CONTROL PURPOSES ONLY.
2. THE INFORMATION ON THIS PLAN IS INTENDED TO BE USED AS A GUIDELINE FOR THE CONSTRUCTION AND SUBSEQUENTLY TO INSTALL WATER POLLUTION CONTROL DEVICES. THE INFORMATION ON THIS PLAN IS NOT TO BE USED IN CONNECTION WITH THE SPECIFIC DESIGN OF THE WATER POLLUTION CONTROL PLANS.
3. FIELD CONDITIONS MAY NECESSITATE MODIFICATION TO THESE DRAWINGS.
4. PERMITS, PERSONNEL CONTROL, AND ERECTION WILL BE INSTALLED AS NOTED OR AS OTHERWISE AGREED TO BY THE PROJECTS SUPERVISOR.
5. ALL WORK WILL BE FIELD-APPROVED AND APPROVED FOR INSTALLATION BY THE RE. ALL WORK WILL BE INSTALLED ACCORDING TO THE DRAWING PLANS AND SPECIFICATIONS MUST BE OBTAINED BY THE RE AND MAINTAINED AND BY THE RE.

1. ALL OF THE IMPLEMENTED BARS SHALL BE INSPECTED AND CORRECTED AS NEEDED PRIOR TO, DURING, AND DIRECTLY FOLLOWING ANY STORM EVENT, OR WHENEVER PRACTICAL.

[illegible]

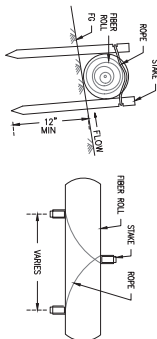
2. CONTRACTOR SHALL REMOVE SEDIMENT AS NECESSARY. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND IN AN AREA THAT CAN BE PERMANENTLY STABILIZED.
3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.

INTRODUCTION

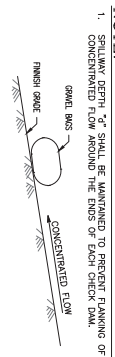


2. STRAW ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN TRENCH, 3"-5" DEEP. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND THE ROLL.

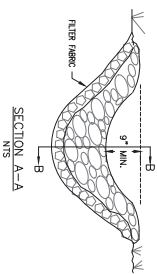
250

STAKING AND LASHING DETAIL
NTS

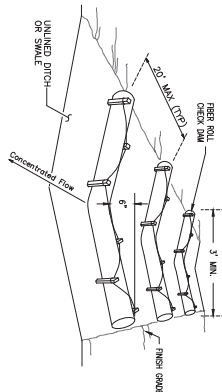
STAKING AND LAY



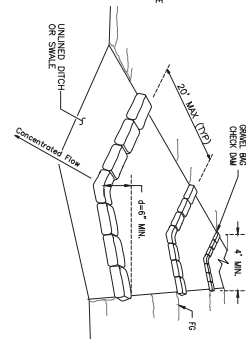
219



ATION A-A-NTS



TEMPORARY CHECK DAM (TYPE 1)



TEMPORARY CHECK DAM (TYPE 2)

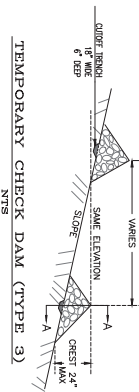
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EXHIBIT NO. 3

**CDP AMENDMENT APPLICATION
NO. 1-18-0630-A1
(Trinidad Civic Club and Trinidad
Rancheria)**

Visual Renderings



Scale: Rendering of the proposed monument in a photograph with a full view of the Harbor landscape.



Scale: Monument rendering in landscape view from the restroom building to the west parking lot.

TRINIDAD MEMORIAL LIGHTHOUSE

A MONUMENT PRESERVING MARITIME HISTORY
DEDICATED TO THOSE LOST OR BURIED AT SEA



Future Depiction: The proposed monument showing how engraved memorial names might look on the foundation walls, along with the signage planned for the site. (Not to scale in landscape placement)

Photo 1. View of lighthouse looking south from parking lot towards Trinidad Head



EXHIBIT NO. 4

**CDP AMENDMENT APPLICATION
NO. 1-18-0630-A1
(Trinidad Civic Club and Trinidad
Rancheria)**

Site Photos

Photo 2. View of lighthouse looking northwest from driveway of harbor vacation rental toward Trinidad State Beach



Photo 3. View of lighthouse looking north from Trinidad Head toward City of Trinidad



Photo 4. View of lighthouse and harbor parking lot looking southwest from Van Wycke St.





ANALYTICAL ENVIRONMENTAL SERVICES
1801 7th STREET, SUITE 100
SACRAMENTO, CA 95811
PHONE (916) 447-3479 | FAX (916) 447-1665

EXHIBIT NO. 5

**CDP AMENDMENT APPLICATION
NO. 1-18-0630-A1
(Trinidad Civic Club and Trinidad
Rancheria)**

**Applicant's Memo Regarding
Visual Resources**

MEMORANDUM

Trever Parker, Planner
TO: City of Trinidad
Via email: tparker@shn-engr.com

FROM: Charlane Gross/Trenton Wilson

DATE: 6/25/2021

RE: Comment Letter Regarding Visual TCRs and TML Relocation

Charlane Gross, our Registered Professional Archaeologist, and I have developed the following response to the comment letter from Yurok that was submitted to the Trinidad Planning Commission before the hearing that took place on June 16th, 2021. Please note the attached photos included in the response.

The Trinidad Memorial Lighthouse (TML) and Memorial Bell (Bell) were relocated to the Cher-Ae Heights Indian Community of the Trinidad Rancheria (Tribe) Harbor property (Harbor) on January 10th, 2018. The objects were moved after concerns were raised regarding slope instability hazards at the former location which is owned by the Trinidad Civic Club (TCC). The project site where the TML and Bell are temporarily situated was selected for permanent placement of the TML and Bell after three other potential locations were assessed through an in-depth public review process that reportedly included invitations to the Yurok Tribe. The project site is at the Harbor on property owned by the Cher-Ae Heights Indian Community of the Trinidad Rancheria (Tribe) and is located within the California Coastal Zone.

Based on a review of the Proposed Project and discussion with the City of Trinidad (City) and the California Coastal Commission (CCC), local and CCC permitting qualifies for a Class 3 Categorical Exemption (CE) (California Environmental Quality Act [CEQA] Guidelines § 15303). The Tribe and TCC are co-applicants for the required approvals from the City and CCC. As a project to be completed under a CE, AES prepared an Initial Impact Assessment (IIA), which found that there are no applicable exceptions to the CE.

The Tribe proposes to improve the current temporary site that houses the TML and Bell to become a permanent fixed location (Proposed Project). Improvements to the project site will include, but are not limited to, concrete pavers, a retaining wall, and pedestrian walkways. The TML will be raised approximately 8 feet above its current site and onto a concrete foundation. The height of the complete structure, from the concrete foundation to the tip of the TML dome, will be approximately 27 feet due to the extension of the spire into the air, and accordingly the Tribe and Civic Club have requested the approval of a special use permit to accommodate the height over the City's 25-foot limitation in commercial zoned property.

The project site is situated between Trinidad State Beach to the west, Trinidad Head to the south, Trinidad Bay to the east, and the City of Trinidad to the north. The land surrounding the project site is composed of a mosaic of ruderal and developed habitat. The topography of the surrounding site consists of coastal beachfront and bluffs with elevations of 0 to 55 feet. Surrounding land uses include a rental unit owned by the Tribe, surface parking, a restaurant, a bait shop, the Trinidad Wharf, a charter and boat launch area, public restroom facilities, and the beachfront. The project site is located on the southwest edge of downtown.

Archaeological studies and Native American consultation completed over the last decade led to the identification of several Traditional Cultural Properties (TCPs) found to be eligible to the National Register of Historic Places. The Yurok village site of *Tsurai* was also identified on Trinidad Bay, east of the Proposed Project site.

In order to prepare the temporary relocation site, on January 9-11, 2018, a Cultural Monitor from the Tribe was present and monitored ground disturbance associated with site preparation for the relocation of the TML and Bell. Ground disturbance was limited to a 15-foot by 15-foot square that was excavated to a depth of 3 feet. Soil composition at the site consisted of sandy clay, with no mottling indicating a lack of organic materials in the soil at that depth; no cultural resources were found during the excavation.

A letter from Yurok Tribal Historic Preservation Officer Rosie M. Clayburn was received by the City Planning Commission on June 16, 2021. In the letter, Ms. Clayburn expresses a number of concerns, including a lack of communication from the City and TCC. Ms. Clayburn detailed aspects of Yurok history in order to illustrate their determination to participate in decisions that affect the Yurok Tribe and their culture, and firmly rejected the Proposed Project on the grounds that there is a sacred site that will be impacted by a permanent monument within its viewshed. She also stated that the City has an obligation to consult with the Yurok Tribe on a government to government basis for projects that will have a direct impact to Yurok Cultural Resources, as well as the fact that there is no mention of Yurok Tribal monitors for the Proposed Project.

The Tribe and TCC understand that Ms. Clayburn is responsible for the preservation of Yurok cultural heritage and feel very strongly on this subject, but disagrees on the points raised in her letter to the Planning Commission:

- 1) An IIA was conducted and found that there are no applicable exceptions to the CE. Because, as further discussed below, there are no unusual circumstances that could cause significant impact, the Project may be approved under the CEQA on the basis of the CE and the IIA without further consultation.
- 2) Ground disturbance needed for the relocation of the TML and Bell has already occurred, was monitored by a Tribal cultural monitor, and no archaeological resources were discovered.
- 3) Even without the TML and Bell, there is already copious modern development within the viewshed of the TCPs, including a rental unit, surface parking, a restaurant, a bait shop, the Trinidad Wharf, a charter and boat launch area, public restroom facilities, and housing. The City and TCC contend that relocation of the lighthouse would not significantly add to the degree of development in the immediate area or within the TCP viewshed.
- 4) The Proposed Project involves changing the location of the TML and Bell to a location visible from the TCPs, however the TML and Bell were visible from the TCPs before they were moved. The net result of the Proposed Project will be to relocate a part of the modern built environment to a location that already features numerous built resources and therefore will not materially affect the viewshed from the TCPs.

Representative photographs that illustrate the fact that the TML was visible from the TCPs are provided on the following pages. Accordingly, the TML was already a visual component of the viewshed prior to the emergency removal of the TML from its prior location and relocation. Contrary to the comments submitted by the Yurok Tribe and TAS, the Project will not substantially affect that viewshed.

Under CEQA, there is no significant impact to the TCPs, including the visual environment of the TCPs, since photographic evidence proves the TML has been a part of the TPRs for decades. As stated in Section 3 of the Initial Impact Assessment (IIA) that was submitted to the Planning Commission in support of the Class 3 CE, in addition to satisfying the conditions for a Class 3 CE, none of the following exceptions to the CE applicable to Cultural Resources, as set out in Section 15300.2 of the CEQA Guidelines apply to the proposed project:

- a) Location. Categorical exemption classes 3, 4, 5, 6, and 11 are qualified by consideration of the project location. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Accordingly, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The proposed project is not located within a designated area of critical concern, and specifically it is not located within one hundred feet of the Tsurai Village site. As noted above and in the IIA, there are no site-specific environmental factors that would disqualify the site for permanent location of the TML. As the photos show, the visual resources of Little and Big Head in Trinidad Bay have included views of the TML for decades and therefore the prior views of the TML are an existing setting of the surrounding viewsheds, include the TCPs. With the site-specific cultural investigations and monitoring during ground disturbance related to the temporary placement at the harbor, the Class 3 Exemption qualifies for the City's approval of the necessary permits for permanent relocation to the existing site.

- b) Historical Resources. With regard to historical resources, Section 153.002(f) provides: "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

As noted above, because the TML is part of the existing setting viewshed, permanent placement would not result in a substantial adverse change in the significance to a historical resource. Importantly, the CEQA criteria is that the change must be "substantially adverse." Moving the TML within the existing viewshed of TCPs would result in a change to the viewshed, but that change would not be substantially adverse. For instance, a substantially adverse viewshed impact would result from an action that would introduce a new feature that was not previously visible from a TCP or alter the significance of a historic site. These impacts would not result from permanent location of the TML at the current location that is surrounded by active harbor operations. As the photos on the subsequent pages clearly show, the TML has been a part of the viewshed and the permanent relocation is a minor change to the viewshed of the TCPs within Trinidad Harbor. In fact, the historic photographs demonstrate that relocation of the TML to the new location adjacent to the harbor parking lot substantially reduces the extent to which the TML is visible from the TCPs.





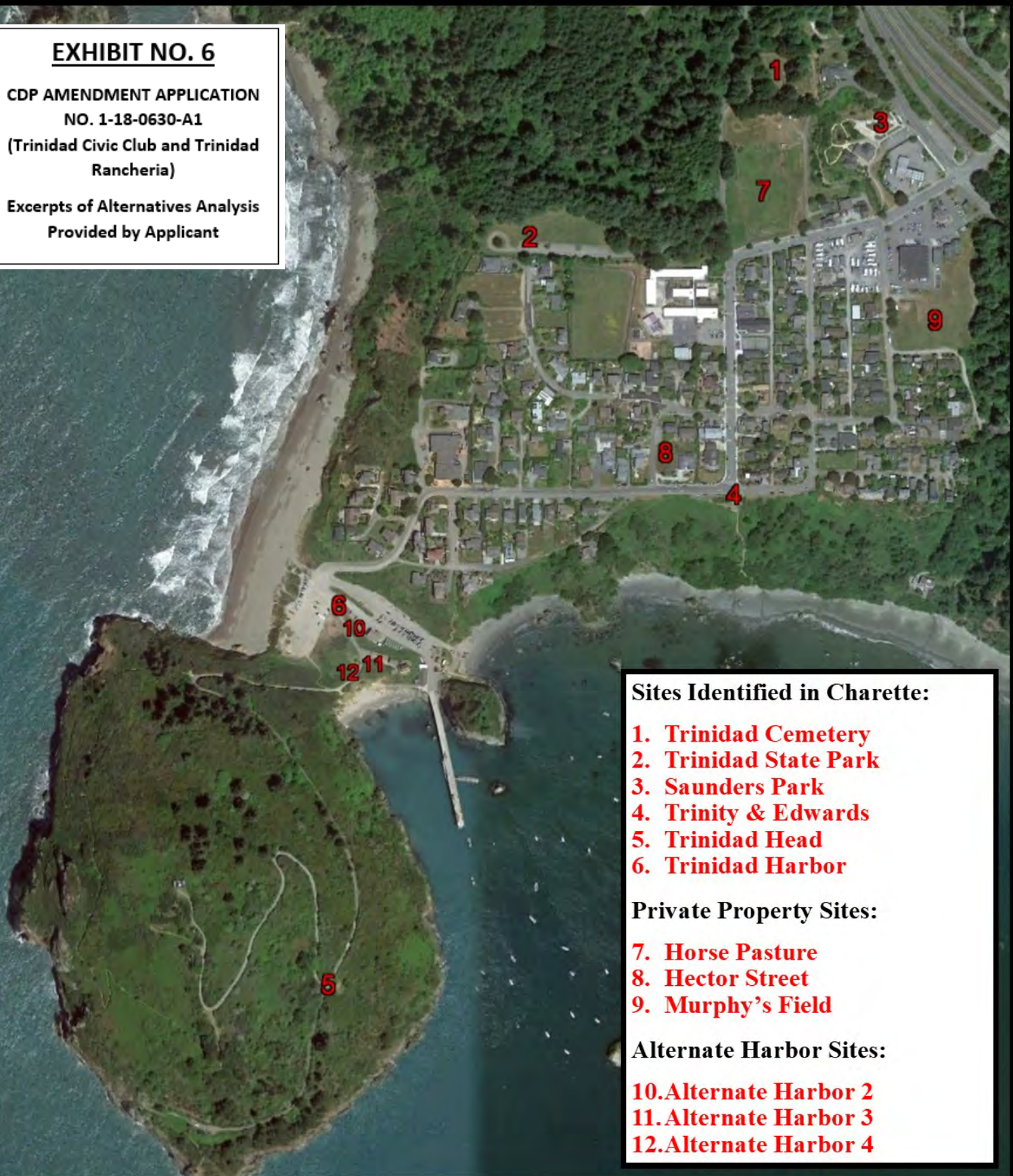


Considered Monument Locations

EXHIBIT NO. 6

CDP AMENDMENT APPLICATION
NO. 1-18-0630-A1
(Trinidad Civic Club and Trinidad
Rancheria)

Excerpts of Alternatives Analysis
Provided by Applicant



Sites Identified in Charette:

1. Trinidad Cemetery
2. Trinidad State Park
3. Saunders Park
4. Trinity & Edwards
5. Trinidad Head
6. Trinidad Harbor

Private Property Sites:

7. Horse Pasture
8. Hector Street
9. Murphy's Field

Alternate Harbor Sites:

10. Alternate Harbor 2
11. Alternate Harbor 3
12. Alternate Harbor 4

SITE SEARCH SUMMARY 12 SITES

The Trinidad Civic Club considered 12 total sites in the search for a permanent home for the Memorial Lighthouse. Community members suggested the first 9 sites, many convinced that their preferred location was the perfect one. Later, Joshua McKnight, a TCC engineer from Trinity Valley Consulting Engineers hired in May 2020, identified 4 sites, one from the first 9 sites and 3 additional sites on Harbor property.

Here is a summary of the 12 sites and the reasons they were considered viable or not viable.

8. Hector Street

Site #1: Lot near Trinity Catholic Church on Hector Street

Not Viable

Axel Lindgren III, President of the Tsurai Ancestral Society, suggested this site when interviewed by the news media on January 10, 2018. It was the first site researched with a call to a real estate agent. It was learned that a property owner purchased the lot to protect the viewshed and the private property was not for sale.

7. Horse Pasture

Site #2: Horse Pasture Across from Trinidad School

Not Viable

A call to one of the owners determined that the private property was not for sale.

9. Murphy's Field

Site #3: Lot Behind Murphy's Market

Not Viable

A call to one of the owners determined that the private property was not for sale.

(The above three sites were not for sale and therefore not presented at our Public Meeting on Feb. 27, 2018.)

At the **Public Meeting**, the following six sites were presented, analyzed and discussed. (Please refer to the *Public Meeting* document for detailed information about how the meeting was structured, the site selection advisory committee, site selection criteria, response tabulation report, Google maps of the proposed sites (some with sketches), six chart transcriptions of public input pros/cons, small-group table conversation pros/cons lists, written communications from those unable to attend the meeting and photographs of the event.

3. Saunders Park

Site #4: Saunders Park on Trinidad Coastal Land Trust Property

Not Viable

Glenn and Janis Saunders donated this property to the Trinidad Coastal Land Trust to establish a museum, a library and a park in memory of Glenn's parents. It seemed inappropriate to place the Memorial Lighthouse in the park dedicated to other purposes. In addition, the following main reasons contributed to the decision that the property was "Not Viable:"

1. Issues with the *location*. Criteria #1: "Consider the aesthetics of a Lighthouse by the sea..." Chart entries in the cons column included: "Would resemble a mini golf course." "Would create a 'corny' atmosphere rather than a memorial." "No ocean view. Illogical." The site not being near the ocean was problematic. (See *Public Meeting*, Saunders Park Chart Transcription, page 12)

2. Issues with the *land and space*. Criteria #2: "The dedicated site needs room to locate the bell, the Lighthouse, the memorial plaques, the anchor and a flagpole in one unified area." Example chart entries: "The majority of the site area is under laid with piping associated with the Library geothermal heating system." [Contractor Charles Netzow who built the Trinidad Museum and Trinidad Library next to Saunders Park] "Would cramp existing park features." "No good place to build. Limited site." With the Alquist-Priolo earthquake fault zone running through the property, one person wrote: "Not stable re land issues." (See *Public Meeting*, Saunders Park Chart Transcription, page 12) In addition, the leach fields of the Museum and Library occupy much of the property. (See *Public Meeting*, Google map drawn by Charles Netzow, page 11)
3. Issues with *parking*. Criteria #3: "The site must be able to accommodate the annual Memorial Service and elderly family members who come to honor their loved ones." Although one comment indicated "Parking and good access," there were two indicating not enough parking: "Very little parking." "Not a lot of parking." The amount of parking is more than at some other sites, but may not be sufficient to meet the needs of the memorial site.

(Documentation: See *Public Meeting*, Saunders Park, pages 11 – 17)

1. Trinidad Cemetery

Not Viable

Site #5: Trinidad Cemetery

At first thought, the suggestion could have merit. A memorial to those lost or buried at sea in the City cemetery seemed appropriate. However, this location was eliminated and received the least support of the 6 sites due to the following main reasons:

1. Issues with *location*. Criteria #1 (See *Public Meeting*, Site Selection Criteria, page 6): Chart entries stated: "Not in view of the sea..." "No ocean view." "Not close to the ocean."
2. Issues with the *land and space*. Criteria #2 (See *Public Meeting*, Site Selection Criteria, page 6): Not enough space. This was evident when the cemetery plot map was displayed in the presentation. Also, Dan Berman, the City Manager told us the location of unknown graves before records were established was a possibility. Adamant chart entries declared the site unworkable: "No room and could be viewed as disrespectful." "Horrible idea!" (See *Public Meeting*, Trinidad Cemetery Chart Transcription, page 20)
3. Issues with *parking*. Criteria #3: (See *Public Meeting*, Site Selection Criteria, page 6): There is no parking except on the cemetery road circling the graves. Stagecoach Road is a small 2-lane road with almost no shoulder areas for parking.

(Documentation: See *Public Meeting*, Trinidad Cemetery, pages 18 – 22.)

6. Trinidad Harbor

Viable

Site #6: Trinidad Harbor

When input was tabulated at the end of the Public Meeting, this site received the most support. (See *Public Meeting*, "Response Tabulation Report," pages 9 – 10.) The following reasons justify the "Viable" recommendation:

1. *Location*. Criteria #1: "Consider the aesthetics of a Lighthouse by the sea in the new location that is environmentally and culturally sensitive."

- a. *By the Sea:* This site offered the only location directly by the sea of all the proposed sites. One writer felt this was appropriate because of the nearby fishing industry and the danger fishermen face at sea. (Several names of fishermen and Coast Guardsmen who perished on rescue missions are listed on the Lost at Sea memorial plaque affixed to the back of the Lighthouse.) Many expressed opinions in this and other chart comments that a Lighthouse should be by the sea: "Perfect waterside location." (See *Public Meeting*, Trinidad Harbor Chart Transcription, page 30)
 - b. *Cultural Sensitivity:* At the Public Meeting, despite the fact that there were many participants with tribal affiliations, *not one* comment regarding cultural sensitivity was expressed in the cons column for the Harbor site, although cultural issues were brought up on 3 other proposed sites. (See *Public Meeting*, Trinidad Harbor Chart Transcription, page 30) The Trinidad Rancheria, as co-applicant, fully supports the community service the Trinidad Civic Club provides to grieving families, along with generational continuity and connection to the past that the memorial site creates.
 - c. *Historical Significance to the California Coastal National Monument:* The Memorial Lighthouse preserves maritime navigational aids at this location, serving as a gateway to the 1871 Trinidad Head Lighthouse, which is open to the public once a month for two hours. With the formation of the California Coastal National Monument, a number of partners are committed to "working together to help protect and provide for public enjoyment of this unique part of the California Coastline:" The Bureau of Land Management, the Trinidad Coastal Land Trust, the Trinidad Museum, the Cher-Ae Heights Indian Community of the Trinidad Rancheria, the Yurok Tribe, the Tsurai Ancestral Society, the City of Trinidad, California Department of Fish and Game, California State Parks and the Humboldt State Marine Lab.
 - d. *Stabilizing Effect:* The location of the memorial site at Bay Street and Lighthouse Road will stabilize upper road and prevent wind sand erosion. Joshua McKnight, with TVCE, wrote, "Structure will be built on competent soil and will definitely help to stabilize anything near it." In over three years that the Lighthouse has been at its current location without a foundation, significant sand erosion has occurred, which necessitated the placement of sand bags along the front edge of the Lighthouse.
2. *Space. Criteria #2* (See *Public Meeting*, Site Selection Criteria, page 6): This location offers enough space to include all the components of the memorial site. Joshua McKnight's unique design elevates the Lighthouse, using the structural walls for plaques and the top level for observing the Lighthouse, an historic anchor and benches via a trail.
 3. *Public Access/Parking. Criteria #3* (See *Public Meeting*, Site Selection Criteria, page 6): ADA accommodations are planned for the sidewalk surrounding the structural walls and

the trail access behind the Lighthouse. The parking lot provides the most parking places in the City of Trinidad.

4. *Longevity*. Criteria #4: "The site must allow for expansion to continue the tradition of honoring those lost or buried at sea annually into the future." The strong structural walls are designed to withstand tumultuous oceanic events and to maximize the number of plaques that could be displayed into the future.
5. *Security*. Criteria #5: "The site needs to be in full view to protect it from vandalism and disrespect, such as climbing on the structure or striking the bell." The Rancheria has 24-hour security at the Harbor. None of the other sites offered this level of security.
6. *Access to Electricity and Water*. Criteria #6: "The following items need access to electricity: a. The light in the top of the Lighthouse; b. The historic bell, which chimes daily at noon in honor of those commemorated; c. A sound system for the Memorial Ceremony in May; d. The seasonal lights placed in late November through the new year." Electricity will be wired into the site, accessed from the nearby building. Water will be available via a long hose from the same building--no plumbing will be necessary.
7. *Financial Cost*. Criteria #7: "The cost of relocating/building the memorial site must be taken into consideration, including design plans, permits and landscaping (with on-going maintenance costs), along with the resources and/or assistance available for any specific site." The following reasons are important regarding costs:
 - a. *Original Moving Costs*: The Civic Club paid approximately \$80,000 to move the Lighthouse to the temporary location in the Harbor. This included about \$10,000 in City and Coastal Commission permit fees. Most of the costs consist of: engineering fees, special crane fees and other miscellaneous expenses. The expense would have been much more if the Trinidad Rancheria had not provided a location for the Lighthouse, prepared the site by grading to level the ground. Additionally, flat-bed trucks and drivers for moving the Lighthouse and bell were provided by the Trinidad and Big Lagoon Rancherias.
 - b. *Potential Crane Costs to Move to Another Site*: Moving the Lighthouse to any other location would involve expensive crane costs. The Lighthouse weighs 20 tons and the Fog Bell, 2 tons. Chart comments included: "...Not far to move." "Easy move." (See *Public Meeting*, Trinidad Harbor Chart Transcription, page 26)
 - c. *Trinidad Rancheria Partnership*: By accepting the Rancheria's generous offer to locate the Lighthouse on their property, the project realizes cost savings in a number of ways:
 - i. *Landowner & Co-Applicant*: The Rancheria has expertise with permits, contracts, applications and engineers. As the Trinidad Civic Club navigates the challenging process of building a new memorial site, the collaboration with the Rancheria is extremely valuable and helpful. Hiring personnel to provide these services is expensive and cost prohibitive. As a co-applicant, the Rancheria has access to funding not available to the Civic Club, a non-profit organization.

- ii. *In-Kind Donations:* The Rancheria will donate all the grading for the project as the landowner, reducing construction costs. Some of the Coastal Commission application preparation fees will also be included.
- iii. *Land Cost:* The Rancheria is the only property owner that offered to accommodate the memorial site with no financial obligation for the land. No private property owner in Trinidad offered land for sale. Sites on public lands were deemed not viable.
- iv. *Security:* The Rancheria agreed to provide security at no cost for the site, which was not available at any of the other sites.

In summary, the Trinidad Harbor site is the only one that met all the established criteria. Comments on the Harbor chart stated, "Meets and exceeds all criteria." "Best location in our Town." A personal favorite: "The stars align on this spot." (See *Public Meeting*, Trinidad Harbor Chart Transcription, page 30)

(Documentation: See *Public Meeting*, Trinidad Harbor, pages 23 – 42)

5. Trinidad Head

Site #7: Trinidad Head

Not Viable

Near the Bureau of Land Management chain-link gate to the Trinidad Head Lighthouse is a flat, grassy area owned by the City of Trinidad. This site received little public support for the following reasons:

1. Issues with *Location*. Criteria #1: "Consider the aesthetics of a Lighthouse by the sea in the new location that is environmentally and culturally sensitive." The site did not meet the selection criteria for cultural sensitivity with 4 comments in the cons column expressing the same idea: "Yurok sacred site!" (See *Public Meeting*, Trinidad Head Chart Transcription, page 44) This location on Trinidad Head was deemed not culturally sensitive.
2. Issues with *Public Access/Parking*. Criteria #3 (See *Public Meeting*, Site Selection Criteria, page 6): Quoting one entry in the Cons column: "Difficult or no access—vehicular access prohibited." (See *Public Meeting*, Trinidad Head Chart Transcription, page 44) Parking would be in the lot at the base of the Head, with a long, uphill hike required to access the site. In addition, the hairpin-curve road to the site would prohibit access by trucks to move the Lighthouse and pour cement, making the transport of construction equipment prohibitive.
3. Issues with *Financial Cost*. Criteria #7 (See *Public Meeting*, Site Selection Criteria, page 6): Without truck access, a solution would be to helicopter in the Lighthouse, the Bell, along with construction equipment and materials. One wrote: "Would need a helicopter to get it there☹" (See *Public Meeting*, Trinidad Head Chart Transcription, page 44) This would be extremely expensive and immediately disqualifying as a solution.

(Documentation: See *Public Meeting*, Trinidad Head, pages 43 - 47)

2. Trinidad State Park

Site #8: Trinidad State Park

Not Viable

Many were attracted to the vision of the Lighthouse at the end of the road in the State Park overlooking Trinidad State Beach far below. However, issues revealed in the public meeting led to the determination that the site was “Not Viable” for the following reasons:

1. Issues with *Land*. Criteria #1 (See *Public Meeting*, Site Selection Criteria, page 6): The land is within a State Park, owned by the State of California. Keven Harder, the Supervising State Park Ranger, was out of town the night of the Public Meeting and could not attend. He consulted with his Supervisor regarding the question about the possibility of a memorial site in the Park.

Keven provided the following quotes for the PowerPoint presentation regarding this site: “State Parks would be willing to entertain the idea. This would require a formal request and proposal, which would require multiple layers of approval and permitting to the State level with many departments involved in the decision.” “The answer could be ‘No,’ but if ‘Yes,’ that could be a win/win for the local community.” (See “*Lighthouse in Limbo*” PowerPoint)

In phone conversations with Keven, TCC was told that the process would be very lengthy and could take up to 5 years or more, without assurance the proposal would be approved. Attendees were negative about the bureaucracy and red tape that securing this site would entail. One explicit entry was: “Very long process to accomplish movement... State permit and appeal process = SLOW” (See *Public Meeting*, Trinidad State Park Chart Transcription, page 52)

“Cultural Problems!” was also noted in the cons column, but no details were provided as to why. (See *Public Meeting*, Trinidad State Park Chart Transcription, page 52)

2. Issues with *Security*. Criteria #4 (See *Public Meeting*, Site Selection Criteria, page 6): Numerous entries in the Cons column mentioned security issues: “Homeless? Many people camp/dump/etc. Could be potential problem for desecration.” “Poor security. Homeless camps everywhere there.” “Lack of security. Poor maintenance.” “Lack of security—not safe for Lighthouse or visitors.” “Security issues—night.” “Too isolated.” “Secluded.” “Out of the way = vandalism, etc.” “Worst site for security...” “Too few eyes to watch over the Lighthouse.” This site generated the most negative comments regarding security of any of the sites. (See *Public Meeting*, Trinidad State Park Chart Transcription, page 52)

3. Issues with *Financial Cost*. Criteria #7 ((See *Public Meeting*, Site Selection Criteria, page 6): The application and appeal process would be daunting and expensive. The ongoing maintenance issues at the State Park, due to funding concerns, have resulted in a less-than-appealing property for the location of a memorial site. It would be challenging and expensive to hire a maintenance employee to keep the site presentable. Other factors include: costs to repair vandalism, additional lighting for security purposes, additional signage to direct the public to find the Lighthouse. Finally, moving the Lighthouse to this location from its current location would make it cost prohibitive. As one attendee commented: “Who will pay for this? Most expensive option.” (See *Public Meeting*, Trinidad State Park Chart Transcription, page 52)

(Documentation: See *Public Meeting*, Trinidad State Park, pages 48 – 60)

4. Trinity and Edwards

Site #9: Trinity & Edwards Streets

Not Viable

The City owns property at the street level above the previous site of the Memorial Lighthouse and the two streets. There was interest in this site, but the attendees brought up a number of issues that, in the end, determined the site was “Not Viable:”

1. Issues with the *Location*. Criteria #1 (See *Public Meeting*, Site Selection Criteria, page 6): The site was opposed by Joan Lindgren Butler, Tsurai Village descendant, who provided written input: “I oppose #1 intersection of Trinity and Edwards Streets for the same engineering and geological reasons that the lighthouse needed to be moved. More importantly, the historical and cultural value of the Native American Village, Tsurai, which is located at site #1, should be restored.” (See *Public Meeting*, Public Written Input Form, Joan Lindgren Butler, pages 15 - 16) A comment in the con column stated: “Practically on top of controversial land.” This site did not meet the culturally sensitive criteria. (See *Public Meeting*, Trinity & Edwards Chart Transcription, page 63)
2. Issues with *Space*. Criteria #2 (See *Public Meeting*, Site Selection Criteria, page 6): Numerous comments on the chart mentioned traffic issues and lack of space: “Too tight and flat for all necessities.” “Big issue with traffic.” “Closing Edwards to one way—fire issues? Seems like it would clog up that congested spot more.” “There is more than enough problems with this corner, without adding more.” “More traffic on Edwards. How much parking?” “Traffic congestion/commercial trucks heading to harbor possible vehicular damage.” (See *Public Meeting*, Trinity & Edwards Chart Transcription, page 63) These comments were based on the experience of community members with this intersection. It was made clear that there are many traffic problems without placing the memorial site in this location.
3. *Issues with Longevity*. Criteria #4 (See *Public Meeting*, Site Selection Criteria, page 6): The bluff along Edwards Street on City property was rain saturated in the winter of 2017 and began sliding, threatening the stability of the Lighthouse on Civic Club adjacent property at the end of Trinity Street. Though the Lighthouse had not moved from its original foundation, Gary Simpson, an engineer with SHN Consulting Engineers & Geologists, recommended that the Lighthouse be relocated as a precautionary measure. These same geological conditions on the bluff still exist due to coastal erosion: “No—too close to where it was removed!” “Make sure it can be on stable ground.” (See *Public Meeting*, Trinity & Edwards Chart Transcription, page 53)

(Documentation: See *Public Meeting*, Trinity & Edwards Streets documents, pages 61 – 77)

SUMMARY: PUBLIC MEETING RECOMMENDATIONS

The Civic Club was grateful to the Yurok Tribe and Trinidad Rancheria representatives who participated on the Site Selection Committee in the Public Meeting on Tuesday, Feb. 27, 2018 in the Trinidad Town Hall. Their input regarding cultural sensitivity was critical to the selection process. The Civic Club meeting was held on Thursday, March 1, 2018. The members of the Trinidad Civic Club, as owners and stewards of the Memorial Lighthouse, considered the information generated in the Public Meeting contained in packets for each site and made the final decision. **The Trinidad Harbor site was unanimously approved.**

ADDITIONAL SITES

The Civic Club hired Joshua McKnight of Trinity Valley Consulting Engineers in May 2020. A soils report was completed on Harbor property in the vicinity of the current temporary location of the Lighthouse. Four potential sites were identified, which can be seen in the TVCE soil report.

Site #1 Current Location in Trinidad Harbor

Viable

This site is the same as Public Meeting Site #6, previously described on pages 3 – 5 of this document. The 3-D rendering of the Memorial Lighthouse and the engineering designs were created for the memorial site at this location.

10. Alternate Harbor 2

Site #2 Below the Driveway to the B&B

Potentially Viable

Originally, this location was a favored site of some in the community and the Civic Club because of the higher elevation for the dramatic view. This site is potentially viable, but is not preferred for the following reasons:

1. The site would require more soil disturbance to dig down to solid ground.
2. More foundation work would be required.
3. The current engineering plans could not be used at this site.
4. All of the above would increase construction costs considerably.
5. At this height, there is a potential for concerns about the viewshed.

11. Alternate Harbor 3

Site #3 Up the Road Near the Telephone Pole

Not Viable

The Lighthouse would look dramatic at this height, but the location was deemed “Not Viable” for the following reasons:

1. The ocean waves below this location are eroding the bluff, creating the same situation at the original location of the Lighthouse. This site does not meet the “Longevity” criterion.
2. The telephone pole, which provides electricity to the Head, would be cost prohibitive to relocate.
3. Finding solid ground for foundation support is problematic.
4. The current engineering plans could not be used at this site.
5. Access requires a higher climb than the previous sites (ADA concerns).
6. For those concerned about viewshed, this might present a challenge.

12. Alternate Harbor 4

Site #4 Near Road Chain on Right Side

Not Viable

This site has the least potential for the following reasons:

1. The site is the closest to Trinidad Head and potentially culturally sensitive.
2. The space is limited and would require dividing up components of the memorial.
3. Access requires a higher climb than the other sites (ADA concerns).
4. The site is very close to the leach fields on the right side of the road.
5. The current engineering plans could not be used at this site.

CONCLUSION

Private Property: Three private property sites investigated were unavailable.

Public Meeting: Of six locations considered in Trinidad, only one was deemed viable—the Harbor property owned by the Trinidad Rancheria.

Harbor Locations: Of the four Harbor sites identified in the soil report, only Site #1, the current site of the Lighthouse, the one favored by the community and approved by the Civic Club, was viable. Site #2 was the only other site that might be potentially viable, but higher construction costs and possible viewshed concerns are factors to consider.

Key Components of The Search:

Site Selection Criteria: The development of 7 site selection criteria by which to analyze all the sites was instrumental in defining the needs of the project and identifying the one site that met all the criteria. (See *Public Meeting*, Site Selection Criteria, page 6).

Public Input: Public input played an important role throughout the process. All the private property locations and the six locations presented in the Public Meeting were suggested by community members. Since TCC is creating a memorial site for the community, community participation in the process was essential. The activities for the Public Meeting were designed for maximum public input through written comments on charts, small group table conversations focused on the best locations, charts of pros/cons developed for potential sites by small group participants, sketching the memorial site on Google maps of preferred locations and finally, having one member from each table group share the recommended site or sites to the whole group.

The Selection Process: The process involved creating a Site Selection Committee with 3 representatives from the Trinidad Rancheria, 4 from the Yurok Tribe (with which the Tsurai Ancestral Society is affiliated) and 3 from the Trinidad Civic Club, who collaborated on the “Memorandum of Understanding Between the Cher-Ae Heights Indian Community of the Trinidad Rancheria, the Trinidad Civic Club, the Yurok Tribe and the Tsurai Ancestral Society Regarding the Removal of the Trinidad Memorial Lighthouse from the Civic Club Property.” All the stakeholders signed the document on January 7, 2018, except the Tsurai Ancestral Society. The stakeholders who participated and signed the MOU were included on the Site Selection Committee, each selecting their own representatives. (See *Memorandum of Understanding* and *Public Meeting*, Site Selection Advisory Committee, page 4.) Having the voices and comments of the local Yurok community involved in the process was essential.

Transparency: The Civic Club is committed to full transparency regarding the selection process.

Written Documentation: All of the written documentation from the Public Meeting was tabulated and made public in our *Public Meeting* pdf document. The entire document contains 84 pages of information that reveal the step-by-step process with the stakeholders. (See *Public Meeting*, Response Tabulation Report, pages 9 – 10)

Photographs: Photographs taken at the meeting were included at the end of the document. (See *Public Meeting*, Photographs, pages 81 - 84). Photographs were also taken of the 6 charts displayed on the walls. Unfortunately, the handwriting on the charts proved difficult to read, so the charts were transcribed and included in the *Public Meeting* document under each relevant site. (Transcription was aided by a magnifying glass; also by enhancing the

light settings and increasing the size of the photographs in Adobe Photoshop.) These enhanced photographs, taken the night of the event, are included following each chart transcription.

PowerPoint Presentation: The “Lighthouse in Limbo” PowerPoint presentation during the Public Meeting has also been submitted to make the information available to all.

COMMUNITY SUPPORT

Many people, organizations, businesses and artisans in Humboldt County have donated money, in-kind services and goods to the Memorial Lighthouse Project. (See *Friends of the Memorial Lighthouse* document.) More complete records of all donations indicate that there are over 140 donation entries (individuals, couples and organizations), along with 53 local businesses, 32 artists and musicians, as well as numerous individuals who attended fundraising events.

The Trinidad Memorial Lighthouse Project provides a permanent home for the Memorial Lighthouse. The unique design of the structure will serve the community for decades to come as “a monument preserving maritime history dedicated to those lost or buried at sea.” The Project will restore and preserve the iconic Lighthouse, fulfilling its original purpose to honor the past and serve as a beacon of hope for the future.

THE SAUNDERS PARK LOCATION

Background

Glenn and Janis Saunders donated 3 acres of land to the *Trinidad Coastal Land Trust* (formerly known as the Humboldt North Coast Land Trust) in July 2004 for the purpose of building a library and museum on leased land, with an easement to the City of Trinidad to build a community park with grant funds.

The park was named *Saunders Park* in their honor, with the access street named *Janis Court*. Glenn and Janis were prominent members of Trinidad--Glenn serving as mayor twice, volunteer fire chief several times and co-founder of the Trinidad Chamber of Commerce, to name just a few of his many community contributions. Janis was the mother to three children and an active member in the Trinidad Civic Club. Glenn and Janis owned and operated Saunders' Market after Glenn's father, Mose Saunders, retired from the previous location where the 101 freeway is today. (See the two attached Times-Standard articles written when the land was donated.)

Gail Saunders, the daughter of Glenn & Janis, and her husband, Mitch Ward, now reside in the family home located on the hillside behind and in full view of the park, which exists as a legacy to the Saunders Family.

The Land

The 3-acre parcel involves five entities and underground utilities, such as geothermal heating and septic systems, as well as an earthquake fault zone:

1. *The Trinidad Coastal Land Trust (TCLT)*: Holds the title on the acreage and has an office with shared walls on the north, east and south sides of the library.
2. *The Trinidad Museum Society (TMS)*: Has a 99-year lease from the Land Trust, which includes the building, the native plant garden and an easement for the septic system and reserve leach field between the garden and the bocce ball court.
3. *The Humboldt County Library*: Has a 99-year lease (paid for by the City of Trinidad for this branch), which includes the building and easement for the septic system and reserve leach line in the same area as the Museum's.
4. *The City of Trinidad*: Holds an easement from near the whale sculpture to the parking bollards near the Library and to the bocce ball court area, including the park area and the parking lot.
5. *Trinidad Chevron Station*: Holds an easement for a reserve leach line field to the southwest of the Museum.

Maps of the boundaries and easements are available at the Trinidad Museum. For purposes of placing any other structures on the TCLT parcel, permission of the TCLT, the Trinidad Museum Society, the Humboldt County Library and the City of Trinidad would need to be obtained.

The underground utilities refer to the septic system and leach line fields for all the organizations, as well as the geothermal heating system for the building housing the Library and Land Trust. It is understood that the thermal heating system is located to the north of the park area. The Alquist-Priola earthquake fault zone runs through property and limits expansion of the Library, Museum and the TCLT office behind the library.

Consideration in Public Meeting, Feb. 26, 2018

The public meeting (charette) had two strategic purposes:

1. To unify the community around one location as the project would rely on public donations for funding.
2. To seek input from local Native American tribes to help identify a culturally sensitive location.

The Yurok Tribe, with which the Tsurai Ancestral Society (501c3 entity) is affiliated, served on the Site Selection Advisory Committee to help determine a permanent location for the Memorial Lighthouse. Also serving on the Advisory Committee were representatives from the Trinidad Rancheria and the Trinidad Civic Club.

The Saunders Park, one of six sites mentioned to the Civic Club Leadership as a possible location for the Memorial Lighthouse by different community members, was selected to be researched and analyzed at the Public Meeting, using the 7 criteria determined to be important in the site selection process:

TRINIDAD MEMORIAL LIGHTHOUSE SITE SELECTION CRITERIA

1. **Location:** Consider the aesthetics of a Lighthouse by the sea in the new location that is environmentally and culturally sensitive.
2. **Space:** The dedicated site needs room to locate the bell, the Lighthouse, the name plaques, the anchor and a flagpole in one unified area.
3. **Public Access/Parking:** The site must be able to accommodate the annual Memorial Service and elderly family members who come to honor their loved ones.
4. **Longevity:** The site must allow for expansion to continue the tradition of honoring those lost or buried at sea annually into the future.
5. **Security:** The site needs to be in full view to protect it from vandalism and disrespect, such as climbing on the structure or striking the bell.
6. **Access to Electricity and Water:** The following items need access to electricity:
 - a. The light in the top of the Lighthouse
 - b. The historic bell, which chimes daily at noon in honor of those commemorated
 - c. A sound system for the Memorial Service in May
 - d. The seasonal lights placed in late November through the new year
7. **Financial Cost:** The cost of relocating/building the memorial site must be taken into consideration, including design plans, permits and landscaping (with on-going maintenance costs), along with the resources and/or assistance available for any specific site.

The selection process involved projecting photographs of each site on the screen while a representative from the property ownership gave a brief presentation about the site. The attached map, *Sites Identified During Charette*, provides the locations of the 6 sites. The 7 criteria were shared with the audience with instructions to use them in analyzing each site on the pro and con charts on the walls around the Town Hall. Maps were provided for people to draw a sketch of how they envisioned the Memorial Lighthouse monument. Afterwards, small table groups discussed the sites, creating T-charts with the pros and cons of the most viable sites. One person from each group gave a presentation sharing the recommendations of the group with the audience. Additionally, written input was solicited from anyone who could not attend the meeting.

Outcome Regarding the Saunders Park

1. *The Charts:* Please see the attached chart typed transcription, which had 9 *pro* comments and 25 *con* comments, also photographs of the original charts.
2. *Table Groups:* Of the five table groups reporting out, not one mentioned Saunders Park as a viable location.
3. *Sketches:* Of the sketches submitted, there was only one of Saunders Park indicating that the site was **not** suitable and noted a number of issues with the property.

Summary: Most comments were related to 3 main issues:

1. *Location--**not** an ocean setting:* 10 people commented that there was no ocean view and one that the location was “illogical” because there was no ocean view. The very fact that the Lighthouse is a structure universally placed by the sea and a monument to those lost or buried AT SEA requires that the setting be by the sea.
2. *Lacks facilities:* There were no existing public restrooms on the site. Developing such facilities would substantially add to the costs of the project, as would the cost of moving the 20-ton Lighthouse and the 2-ton Fog Bell from their current location.
3. *Lack of space and suitability:* 14 comments addressed limited space or issues with the already developed site, such as the geothermal heating system, the earthquake fault line nearby, better sites available, etc.

5 Years Later (as of February 2023)

In the intervening 5 years, Saunders Memorial Park has developed security and safety issues due to frequent homeless encampments. Unfortunately, those who are suffering from mental illness have made it uncomfortable for people wanting to use the park or working in the library, the museum or the Land Trust. One librarian aide has resigned due to the stress and fear of physical harm in this environment. Docents have resigned from the museum due to fear of not feeling safe when on duty. Humboldt County Sheriffs have been called repeatedly to the site, at least once dealing with a sexual assault incident.

The park is now an eyesore due to litter and overflowing trash bins. Public restroom facilities are limited to library hours on three days. Museum volunteers are faced with picking up human waste in various locations on the property. Neighbors report public nudity, drug and alcohol use.

Though this deteriorating situation was not apparent 5 years ago, the current circumstances sadly makes Saunders Park even more unsuitable for a monument to those lost or buried at sea.

Comparison to the Trinidad Harbor Location

To contrast Saunders Park with the Trinidad Harbor location, here are the reasons why the community selected the Harbor location in the Public Meeting:

1. *The Charts:* Please see the attached chart typed transcription, in which the Harbor site received 26 positive comments—**more than any other site**—with 6 negative comments, **none citing cultural sensitivity**. (Also see photographs of the original charts.) All the positive comments stressed the 7 criteria—location by the sea, access, security, space, etc.
2. *Table Groups:* Of the 5 table groups reporting out, 5 mentioned the Trinidad Harbor as a viable location.

3. *Sketches*: Trinidad Harbor was sketched on 6 maps as a viable location for the monument.
4. *Submitted Written Comments*: Trinidad Harbor received 6 recommendations with 1 “maybe” from those unable to attend the meeting--more than any of the other sites at the most receiving 2 recommendations.

Summary: The 8 *Con* comments cited the following issues:

1. *Location Issues*: Too close to the ocean, land stability and the need for a higher elevation were mentioned in 4 of the 7 comments. Two commenters wanted the view of the Lighthouse to be seen when looking at the ocean.
2. *Access*: Two of the 6 wrote about access, one stating, “*especially on busy summer days.*”
3. *Financial Costs*: One stated that development costs will be high.
4. *Note*: Not one comment cited *cultural sensitivity*.

Summary: The 26 *Pro* comments were as follows (organized here in the same order as the 7 criteria):

1. *Location*: Many of the comments said it was a “good,” “great,” “perfect,” or “beautiful” location, with some addressing the fact that it was by the ocean.
Location/Cultural Sensitivity: Although few commenters signed their names, at least 3 of the positive comments would seem to be written by tribal members:
 - a. Great access for *elders*.
 - b. Good access for handicap/*elders*, etc...*Can we include a memorial for Yurok here, too? Side by side partners = equal!*
 - c. *Would keep foot traffic off of Head.*
 Again, there were no negative comments about cultural sensitivity.
2. *Space*: Only one directly addressed the space issue, but several referred to the site as meeting all the criteria.
3. *Public Access/Parking*: Several comments addressed access to the Lighthouse by visitors or tourists, as well a couple of comments mentioning access for the handicapped/disabled. Parking was specifically mentioned as a benefit in 5 comments.
4. *Longevity*: No one specifically addressed longevity, but again, others stated that the site met all 7 criteria.
5. *Security*: Only two specifically mentioned having security, but others referred to the site meeting all 7 criteria.
6. *Access to Electricity/Water*: Three commenters specifically mentioned access to utilities.
7. *Financial Cost*: Costs would be impacted by the need to move the Lighthouse away from the harbor, build restrooms, provide parking and security—issues addressed by many of the positive comments as reasons to locate the Lighthouse in the Harbor.

Favorite Positive Comment: “The stars align on this spot.”

Conclusion

Saunders Park is not a viable site for the Memorial Lighthouse Monument for the following reasons:

1. *The Land:* The land ownership, involving a number of leases and easements for the space above and below the ground, is very complicated and would require permission from a number of entities.
2. *The Location:* Paramount with the location are two main factors—it is not by the ocean, which a Lighthouse requires and would be disrespectful to those lost or buried at sea; security/safety issues are involved with the current situation of homelessness. Other locations were not viable.
3. *The Saunders Legacy:* Trinidad honors Glenn and Janis who gave so much to our community, including the land for Saunders Park, the Land Trust, the Library and the Museum. To overshadow the legacy of our most prominent citizens would be disrespectful to the Saunders Family and unacceptable to the Trinidad Civic Club.
4. *Cultural Sensitivity:* The Trinidad Civic Club invited the participation of the Yurok Tribe and the Trinidad Rancheria to serve on a committee for the permanent site selection for the Lighthouse, specifically to help determine cultural sensitivity of the various sites. Two of the 6 sites received culturally sensitive comments, but **not one** such comment was made regarding the Harbor location. When all responses were tabulated, the Harbor location was the one viable site, determined by all who participated. The Club hired an engineer to design the Lighthouse monument in the Harbor based on tribal input, believing that this location was supported, only to discover that when the City permit application was submitted in 2021, the Yurok Tribe opposed it.
5. *Community Voice:* Community members spoke loud and clear with their input at the Public Meeting in February 2018. Saunders Park was simply not an appropriate location. As the Trinidad Civic Club relies on donations from the community, a shared vision for the location of the Lighthouse--overwhelmingly the Trinidad Harbor--was essential.

Attachments:

1. *Background:* Two Times-Standard newspaper articles, written by Andrew Bird, one dated July 9, 2004.
2. *Background:* Letter from Gail Saunders
3. *The Land:* Email from the Trinidad Museum Society 6/25/21 in support of the Harbor location.
4. *Outcome Regarding Saunders Park:* Revised, typed transcription of the handwritten pro & con charts for Saunders Park.
5. *Outcome Regarding Saunders Park:* Photograph of original Saunders Park pro & con charts.
6. *Outcome Regarding Saunders Park:* Copy of email regarding *Summary Public Meeting 2.27.18* document sent to members of the Site Selection Advisory Committee.
7. *Comparison to the Trinidad Harbor Location:* Revised, typed transcription of the handwritten pro & con charts for Trinidad Harbor.
8. *Comparison to the Trinidad Harbor Location:* Photograph of original Trinidad Harbor pro & con charts.

9. *Conclusion: #4 Cultural Sensitivity:* Photographs of the 2.28.18 Public Meeting Charette:

- a. *Advisory Committee:* Taken while a group member is sharing out.
- b. *ChartingDanSealyRosieClayburn:* Taken while the two named individuals write on the Trinidad Head Charts. Rosie Clayburn, a public relations officer at that time, served as a representative from the Yurok Tribe on the Site Selection Advisory Committee.
- c. *FrankieMeyersTobyVCharting:* Frankie Meyers served as a representative from the Yurok Tribe on the Site Selection Advisory Committee. He is photographed writing on the Trinidad State Park chart. Standing behind him is Toby Van Landingham, a Yurok Tribal Councilman from Weitchpec on the Yurok Reservation.

January 3, 2023

Gail Saunders
PO Box 1244
Trinidad, CA 95570

California Coastal Commission
Public Comment: Trinidad Memorial Lighthouse Project
1385 8th Street
Arcata, CA 95521

Dear Commissioners,

My parents, Glenn and Janis Saunders, donated the land where the Trinidad Coastal Land Trust, Trinidad Library, Trinidad Museum and Saunders Park are currently located. This was their vision for the Trinidad community, and with many years of hard work, it came to fruition in their lifetimes. My father was born in 1924 in Trinidad and lived here all his life, except for a few years when he served in WW2.

The intention of the Park was to provide an outdoor space for the citizens and families of Trinidad to enjoy. Unfortunately, the homeless and those with mental illness often frequent the area. Rarely is anyone seen using the bocce ball court, the gazebo or the extra outdoor space for what it was intended.

Evidently, a few have suggested that the Memorial Lighthouse be moved to Saunders Park. My family and I oppose this suggestion for several reasons. I am certain if my parents were still alive today, they would be adamant the Lighthouse should not reside in the Park. Clearly, the Lighthouse should be close to the ocean. Those who have chosen to have their names on the Memorial Wall, where our family has a plaque, did so trusting that they would be remembered near the Lighthouse and the ocean.

The Lighthouse and the Fog Bell should remain together near the sea. The former spot was ideal, but since that cannot be, the second best location is definitely where it currently resides. With the Trinidad Rancheria's amazing support for this project, it is unimaginable that the Lighthouse would be moved once more. The cost alone is mind boggling and not attainable.

The Trinidad Civic Club has raised a substantial amount of money from the community and from families of loved ones engraved on the Memorial Wall, in the hope that the current location would become permanent. As mentioned above, since the Park is currently unkempt and unsafe, the location would prevent families from safely paying their respects, as well as tourists from visiting the lighthouse for the maritime history it preserves.

The location of the Lighthouse in Saunders Park makes no sense for all the aforementioned reasons. It would be an "eye sore" in the Park and placing it there would be devastating for our family and others to view our beloved Memorial Lighthouse in this manner.

Please consider approving the current location of the Lighthouse as its permanent home, so we can put this project behind us and revel in the beauty and history of the new monument, while continuing to honor our loved ones in the manner they would wish to be remembered.

Thank you for your consideration.



Gail Saunders and Family



TRINITY VALLEY
CONSULTING ENGINEERS, INC

R2 Soil Report
Preliminary Site Evaluation
Trinidad Lighthouse Relocation

Trinidad Harbor
County of Humboldt
California
APN: 042-071-008

CLIENT:

Trinidad Civic Club
Attn: Patti Fleschner
PO Box 295
Trinidad, California 95570

March 2021
Project #1431.01



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ATTACHMENTS:

- ATTACHMENT 1: LOCATION MAP
- ATTACHMENT 2: SITE MAP
- ATTACHMENT 3: SOIL LOGS AND TEXTURAL ANALYSIS
- ATTACHMENT 4: PREVIOUS INVESTIGATIONS
- ATTACHMENT 5: SEISMIC HAZARD DATA (OSHDP)



Date:	March 8, 2021	Project Number:	1431.01
Owner:	Trinidad Civic Club	Project Name:	R2 Soil Report
Location:	Trinidad Harbor Trinidad, California	APN:	042-071-008

Introduction

Trinity Valley Consulting Engineers, Inc. (TVCE) was secured by Trinidad Civic Club (client) to evaluate the existing conditions for the above referenced parcel in respect to determining the final placement of the Trinidad Memorial Lighthouse. The work includes studying potential sites on the Trinidad Rancheria property (reference parcel) to determine an ideal site based on required criteria. The following is an outline of our findings and recommendations.

Project Site Location

The project site is located in Trinidad, California within the Trinidad Rancheria adjacent to Trinidad State Beach and Trinidad Head accessed by Lighthouse Road/Bay Street (see **Attachment 1** for Location Map and **Attachment 2** for Site Map). Latitude and Longitude for the project site is N 41.0568° and W -124.1483°. The site is approximately 2.81 acres (Assessor's Map Book 042 Page 07). The project site is currently occupied by the memorial lighthouse (present location), enterprises and appurtenant facilities owned by Trinidad Rancheria, parking lots (marina and beach area), paved access road providing access to Trinidad Head, and a walking trail. The parcel is zoned Commercial (C). The area of potential sites (four locations) evaluated for the project are adjacent to the paved road providing access to Trinidad Head. The approximate site elevation of the project site ranges from approximately 30 to 60 feet above mean sea-level.

Project Site Geology

The subject property is a commercial parcel situated between the Trinidad State Beach to the west, Trinidad Head to the south, and Trinidad Bay to the east, and the community of Trinidad north of the site. Slopes within the area of investigation range from less than 15 to greater than 50 %. The project site lies within the Coastal Range physiographic province (California Geological Survey, 2002). Geologically, the site is underlain by marine Quaternary-aged Terrace deposits (Qmt) (Wagner and Saucedo, 1987), which is subjacent to recently (Holocene and younger) deposited aeolian dune deposits as described by



Delattre and Rosinski (2012). Carver and Burke (1992) further differentiates these marine terraces by attitudinal uniformity, degree of soil development and uplift rate. At the location of proposed development, this terrace was uplifted approximately 40,000-60,000 years ago and is known as the Trinidad Beach and Harbor terrace of the Patrick's Point terrace (Aalto, 2009). Below the terrace deposits, outcrops observed within area of investigation consist of Mesozoic-age Central Belt Franciscan Complex Basement Rock (KJf) that is largely meta-volcanic and -sedimentary, comprised of greenstone, basalt, chert, metasandstone, mélangé and argillite. Outcrops of Franciscan rock within the project area appear highly deformed and sheared.

The stability of slopes within the project parcel is driven by the induration of the soils. Whereas with higher induration, relative steep slopes may persist. Less indurated slopes are moderately susceptible to deep-seated landsliding, with rotational displacements in massive units and translation along planar weaknesses such as bedding planes, joints and fractures. Soils observed appear to be slightly to moderately indurated older terrace deposits comprised of coarse-grained sands and reworked shell rubble in the areas of slope instability, observed south of Relocation Alternative #3 and #4, the bluff that overlooks Trinidad Pier and Bay. These areas of instabilities that were observed in the field were also mapped by Rust (1982) as debris slides with observable slope failure scarps. Aalto (2009) describes slope stability of terrace margins within the area of the City of Trinidad is greater where massive sandstone or greenstone fronts the ocean, or where pocket beaches are developed between rocky headlands.

The project site is located approximately 0.52 miles from a segment of the Trinidad fault of the Mad River fault zone (Fault ID # 13), located east of the project site. This fault is considered active by the State of California (<http://earthquake.usgs.gov/hazards/qfaults/map/>). The most recent prehistoric deformation is Holocene. Based on the amount of displacement of Falor formation sediments across the fault, the estimated Quaternary slip rate for the Trinidad fault is 1.9 millimeters per year (Carver and Burke, 1992). Recurrence intervals or event timing is not known for the Trinidad fault. Paleoseismic studies of other faults in the Mad River fault zone (Mad River and McKinleyville faults) have resulted in recurrence estimates on the order of 3,500–11,900 years.

The Trinidad Head Fault (also known as the Trinidad Fault Offshore Segment) is located approximately 0.15 miles south from the site. This fault is interpreted by Rust (1982) as northwest-dipping, with the east side thrust over the west. The most recent prehistoric deformation is late Quaternary. Zones of extremely fractured and slickensided rock material were observed in geotechnical borings for the Trinidad Pier, however further investigation would be required to fully delineate and categorize this material to determine its relationship with local faults, if any (Taber, 2011).

The project site does not lie within an Alquist-Priolo Fault Hazard Zone (<https://maps.conservation.ca.gov/cgs/EQZApp/app/>).



Proposed Project

The proposed project for this site is to perform a general soils investigation to evaluate present-day site conditions and provide general recommendations for potential sites on the Trinidad Rancheria property for an ideal site for the final placement of the Trinidad Memorial Lighthouse. It is understood that a concrete retaining wall will be used with a pedestrian ingress/egress to the visit the memorial lighthouse.

Soil and Site Conditions

A field investigation was conducted by TVCE on August 14, 2020. This investigation consisted of site observations and general observations in the areas of proposed relocation alternatives. Soil observations were field-logged and classified in general accordance with ASTM D-2488 visual-manual procedures. Bedrock was not encountered during the subsurface investigation, however was observed in outcrop at the toe of bluff slope that faces Trinidad Bay and at the base of Trinidad Head. Within the area of proposed development, the grade gradually slopes towards the northwest, towards the Trinidad State Beach parking lot.

Three auger holes (AH-1 through AH-3) were excavated near the proposed relocation areas. Each auger hole was terminated at six (6') and seven feet (7') below ground surface (bgs). Auger Hole AH-1 was terminated at two (2') feet due to resistance. The results of the Textural Analysis and Soil Logs can be found in **Attachment 3 – Soil Logs and Textural Analysis**. Soils on site are comprised of gravel, sand, and silty sand, where largely loose sand overlies stiff gravels and/or firm silty sand. Groundwater was not encountered in any exploratory hand auger borings. A previous subsurface investigation was conducted relating to an existing onsite wastewater treatment system, public restroom and retaining wall. The results of the investigations are also included in **Attachment 4 – Previous Investigation**.



Relocation Alternative #1



The temporary placement of the memorial lighthouse has been positioned here following the relocation from the historical location on Edwards Street. This location is a flat lying location adjacent to public parking for the Trinidad Pier and Trinidad State Beach. Soils observed in the shallow auger hole (AH-1) are dark gray sandy loam with black round gravels similar to materials observed in previous studies. Based on site observations and previous studies, it is likely sandy loam (silty sand) is subjacent of the gravels observed.

Behind the lighthouse, mounded loose sand between the small access roadway and parking lot, either mechanically placed or aeolian in nature, was observed ranging one to five feet in height and moderately vegetated.

During the site visit no tension cracking or fill slope instabilities were observed within the area of investigation. The site presently drains towards the northwestern portion of the parcel.

If this location is determined to be the optimal relocation site, it will be required to over excavate (approximately 3' to 6' bgs) so foundational elements can be founded on suitably-dense, in-place and undisturbed silty sand soil. This location would likely require the least amount of removal of unsuitable material (beach sand).

Relocation Alternative #2



This location is approximately one hundred feet upslope along the access road from Relocation Alternative #1. This area is a well vegetated lumpy mounded area that has slopes towards the parking lot that are 1:1 (h:v) or less. A short retaining wall is at the toe of the slope on the parking lot side of the area of investigation. Soils observed in the shallow auger hole (AH-2) was comprised of loose sands. No bearing soils were observed within this boring (6' depth) and is likely that these soils are not until ten to fifteen feet depth below ground surface at this location, based on the previous investigation findings.

During the site visit no tension cracking or fill slope instabilities were observed within the area of investigation. The site presently drains towards the northwestern portion of the parcel.

If this location is determined to be the relocation site, it will be required to over excavate (approximately 10' to 15' bgs) so foundational elements can be founded on suitably-dense, in-place and undisturbed silty sand soil. This location would likely require the largest amount of removal of unsuitable material (beach sand).

Relocation Alternative #3



This location is approximately two hundred- and thirty-feet upslope along the access road from Relocation Alternative #1, at the entrance to the vacation rental owned and managed by the Trinidad Rancheria. This area is a well vegetated lumpy mounded area that slopes towards the parking lot. Within the area of the proposed alternative footprint, a PG&E utility pole and gate would be required to be relocated to accommodate the memorial lighthouse at this location. Soils observed in the shallow auger hole (AH-3) was comprised of dark brown loamy sand atop of silty sand (5' bgs), which would be considered a bearing soil.

During the site visit tension cracks and unstable bluff slope that overlooks Trinidad Pier and Bay were observed within fifty (50) feet of the proposed footprint. This location drains towards the northwest.

Due to nearby bluff slope instabilities and the potential of needing to relocate utilities, this site is not an ideal relocation alternative. Based on investigations by Chaney and Tuttle (1998), erosion rates of coastal bluffs in Big Lagoon area range from 0.8 to 2.6 feet per year, however the project area section of coastline is not subject to similar environmental conditions, but these bluff erosion rates should be considered when developing within these locations near unstable bluffs. Further analysis would be

warranted to establish development setbacks to assure stability of the coastal bluff slope as outlined by Johnsson (2005).

Relocation Alternative #4



This relocation alternative was observed but not investigated due to the likelihood of impacting an existing onsite wastewater system (OWTS). The footprint of the relocation alternative is within the primary disposal field for the OWTS system. In addition, this alternative is within sixty (60) feet of tension cracks observed associated with the bluff slope instabilities discussed related to Relocation Alternative #3.

Due to the likelihood of impacting the existing OWTS and nearby slope instabilities, this location should not be considered as a relocation alternative.

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

**EXHIBIT NO. 7**

**CDP AMENDMENT APPLICATION
NO. 1-18-0630-A1
(Trinidad Civic Club and Trinidad
Rancheria)**

**Adopted Findings for
1-18-0630**

Hearing Date: 2/8/19
Commission Action: **Approved with Special
Conditions, 2/08/19**

ADOPTED FINDINGS

Application No.: 1-18-0630

Applicant: Trinidad Civic Club

Location: Within the City of Trinidad at two locations: (1) Trinidad Harbor, and (2) on a blufftop parcel adjacent to the intersection of Trinity and Edwards Streets, Humboldt County

Project Description: Authorization for: (1) the previous relocation of the Trinidad Memorial Lighthouse under emergency permits to a temporary site at Trinidad Harbor, and (2) the removal of the Trinidad Memorial Lighthouse foundations and pavement from the former blufftop location off of Trinity and Edwards Streets

Staff Recommendation: Approval with conditions.

STAFF NOTE

1. **Adopted Findings.** At the Coastal Commission meeting of February 8, 2019 in Half Moon Bay, the Commission approved CDP 1-18-0630 with conditions. At the hearing, the staff presented an [addendum making changes](#) to the written staff recommendation dated January 25, 2019. The changes were made to correct certain cultural references in the findings in response to comments received from Trinidad Rancheria since publication of the staff report. At the hearing, staff orally presented one additional change, recommending removal of Special Condition No. 1 in response to comments received by the applicant. The Commission adopted the staff recommendation as modified by the addendum and orally by staff at the hearing, in its entirety.

Copies of the original January 25, 2019 staff recommendation report and its exhibits, and the February 6, 2019 addendum can be downloaded from the Commission's website at the following URLs:

<https://documents.coastal.ca.gov/reports/2019/2/F9a/f9a-2-2019-report.pdf>
<https://documents.coastal.ca.gov/reports/2019/2/F9a/f9a-2-2019-appendix.pdf>
<https://documents.coastal.ca.gov/reports/2019/2/F9a/f9a-2-2019-exhibits.pdf>
<https://documents.coastal.ca.gov/reports/2019/2/F9a/f9a-2-2019-corresp.pdf>
<https://documents.coastal.ca.gov/reports/2019/2/F9a/f9a-2-2019-exparte.pdf>
<https://documents.coastal.ca.gov/reports/2019/2/F9a/f9a-2-2019-addenda.pdf>

The following resolution, conditions, and findings were adopted by the Commission on February 8, 2019 upon conclusion of the public hearing.

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APPENDIX

[Appendix A](#) – Prior Appeal of Local CDP and Prior Litigation Involving the Blufftop

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EXHIBITS

[Exhibit 1](#) – Regional Location Maps

[Exhibit 2](#) – Vicinity Map/ Aerial Photo

[Exhibit 3](#) – Site Plans

[Exhibit 4](#) – Site Photos

[Exhibit 5](#) – City of Trinidad Emergency Permit No. 2017-06E Issued for the Blufftop Site

[Exhibit 6](#) – Coastal Commission Emergency Permit No. G-D-18-0001 Issued for the Harbor Site

[Exhibit 7](#) – Permit Consolidation Requests

[Exhibit 8](#) – Correspondence Granting Trinidad Civic Club Authority to Conduct Work on
Trinidad Harbor Property

[Exhibit 9](#) – Excerpts from Geological Report

I. RESOLUTION

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the City of Trinidad to prepare a Local Coastal Program confirming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

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

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

- 1. Evidence of Legal Ability of Applicant to Undertake Development on Property Owned by Others and Comply with Conditions of Approval.** PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT 1-18-0630, the applicant shall submit, for the review and approval of the Executive Director, evidence that clearly demonstrates that the legal owner(s) of APN 042-091-04 and APN 042-071-08 have agreed in writing that the applicant may undertake development on its property pursuant to Coastal Development Permit 1-18-0630 and as conditioned by the Commission herein.
- 2. Revised Debris Disposal Plan.**
 - A. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT 1-18-0630, the permittee shall submit, for the review and approval of the Executive Director, a revised plan for the disposal of demolition-related debris, that conforms with the debris disposal measures proposed in the permit application, except that the plan shall be modified to include measures for capturing all waste materials and wastewater generated from any use of a concrete saw for disposal at an off-site upland location where such materials may be lawfully disposed. Consistent with [Special Condition 5\(A\)\(v\)](#), any soil that is unearthed shall remain on the parcel. The plan shall describe the manner by which demolition-related debris and wastewater will be removed from the demolition site and identify the disposal site(s) to be used.
 - B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.
- 3. Other Agency Approvals.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director a copy of the City Engineer's approval of the grading, fill, disposal and erosion control plans approved by the City Engineer as required by special Condition 3 of the City Grading and Design Review Permit No. 2018-06. The permittee shall inform the Executive Director of any changes to the project required by the City Engineer. Such changes shall not be incorporated into the project until the permittee obtains a Commission amendment to this coastal development permit, unless the Executive Director issues a written determination that no amendment is legally required.
- 4. Water Quality Protection Measures and Best Management Practices.** Best Management Practices designed to protect the water quality of Trinidad Harbor shall be implemented during construction. The permittee shall adhere to the following water quality protection measures and best management practices (BMPs), including, but not limited to, the following:
 - A. As proposed by the permittee, straw wattles shall be placed around the perimeter of the site at the slope break. The permittee shall also ensure that:
 - (i) Only products manufactured from 100% biodegradable (not photodegradable) materials are used;

- (ii) If temporary erosion control products that have a netting component are used, the netting shall be loose-weave natural-fiber netting;
 - (iii) Products with plastic netting, including but not limited to polypropylene, nylon, polyethylene, and polyester shall not be used; and
 - (iv) If fiber rolls (wattles) are used for wetland protection and/or temporary sediment control, the netting component of these products shall be made of loose-weave natural-fiber (not plastic) netting.
- B. As proposed by the permittee, all bare soil areas shall be seeded with fast-growing vegetation and adequately mulched with straw. The permittee shall also ensure that:
 - (i) Revegetation shall occur no later than within 30 days after completion of demolition activities and prior to the onset of the rainy season;
 - (ii) Revegetation shall be performed only with sterile non-native grasses and/or native vegetation obtained from local genetic stocks within Humboldt County within 30 miles of the coast. Sterile non-native annual grasses shall comprise no more than 50% of the erosion control seed mixture to be planted (by weight of seed), with the remaining seed composed of native species. If documentation is provided to the Executive Director that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside the local area, but from within the adjacent region of the floristic province, may be used. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be planted or allowed to naturalize or persist on the parcel. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property; and
 - (iii) Only weed-free straw shall be used to cover any disturbed soil areas, as needed, following construction activities.

Additional Measures the Permittee Shall Adhere to

- C. No demolition materials, debris, or waste shall be placed or stored where it may be subject to entering waters of Trinidad Bay;
- D. During demolition, all trash shall be properly contained;
- E. The discharge of any hazardous materials into any receiving waters shall be prohibited;
- F. All ground disturbing activities shall be confined to the period of May 15 through October 15 to avoid the rainy season. No proposed project changes to the timing of development shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
- G. If rainfall is forecast during the time demolition activities are being performed, any exposed soil areas shall be promptly mulched or covered with plastic sheeting

and secured with sand bagging or other appropriate materials before the onset of precipitation;

- H. All equipment used during construction shall be free of leaks of fuels and lubricants at all times; and
- I. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

5. Area of Archaeological Significance.

- A. The applicant shall comply with all recommendations and mitigation measures contained in the archaeological plan prepared for the project entitled “An Archaeological Resources Report for the Removal of Existing Concrete Footings at the Former Trinidad Memorial Lighthouse City of Trinidad, Humboldt County, California” dated July 2018 and prepared by William Rich, M.A., RPA and Jason R. Patton, PhD at William Rich and Associates, including but not limited to the following:
 - (i) All work shall be conducted under the observation of appropriate cultural monitors with expertise in cultural values of the Tsurai Village, including representatives from the Tsurai Ancestral Society, Trinidad Rancheria and the Yurok Tribe.
 - (ii) No demolition work or soil disturbance shall be completed without cultural monitor(s) present.
 - (iii) All work shall be conducted using hand tools to minimize inadvertent soil disturbances.
 - (iv) No heavy equipment shall access the work area. All concrete spoils shall be moved from the work area and disposed of at a suitable location or recycled, as appropriate.
 - (v) Any soil that is unearthed shall remain on the parcel.
 - (vi) There shall be no changes to accessing the Axel Lindgren Jr. Memorial Trail.
- B. The applicant shall also comply with the following monitoring conditions during construction:
 - (i) The Archaeological monitor(s) required under section A(i) above shall be qualified by the California Office of Historic Preservation (OHP) standards, and appointed consistent with the standards of the Native American Heritage Commission (NAHC), and the Native American most likely descendent (MLD) when State Law mandates identification of a MLD, shall monitor all project demolition, grading, excavation work, site preparation or landscaping activities associated with the approved development;
 - (ii) The permittee shall provide sufficient archeological and Native American monitors to assure that all project grading and any other subsurface activity

that has any potential to uncover or otherwise disturb cultural deposits is monitored at all times;

- C. If an area of cultural deposits is discovered during the course of the project,
- (i) All construction and subsurface activity that have the potential to uncover or otherwise disturb cultural deposits in the area of the discovery or may foreclose mitigation options (not less than 20-foot-wide buffer around the discovery) shall cease immediately and shall not recommence except as provided in subsection D hereof;
 - (ii) The project archaeologist shall establish a reasonable protective barrier (marked by flagging tape) around the cultural site, within which ground-disturbing activities are temporarily suspended. The project archaeologist shall also take steps to protect the discovered item(s) in a respectful and dignified manner;
 - (iii) The project archaeologist shall immediately report the discovery to the Yurok Tribal Heritage Preservation Officer (THPO), Trinidad Rancheria THPO and the Tsurai Ancestral Society. The permittee must also follow all applicable state and federal laws in the event that human remains are discovered (i.e. County Coroner);
 - (iv) The project archaeologist shall prepare and submit a Significance Testing Plan, for review and approval of the Executive Director, identifying measures to be undertaken to determine the significance of the find. The Plan shall be prepared in consultation with the Native American monitors, and the MLD when State Law mandates the identification of a MLD. The Executive Director shall determine the adequacy of the Plan and if it is found to be de minimis, it can be implemented without further Commission action. The Significance Testing Plan results, along with the project archaeologist's recommendation as to whether the discovery should be considered significant, and the comments of the Native American monitors and MLD when State Law mandates the identification of a MLD, shall be submitted to the Executive Director for a determination of the significance of the discovery. If the Executive Director determines that the discovery is significant, development shall not recommence and the permittee shall submit to the Executive Director a Supplementary Archaeological Plan in accordance with subsection D, below.
- D. A permittee seeking to recommence construction following discovery of cultural deposits determined to be significant pursuant to the process established in the Significance Testing Plan in subsection C(iv) shall submit a Supplementary Archaeological Plan for the review and written approval of the Executive Director, prepared by the project archaeologist in consultation with the Native American monitor(s) of the Tsurai Ancestral Society, Trinidad Rancheria and the Yurok Tribe, and the Native American most likely descendent (MLD) when State Law mandates identification of a MLD. The Supplementary Archaeological Plan shall identify proposed investigation and mitigation measures, which can range

from in-situ preservation to recovery and/or relocation/reburial. A good faith effort shall be made to avoid impacts to cultural resources through methods such as, but not limited to, project redesign, capping, and placing cultural resource areas in open space. In order to protect archaeological resources, any further development may only be undertaken consistent with the provisions of the approved Supplementary Archaeological Plan, as well as, to the extent applicable, the original approved archaeological plan.

- (i) If the Executive Director approves the Supplementary Archaeological Plan and determines that the Supplementary Archaeological Plan's recommended changes to the proposed development or mitigation measures are de minimis in nature and scope, construction may recommence after this determination is made by the Executive Director.
- (ii) If the Executive Director approves the Supplementary Archaeological Plan but determines that the changes therein are not de minimis, construction may not recommence until after an amendment to this permit is approved by the Commission to authorize a new archaeological approach.
- (iii) A report verifying compliance with this condition shall be submitted to the Executive Director for review and written approval, upon completion of the mitigation measures detailed in the approved archaeological monitoring plan and/or Supplementary Archaeological Plan required to protect significant archaeological finds.

6. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards, including but not limited to erosion, earth movement, waves, storm waves, tsunamis, and sea level rise; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
7. **Rodenticides.** Rodenticides containing any anticoagulant compounds, including but not limited to, Bromadiolone, Brodifacoum, or Diphacinone, shall not be used on the property.
8. **Length of Development Authorization for Retention of Memorial Lighthouse.** This permit authorizes retention of the Trinidad Memorial Lighthouse and Memorial Bell within its approved location in Trinidad Harbor only until August 29, 2022. Prior to the expiration of the authorization period, the permittee or its successors shall submit to the Commission an application for a coastal development permit amendment to either (a) relocate the Trinidad Memorial Lighthouse and Bell to an alternative location, or (b) extend the length of time the facility is authorized to remain at its current site and modify

its design or configuration as needed to ensure consistency with the Coastal Act. If a complete application is filed before the end of the authorization period, the authorization period shall be automatically extended until the time the Commission acts on the application. Any amendment application shall conform to the Commission's permit filing regulations at the time and shall at a minimum include the following:

- A. An evaluation of alternative locations for the Trinidad Memorial Lighthouse and Memorial Bell. The information concerning these alternatives must be sufficiently detailed to enable the Coastal Commission to evaluate the feasibility of each alternative for addressing consistency with the Coastal Act. The analysis shall include a feasibility analysis of the alternatives that evaluates and considers all potential constraints, including geotechnical and engineering constraints, property ownership, project costs, and potential funding options; and
- B. Proposed mitigation for unavoidable coastal resource impacts associated with each of the alternatives including retention of the Trinidad Memorial Lighthouse and Memorial Bell beyond the initial authorization period.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

A. PROJECT DESCRIPTION

Trinidad Civic Club ("TCC") has applied for follow-up authorization for the relocation of the Trinidad Memorial Lighthouse (including the memorial bell) from a site owned by the Civic Club along Edwards Street at the end of Trinity Street in the City of Trinidad ("The Blufftop Site;" page 1 of [Exhibit 3](#)), to a temporary location (for a period not to exceed four years) located within Trinidad Harbor ("The Harbor Site;" page 2 of [Exhibit 3](#)) on property owned by Cher-Ae Heights Indian Community of the Trinidad Rancheria (Rancheria). The relocation of the Trinidad Memorial Lighthouse and Bell ("TML") was conducted in January 2018 under emergency permits issued by the City of Trinidad¹ and the Coastal Commission², after an encroaching landslide reached the edge of the lighthouse memorial slab, posing a threat to the existing structures and threatening damage to nearby sensitive cultural resources. Initially, the TCC had proposed, and the City had approved, an emergency permit to relocate the Trinidad Memorial Lighthouse approximately 15 feet east of the memorial lighthouse structure. Work commenced with the construction of a new concrete foundation pad in that location. However, as described further in [Finding B](#) ("Environmental Setting and Background") below, work at the site was terminated and the memorial lighthouse and bell were instead relocated to the Trinidad Harbor. No additional work is proposed to occur at the Harbor Site within Trinidad Harbor at this time.

As part of the follow-up to the emergency permit, the applicant is also proposing to demolish and remove remaining concrete foundations and portions of the concrete walkways from the Blufftop

¹ City of Trinidad Emergency Permit No. 2017-06E issued December 11, 2017 with addendum issued December 21 for the Blufftop Site

² Coastal Commission Emergency Permit No. G-D-18-0001 issued January 8, 2018 for the Harbor Site

Site, as depicted in [Exhibit 3](#), and including: (1) the original 1948 TML concrete slab (approximately 15 feet by 15 feet); (2) the TML concrete slab authorized by City of Trinidad Emergency Permit No. 2017-06E (also approximately 15 feet by 15 feet); (3) the portions of the concrete walkway (approximately 5 feet wide) surrounding the western, eastern, and southern sides of the original TML concrete slab; and (4) foundation of the memorial bell. In addition, the applicant proposes to remove electrical conduit from the edge of the walkway being removed, up to the edge of the walkway being retained.

As discussed further in [Finding F](#) (“Archaeological Resources”) below, while no known archaeological resources exist within the footprint of the TML infrastructure, the ancestral village of *t’surai* occurs in the immediate vicinity (downhill and south) of the project site, and the inhabitants of the village utilized a broad part of the landscape in and around Trinidad. Due to the cultural sensitivities at the site, TCC coordinated with the Yurok Tribe, Trinidad Rancheria, and City of Trinidad, and made efforts to coordinate with the Tsurai Ancestral Society. The Yurok Tribe has agreed to remove the remaining memorial lighthouse infrastructure from the Blufftop Site. Additionally, the TCC proposes to minimize soil disturbances to the extent feasible by, among other things, using only hand tools for all demolition and removal activities; thus, there will be no heavy equipment used on the site. If demolition of concrete slabs and footings necessitates use of a jack-hammer or concrete saw, the accompanying generator of air compressor will remain parked on Edwards Street. All work will be monitored by multiple tribal cultural monitors (as discussed further in [Finding F](#)) and by an inspector retained at SHN Engineering.

All hardscape materials will be disposed of outside the coastal zone, at the GRS Construction Yard on Boyd Road in Arcata. Excavated areas will be backfilled with a combination of topsoil and, for excavations deeper than 6 inches, engineered backfill (estimated total of 3 cubic yards). TCC proposes to cover disturbed areas with a final layer of organic topsoil and reseed using native beach strawberry. Proposed erosion control measures include the placement of straw on disturbed soil areas, and installation of straw wattles around the perimeter of the site at the slope break.

The Civic Club is also requesting follow-up authorization for the previous relocation of the Trinidad Memorial Lighthouse under emergency permits to a temporary site (up to four years) at Trinidad Harbor. Although not much additional development is proposed to be performed beyond what occurred when the lighthouse was first moved, development occurred that is lasting on the site more than the temporary period of the emergency permit. Development that occurred under authorization of the emergency permit included clearing the non-native, invasive iceplant from an approximately 20-foot by 30-foot portion of the site and grading a flat pad of sand underlain by asphalt to accommodate the lighthouse and memorial bell. In keeping with its past annual traditions, the Civic Club may host its annual memorial lighthouse ceremony at the Harbor Site. The Civic Club has expressed its intent to seek authorization for a permanent site for the TML nearby within the upland area of the harbor prior to the end of the four year authorization period.

B. ENVIRONMENTAL SETTING AND BACKGROUND

The City of Trinidad is a small seaside town (population less than 500) that draws many visitors to enjoy numerous coastal recreational and visitor-serving amenities. The City features access to

sweeping views of Trinidad Bay (a semi-enclosed inlet of the Pacific Ocean), numerous public beaches and trails, notable landmarks such as the offshore rocks that are part of the California Coastal National Monument, hiking along Trinidad Head, and recreation opportunities within Trinidad Harbor. In addition to recreational boating and other visitor-serving opportunities, Trinidad Harbor supports a small but significant commercial fishing community.

The developed town mostly occupies the coastal terrace that is located up a steep road above the harbor area. The City of Trinidad is developed primarily with an assortment of residential, retail commercial, and civic uses. Along the waterfront to the east and west of the harbor are beach areas primarily in public open space use. These include Indian Beach, 1/8th of a mile to the east, and Trinidad State Beach, 1/4 mile to the northwest.

The Blufftop Site where the former Trinidad Memorial Lighthouse once stood is a bluff-top parcel situated on an uplifted marine terrace. The Blufftop Site is designated and zoned “Public and Religious” (PR) within the City’s certified LCP. The Blufftop Site is situated just upslope and north of the former Yurok settlement of *Tsurai* and the Tsurai Study Area as designated in Trinidad’s certified LCP.

The former Yurok settlement of *t’surai* occurs on the bluffs south and downslope of the Blufftop Site. The village of Tsurai is also listed in the CA Register of Historic Places and is listed as a California Historic landmark. The bluff area is designated on the City’s Land Use Plan map as the Tsurai Study Area. The approximately 12.5-acre Tsurai Study Area (“TSA”) located downslope of the Blufftop Site is currently owned and managed by the City, and the State Coastal Conservancy holds a conservation easement over the TSA for the purpose of preserving public access and for the protection of natural and cultural resources. The TSA is designated and zoned as Open Space (OS) within the City’s certified LCP.

Several public access trails are located in the project vicinity. Most notably, the Axel Lindgren Memorial Trail³ is a ceremonial trail that traditionally provided the Yurok access to the Tsurai village site and burial grounds. According to the Tsurai Ancestral Society and Yurok Tribe, the traditional route of the Yurok People extends from the beach below the Blufftop Site, across the bluff face, and through the property currently owned by the TCC. Fencing at the top of the trail had in the past altered the traditional trail entrance, and has since been removed under a separate project as discussed further below.

Emergency Permit Authorizations

In November 2017, Trinidad Civic Club requested emergency authorization to relocate the Trinidad Memorial Lighthouse and Bell (“TML”) after evidence of landslide movement near the

³ In 1997, the City completed trail improvements in conjunction with a court settlement agreement between the City, the State, and a local resident (Frame vs. Trinidad et al, Humboldt County Superior Court # DR920104). The 400-foot-long trail was approved by the City in 1996 and appealed to both the City and the Coastal Commission (Appeal No. A-1-TRN-96-029). The Commission determined that the appeal that was filed by Trinidad Civic Club and Mickey Fleschner did not raise a substantial issue. The trail was constructed by the Yurok Tribe and follows much of the traditional route used by the Yurok, with an exception at the very beginning of the trail near the former Memorial Lighthouse site and the last 80- foot portion of the trail leading to the beach. The trail was originally named the Hogback Trail or Lighthouse Trail until August of 1999 when the City Council renamed the trail in honor of Axel Lindgren, a lineal descendant of the Tsurai and long-time caretaker of the village and cemetery, among other attributes.

lighthouse foundation revealed new surficial cracks following early season rains. Because the Civic Club does not own any other property, and after consultation with a licensed geologist, the Civic Club proposed to relocate the lighthouse approximately 15 feet east of the original lighthouse site, on a portion of the property that appeared more geologically stable due to underlying bedrock. The City issued an emergency permit in December 2017,⁴ and a new concrete pad was constructed. Once work commenced associated with preparing the new site for construction of the concrete slab, significant protests at the site were initiated by various Native American and other community members concerned about unexpected disturbances of the soil. The Yurok People view the soil of the site as culturally significant. After various discussions with interested parties to resolve the dispute, the Trinidad Rancheria offered to allow the TML to be relocated on a temporary basis within Trinidad Harbor. Because Trinidad Harbor is within an area of deferred certification and not currently in trust status (see additional discussion in **Finding C** below) the Coastal Commission issued Emergency Permit No. G-D-18-0001 on January 8, 2018 to allow the temporary placement of the TML within the harbor.

Prior Appeal of Local CDP and Prior Litigation Involving the Blufftop

In 2012, several years prior to relocation of the TML, the Trinidad Civic Club separately applied to the City of Trinidad for approval of a CDP No. 2012-04 requesting after-the-fact (ATF) authorization to remove fencing, conduct landscaping (removal of sod and invasive blackberries), and terrace an existing slope to provide access to the Axel Lindgren Memorial Trail through the Memorial Lighthouse Civic Club property (APN 042-091-04). The ATF development subsequently approved by local CDP No. 2012-04 is situated on the downslope side of the former Trinidad Memorial Lighthouse foundation. The local CDP was subsequently appealed to the Commission in Appeal No. A-1-TRN-12-031. The landscaping, fencing, and terracing activities that are the subject of Appeal No. A-1-TRN-12-031 are not functionally related to any of the lighthouse removal and relocation activities proposed under the subject permit. Approval of this coastal development permit as conditioned does not constitute an endorsement or a predetermined recommendation about any outcome that may be considered as part of any future action associated with Appeal No. A-1-TRN-12-031. For a summary of Appeal No. A-1-TRN-12-031 see [Appendix A](#).

Finally, the Commission has been involved in two past settled lawsuits that affected the blufftop site from which the TML was removed under the City's emergency permit: *Frame v. City of Trinidad et al.* (Humboldt County Superior Court Case No. DR920104) settled in 1994, and *Frame and Tsurai Ancestral Society v. City of Trinidad, et al.* (Humboldt County Superior Court Case No. DR 98 0359) settled in 2005. For a summary of these cases, see [Appendix A](#).

C. JURISDICTION AND STANDARD OF REVIEW

The proposed project affects two properties within the incorporated boundaries of the City of Trinidad, in Humboldt County: (1) on a blufftop parcel at the end of Trinity Street (APN 042-091-04) owned by the Trinidad Civic Club ("The Blufftop Site"), and (2) within an upland area of Trinidad Harbor (APN 042-071-08) ("The Harbor Site"). The City of Trinidad has a certified LCP that is applicable at the blufftop parcel, but the Trinidad Harbor site is within the "Trinidad Harbor and Upland Support Area," an Area of Deferred Certification (ADC) over which the

⁴ City of Trinidad Emergency Permit No. 2017-06E issued December 11, 2017 with addendum issued December 21 for the Blufftop Site

Commission retains coastal development permit jurisdiction. Accordingly, the proposed development within Trinidad Harbor is subject to the California Coastal Act's coastal development permitting requirements.

Section 30601.3 of the Coastal Act authorizes the Commission to process a consolidated CDP application, when requested by the local government and the applicant and approved by the Executive Director, for projects that would otherwise require coastal development permits from both the Commission and from a local government with a certified LCP. In this case, City staff formally requested the consolidated permit processing in a letter dated June 26, 2018. The Trinidad City Council unanimously passed Resolution 2018-07 ([Exhibit 7](#)) on June 14, 2018 requesting the consolidated processing of the application by the Coastal Commission staff. The applicant has also requested that Coastal Commission staff undertake the consolidated permit processing. The Executive Director has authorized the consolidated processing on behalf of the Commission.

The policies of Chapter 3 of the Coastal Act provide the legal standard of review for a consolidated coastal development permit application submitted pursuant to Section 30601.3. The local government's certified LCP may be used as guidance. Therefore, the standard of review that the Commission must apply to the project is the Coastal Act.

In 2000, the harbor properties and improvements were purchased by the Cher-Ae Heights Indian Community of the Trinidad Rancheria ("Trinidad Rancheria"). The Trinidad Rancheria has recently petitioned the Bureau of Indian Affairs (BIA) to place nine parcels and three non-parceled areas totaling approximately nine acres into Federal trust status, including the harbor parcel where the lighthouse has been temporarily relocated. Federal consistency review by the Coastal Commission is still pending. In a letter to the Coastal Commission's Energy, Ocean Resources and Federal Consistency Division dated December 21, 2018, the BIA acknowledged that the temporary placement of the Trinidad Memorial Lighthouse (TML) and future planning for a permanent lighthouse location are occurring independent of the fee-to-trust process and is not dependent on an affirmative decision for the Tribe's fee-to-trust application ([Appendix B](#)).

D. OTHER AGENCY APPROVALS

City of Trinidad

As described above, Trinidad Harbor, where the lighthouse has been temporarily relocated, is within an area of deferred certification, not covered by the City of Trinidad's certified LCP. Consequently, the project area is within the Commission's coastal development permit jurisdiction. The project separately required the City's issuance of a grading permit and design review approval. On August 29, 2018, the City of Trinidad's Planning Commission issued Grading Permit and Design Review No. 2018-06 for the project finding that the proposed Trinidad Memorial Lighthouse relocation, including the relocation of the Memorial Fog Bell, is consistent as conditioned with the grading, design review and view protection standards of its local Zoning Ordinance. As part of its conditional approval, the Planning Commission attached Special Condition No. 3 requiring in part that the City Engineer must review and approve all grading, fill, disposal, and erosion control plans prior to commencement of work, and Special Condition No. 4 requiring that approval for the Harbor Site is for a four-year period commencing on the date of Planning Commission approval of Permit No. 2018-06, unless an extension is

granted by the Planning Commission. The Planning Commission's actions were not appealed to the City Council.

To ensure that the applicant has obtained the necessary approvals from the City Engineer to undertake more work on the project, the Commission attaches [Special Condition 3](#). The special condition requires that the applicant provide a copy of all necessary approvals from the City Engineer for such development prior to the commencement of construction. The Commission also attaches [Special Condition 8](#) limiting the temporary authorization for siting the lighthouse at its current location to August 29, 2022, commensurate with the term of discretionary approvals authorized by the City.

E. APPLICANT'S LEGAL INTEREST IN THE PROPERTIES

Under Section 30601.5 of the Coastal Act, an applicant for a CDP does not need to be the owner of a fee interest in the property on which the proposed development is located as long as the applicant can demonstrate a legal right, interest, or other entitlement to use the property for the proposed development, and as long as all holders or owners of any other interests of record in the affected property are notified in writing of the permit application and invited to join as coapplicants. In addition, Section 30601.5 of the Coastal Act requires that the applicant demonstrate authority to comply with all conditions of approval prior to issuance of a CDP.

Portions of the proposed project are located on land owned by Trinidad Rancheria (APN 042-071-08; [Exhibits 2 and 3](#)). Other portions of the proposed project activities will occur on lands owned by the Trinidad Civic Club (APN 042-091-04). As required by Section 30601.5 of the Coastal Act, the Trinidad Civic Club has submitted evidence that (a) the Trinidad Rancheria has been notified of the project as proposed in the CDP application; and (b) the owners have been invited to join the CDP application as a co-applicant. On June 25, 2018, the Trinidad Rancheria transmitted a letter authorizing the Trinidad Civic Club to temporarily site the Trinidad Memorial Lighthouse within Trinidad Harbor (See [Exhibit 8](#)).

To ensure that Trinidad Civic Club has the authority to comply with all conditions of approval of CDP 1-18-0630 on the subject properties (APNs 042-071-08 and APN 042-091-04), the Commission attaches [Special Condition 1](#), requiring that the Trinidad Civic Club, prior to permit issuance, show evidence that all affected property owners have agreed in writing that the applicant may undertake development on its properties pursuant to CDP 1-18-0630 as conditioned.⁵

The Commission finds that as conditioned, the development is consistent with the requirements of Section 30601.5 of the Coastal Act.

⁵ The City of Trinidad issued Grading Permit and Design Review No. 2018-06 for the subject development finding that the proposed Trinidad Memorial Lighthouse relocation, including the relocation of the Memorial Fog Bell, is consistent as conditioned with the grading, design review and view protection standards of its local Zoning Ordinance.

F. ARCHAEOLOGICAL RESOURCES

Section 30244 of the Coastal Act states:

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

The site of the former lighthouse where foundations, paved walkway, and electrical conduit are proposed to be removed (The Blufftop Site) is situated just upslope from and north of both the former Yurok settlement of *Tsurai* and the *Tsurai* Study Area as designated in Trinidad's certified LCP. The *Tsurai* village is also listed in the California Register of Historic Places. Commission staff has reached out to meet with the various Native American groups with cultural interests in the Trinidad area.

The Yurok Tribe and the Trinidad Rancheria are both federally-recognized tribes with rights and responsibilities for ensuring the protection and preservation of cultural resources. Yurok ancestral lands extend along the Lower Klamath River near the Oregon border, and along the California coast from Little River (south of Trinidad) north to Damnation Creek (south of Crescent City)⁶. The City of Trinidad is within the Native American territory of the coastal Yurok, with the *Tsurai* village being one of the largest Yurok villages and the southernmost village within Yurok Territory. The *Tsurai* Management Plan⁷ (2007; [Appendix B](#)) describes the *Tsurai* village as follows:

The geographical boundaries of the village are a small stream four miles north of Trinidad Head (Tsurewa), Beach Creek (O prmrgr wroi) and the village located at the Little River (Me'tsko or Srepor), which acted as both the southern boundary of Tsurai, as well as the southern boundary between the Yurok and the neighboring Wiyot Tribe (Lindgren 1991).

The nucleus of Tsurai was one-half mile east of Tsurewa, on a steep hillside between two spring-fed streams which flowed year-around (sic). This permanent site (which was some twenty-five feet above the Pacific breaker line) comprised ten or twelve Redwood slab houses, a sweathouse, quality waterhole, brush-dance pit, trails, graves, boat landing, and Alder trees. Two pepperwood trees of...spiritual significances grew beyond the boundaries, one on the East and the other on the West (Lindgren 1991).

Tsurai is a unique Yurok village because the people here speak the most linguistically divergent Yurok dialect. Moreover, Tsurai, meaning "mountain," because of its association with Tsurewa, is the only Yurok village that is in a protected bay as it sits tucked between the windy bluff above and the beach below (Waterman 1920:270-271).

⁶ <http://trinidad.ca.gov/document-library/tsurai-management-plan>

⁷ The *Tsurai* Management Plan was prepared for the *Tsurai* Management Team (consisting of representatives from the California Coastal Conservancy, City of Trinidad, *Tsurai* Ancestral Society, and Yurok Tribe) for the purpose of documenting and resolving ongoing issues that have the potential to impact public access, as well as the cultural and natural resources within the 12.5-acre *Tsurai* Study Area. While the *Tsurai* Management Plan has not been sanctioned by any regulatory agency of the State of California and the management plan has not been certified as part of Trinidad's LCP, the document provides insight on stakeholders, cultural resources, public access, and other resources issues affecting both the *Tsurai* Study Area and surrounding landscape.

The Tsurai Ancestral Society (TAS) is not a federally-recognized tribe but is culturally an integral part of the project area. The Tsurai Management Plan describes the TAS as follows:

A non-profit organization comprised of some of the lineal descendants of the village of Tsurai. The Tsurai Ancestral Society has assumed a long term, custodial role for the protection and preservation of the cultural resources associated with Tsurai. Founder Axel Lindgren II, a lineal descendant, was for many years the primary caretaker of the village and cemetery, as well as the local historian on Tsurai. The TAS continues to take an active role in promoting the protection of the site, care taking of the cemetery grounds, and continuing ceremonial activities associated with the ancestral village.

The Cher-Ae Heights Indian Community of the Trinidad Rancheria (“Trinidad Rancheria”) owns the harbor properties and has granted the Civic Club permission to temporarily retain the memorial lighthouse in its current location for a period not to exceed 4 years, and during which time site planning and permitting will be pursued for a permanent TML location.

As described in the Tsurai Management Plan, “the Cher-Ae Heights Indian Community is a federally-recognized Indian tribe comprised of Yurok, Tolowa, and Wiyot descendants, located adjacent to the City of Trinidad.” According to the Federal Register, the tribal affiliation also includes Miwok (Eidsness 2001 in WRA 2018; [Appendix B](#)). According to the archaeological report prepared for the proposed project (WRA 2018; [Appendix B](#)), the Trinidad Rancheria’s own research indicates its membership is “primarily Yurok, with some original assignees also descendants of Tolowa/Tutuni and Wiyot peoples (Sundberg 2018).”

A Trinidad Rancheria Cultural Monitor was present during memorial lighthouse relocation activities that occurred last year and inspected both the Blufftop Site and the Harbor Site during the operation. According to the THPO of the Trinidad Rancheria no cultural resources were found in the project area during that time⁸.

Additionally, an archaeological investigation involving research, investigation of boring logs, and a pedestrian survey was conducted on the Blufftop Site in the spring and summer of 2018. As no additional excavation or construction is proposed at the Harbor Site under the follow-up application after issuance of the emergency permits, no further archaeological investigation has been conducted at the Harbor Site. The survey methodology in the July 2018 archaeological report describes the potential for archaeological resources to occur at the Blufftop Site as follows:

A background literature search for the project area indicates there is a generally high potential for Native American archaeological sites, isolated features and/or artifacts to be found in the Trinidad bluff area. It is likely that this small parcel on the edge of the terrace would have been within a high activity area where deposits... would be present. Because the landform was significantly cut in the late 1940s to construct the memorial lighthouse, it seems like a relatively low possibility that removal of the two concrete slabs will unearth archaeological material. The intact landform surrounding the parcel, however may hold the sort of materials mentioned above.

⁸ Letter dated July 27, 2018 from Rachel Sundberg, Tribal Programs Director/THPO to Patti Fleschner, Trinidad Civic Club.

No archaeological materials were encountered during the pedestrian survey of the Blufftop Site. As part of the archaeological investigation conducted by William Rich and Associates (WRA; [Appendix B](#)), WRA outreached to and met with representatives of the Trinidad Rancheria, Yurok Tribe, and Tsurai Ancestral Society.⁹ The archaeological report summarizes comments from tribal representatives, including support for removal of the concrete infrastructure from the Blufftop Site; confirmation of the Yurok Tribe's lead role in hand removal of infrastructure from the Blufftop Site; a request for the TAS to monitor any work at or near the Tsurai Village; and an emphasis on the cultural significance of the Trinidad area that transcends beyond the extent of archaeological resources.

Commission staff also outreached to tribal representatives most directly involved in the proposed project several times in 2018¹⁰. Additionally, on January 7, 2019 Commission staff circulated project information to all contacts included on the Native American Heritage Commission Tribal Consultation List provided in association with the subject project¹¹. While no written comments have been received to date, primary concerns raised during meetings held last year with the Tsurai Ancestral Society and Yurok Tribe representatives included an expressed desire to resolve matters associated with pending Appeal No. A-1-TRN-12-031¹²; a reaffirmation of the cultural significance of the site and surrounding area; and expressed desires for cultural monitors representing both Yurok Tribe and TAS to be present during any work conducted at the Blufftop Site.

As discussed in **Finding B** above, Appeal No. A-1-TRN-12-031 is not functionally related to any of the lighthouse removal and relocation activities proposed under the subject permit. Approval of this coastal development permit as conditioned does not constitute an endorsement or a predetermined recommendation about any outcome that may be considered as part of any future action associated with Appeal No. A-1-TRN-12-031.

Although the Trinidad Civic Club did not include in its proposal the use of any cultural monitor from the TAS during construction, in correspondence received via electronic mail on August 25, 2018, the Civic Club indicated it had no objection to a qualified cultural monitor stating in part the following:

⁹ Meetings with William Rich and tribal representatives include, but are not limited to the following: April 5, 2018 meeting with Trinidad Rancheria Tribal Historic Preservation Officer (THPO); May 15, 2018 telephone conversation with Tsurai Ancestral Society representative Sara Lindgren-Akana; June 13, 2018 meeting with Yurok THPO.

¹⁰ Meetings between Commission staff and tribal representatives include but are not limited to the following: January 25, 2018 with B. Merrill, T. Gedik, S. Lindgren (TAS), and R. Faust (Agent); February 1, 2018 with B. Merrill, T. Gedik, C. Saunders (Yurok), R. Nelson (Yurok), T. Vanlandingham (Yurok), R. Clayburn (Yurok), S. Lindgren (TAS), and R. Faust (Agent); March 15, 2018 with B. Merrill, T. Gedik, F. Meyers (Yurok), S. Lindgren (TAS), and R. Faust (Agent); April 13, 2018 with B. Merrill, T. Gedik, J. Hostler (Trinidad Rancheria), J. West (Civic Club), D. Hope (Civic Club), P. Fleschner (Civic Club), T. Parker (City), G. Simpson (Agent), and June 1, 2018 with T. Gedik, P. Fleschner (Civic Club) D. Hope (Civic Club), and J. Hostler (Trinidad Rancheria).

¹¹ Correspondence was sent January 7, 2019 to 7 federally-recognized and 1 non-federally-recognized ("NFR") tribal contacts, including: Bear River Band of Rohnerville Rancheria, Big Lagoon Rancheria, Blue Lake Rancheria, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Yurok Tribe of California, and Tsurai Ancestral Society (NFR)

¹² The landscaping, fencing, and terracing activities that are the subject of Appeal No. A-1-TRN-12-031 are not functionally related to any of the lighthouse removal and relocation activities proposed under the subject permit. For a summary of Appeal No. A-1-TRN-12-031 see [Appendix A](#).

If members of the [Tsurai] Ancestral Society have been trained and certified as qualified cultural monitors through a certifying authority such as the Yurok Tribe, then the Yurok Tribe's THPO can assign said person(s) to monitor the project, thus selecting both a qualified certified cultural monitor and a member of the TAS. The Trinidad Rancheria has stated that it supports the Yurok Tribe's THPO rights to cultural monitor selection and assignment.

The Trinidad Civic Club has no objection to certified cultural monitors from any interested tribe to be present, voluntarily, during site work at Trinidad Civic Club property on Edwards at Trinity Street.

The July 2018 “Archaeological Resources Report” contains recommendations for conducting work “under the observation of appropriate cultural monitors with expertise in cultural values of the Tsurai Village, including representatives from the Tsurai Ancestral Society, Trinidad Rancheria, and the Yurok Tribe.” [Special Condition 5A](#) requires the applicant to comply with all recommendations and mitigation measures contained in the archaeological report prepared by WRA. [Special Condition 5B](#) further requires the presence of archaeological monitors qualified by the California Office of Historic Preservation Standards and a minimum of 1 Native American monitor from each tribal entity with documented ancestral ties to the Trinidad and Tsurai Village areas shall be present to monitor all construction work.

Additionally, to ensure protection of any prehistoric cultural resources that may be discovered at the Blufftop Site during memorial lighthouse foundation and pavement demolition and disposal activities, the Commission attaches [Special Condition 5C](#). This condition incorporates recommendations for tribal notification and protocol provided by the Yurok Tribe that are included in the archaeological report, and further requires that if an area of prehistoric cultural deposits is discovered during the course of the project, all activity must cease and the discovery shall be immediately reported to the Yurok Tribal Historic Preservation Officer (THPO), Trinidad Rancheria THPO, and Tsurai Ancestral Society. [Special Condition 5C](#) also establishes procedures under which a qualified cultural resource specialist must analyze the significance of the find. To recommence activity following discovery of any cultural deposits determined to be significant, the applicant is required to submit a supplementary archaeological plan to identify proposed investigation and mitigation measures for the review and approval of the Executive Director to determine whether the changes are *de minimis* in nature and scope, or whether an amendment to this permit is required.

Placement of TML

The Trinidad Memorial Lighthouse has been situated approximately 270 feet north of Trinidad Head and in between the harbor parking areas, as seen in [Exhibits 3](#) and [4](#). Trinidad Head is part of a culturally-significant sense of place for the Yurok and Tsurai. Both the Tsurai Management Plan and the archaeological report prepared for the proposed project (WRA 2018; [Appendix B](#)) indicate that both the Tsurai village and Trinidad Head are recognized as sacred sites as well as areas of archaeological and cultural significance. According to the Tsurai Management Plan, “Tsurai Village, Trinidad Head, the sea stacks, and other landscape features within the Trinidad viewshed are components of the Yurok cultural landscape embedded with deep cultural, historical, and spiritual significance to Yurok people.” The archaeological report prepared for the proposed project additionally describes steatite (“soapstone”) quarries, surf-fish drying rocks,

and places for gathering bulbs and herbs as other Yurok cultural places (Lindgren III 2007 in WRA 2018).

The location in the harbor where the TML was moved is within view of Trinidad Head and within the general Trinidad view shed. The temporary placement of the memorial lighthouse in this location occurred during an emergency that required immediate relocation of the memorial lighthouse infrastructure to avoid adversely impacting cultural resources that could have occurred if a landslide dislodged the lighthouse onto the lands of the Tsurai village situated downslope of the Blufftop Site. Limited options were available for relocating the lighthouse in the moment of its imminent threat. As indicated previously, the current request is to temporarily retain the Trinidad Memorial Lighthouse (TML) at its current location within Trinidad Harbor for a period not to exceed 4 years, and during which time site planning and permitting will be pursued for a permanent TML location.

As part of any subsequent application to permanently place the lighthouse within the coastal zone, the Commission's regulations require that an application shall include, among other things, an analysis of "any feasible alternatives or any feasible mitigation measures available which would substantially lessen any significant adverse impact which the development may have on the environment."¹³ In March of 2018, the applicant invited the public to a meeting to discuss the future of the TML and conducted a poll of the participants regarding preferences for a permanent location. The applicant has provided the results of the poll together with commentary regarding attributes and limitations of the various sites. Although this information can help inform the alternatives analysis required by [Special Condition 8A](#), the subsequent permit application will need to more comprehensively address the impacts of alternatives on the environment and the feasibility of the alternatives. Such analysis will be required to provide the information necessary for the Commission to evaluate the proposed permanent location of the TML for conformance with the Coastal Act. Therefore, the Commission attaches as [Special Condition 8A](#) a requirement that prior to the expiration of the authorization period, the permittee shall submit a complete follow-up CDP application for any development proposed to be sited within the coastal zone that includes an analysis of feasible alternative locations for the memorial lighthouse. As part of this analysis, any impacts of permanently locating the TML at each of the alternative locations can be evaluated, and the Commission will use this information in its review of the required coastal development permit for conformance with the Coastal Act.

Therefore, the Commission finds that, as conditioned, the proposed project is consistent with Coastal Act Section 30244, as the authorized development includes reasonable mitigation measures to ensure that the memorial lighthouse relocation and infrastructure removal will not result in significant adverse impacts to archaeological resources.

G. HAZARDS

Section 30253 of the Coastal Act states, in pertinent part, that new development shall:

- (a) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

¹³ Title 14, California Code of Regulations Section 13053.5

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30253 requires in part that new development minimize risk to life and property in areas of high geologic and flood hazards, assure structural integrity and stability, and neither create nor contribute significantly to erosion. The project entails development in areas subject to significant exposure to geologic and flood hazards including strong earthquake shaking, liquefaction, erosion, and tsunami inundation.

As discussed above, the relocation of the Trinidad Memorial Lighthouse and Bell (“TML”) was conducted in January 2018 under emergency permits issued by the City of Trinidad¹⁴ and the Coastal Commission¹⁵, after an encroaching landslide reached the edge of the lighthouse memorial slab, posing a threat to the existing structures and threatening damage to nearby sensitive cultural resources. Several geologic reports have been prepared, especially in the past two years for the area surrounding the Civic Club parcel. Geologic assessments of this area characterize the presence of a narrow ridge upon which the Axel Lindgren Memorial Trail descends the bluff, bordered on both sides by large active landslides that encompass the entire bluff face. These landslides are enlarging. The applicant’s consulting geologist has indicated that “the planned demolition/removal activities described herein are not associated with significant potential to impact erosion or landslide potential. These proposed activities will not result in changes to the finished ground surface (that is, there will be no grade changes), changes to drainage patterns on the site, or modification of conditions that may impact the adjacent landslides.”

Further, the memorial lighthouse and bell have been relocated to Trinidad Harbor (The Harbor Site) to an area that is not subject to bluff retreat. The area is situated between the base of a driveway leading uphill to a residence and the edge of the harbor parking lot ([Exhibit 4](#)), approximately 460 feet east and landward of the Pacific Ocean shoreline. The lighthouse is situated approximately 4 feet higher than the surrounding parking area, on an elevated pad of sand underlain by asphalt and situated at approximately 33 feet above sea level. Given this elevation, the memorial lighthouse location would likely not be subject to storm surges. If the region were to suffer a major seismic event, a local tsunami could hit the shorelines surrounding Trinidad within minutes with tsunami run-up on the Harbor Site. However, the temporary placement of the lighthouse infrastructure within the harbor area minimizes risk to life and property because it is located amongst fishing equipment, boating trailers, bathroom facilities and other infrastructure that currently exist within the harbor area.

The project as conditioned will not eliminate all risk to life and property from geologic and flood hazards. Therefore, the Commission attaches [Special Condition 6](#), which requires the Civic Club to assume the risks of flooding and geologic hazards to the property and waive any claim of liability on the part of the Commission. Given that the permittee has chosen to implement the project despite tsunami inundation and geologic risks, the permittee must assume the risks.

¹⁴ City of Trinidad Emergency Permit No. 2017-06E issued December 11, 2017 with addendum issued December 21 for the Blufftop Site

¹⁵ Coastal Commission Emergency Permit No. G-D-18-0001 issued January 8, 2018 for the Harbor Site

Special Condition 6 notifies the permittee that the Commission is not liable for damage as a result of approving the permit for development. The condition also requires the permittee to indemnify the Commission in the event that third parties bring an action against the Commission as a result of the failure of the development to withstand the hazards.

The proposed relocation of the TML off of the blufftop to a location within the harbor for up to 4 years was undertaken in response to the threat of geologic hazards to minimize risks to life and property. As discussed above, the project as conditioned will not eliminate all risk to life and property from geologic and flood hazards. However, all feasible mitigation measures necessary to minimize the flood and geologic risks have been incorporated into the project as conditioned. Therefore, the Commission finds that the proposed project, as conditioned, will minimize risk to life and property from hazards, consistent with Section 30253 of the Coastal Act.

H. PROTECTION OF COASTAL WATERS

Section 30230 of the Coastal Act states the following:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states the following (emphasis added):

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 effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

An approximately 2-mile-long area surrounding Trinidad Head and including Trinidad Bay is designated as an Area of Special Biological Significance (ASBS) due to the presence of extensive kelp forests, and as such the State Water Board strictly prohibits discharges of waste. The Trinidad Head watershed is also identified by the Statewide Critical Coastal Areas Committee¹⁶ as one of California's Critical Coastal Areas in recognition of its designation as an ASBS. Current and former water quality risks to the Trinidad Head ASBS include potential bacteria, nutrients, and sediment from urban runoff, septic systems, and fish cleaning stations, among others.

¹⁶ The Statewide Critical Coastal Areas Committee consists of representatives from 15 state agencies, and also includes National Ocean Atmospheric Administration, the U.S. Environmental Protection Agency, and the Ocean Conservancy.

The proposed project involves ground disturbance in those areas where demolition and removal of concrete infrastructure from the Blufftop Site will occur. Removal of concrete infrastructure and replacement with engineered backfill and topsoil will also involve the movement of soil, concrete, and other fill to and from the site, which could increase the risk of sedimentation delivery to open coastal waters located downslope of the project site. Storm water runoff and construction-related debris from these project developments can adversely affect the biological productivity of coastal waters by degrading water quality.

TCC proposes using only hand tools for all demolition and removal activities. To control any potential risk of erosion, TCC proposes covering disturbed areas with a final layer of organic topsoil and reseeded using native beach strawberry, placing straw on disturbed soil areas until vegetation establishes, and installing straw wattles around the perimeter of the site at the slope break. The Civic Club also proposes to dispose of all hardscape outside the coastal zone, at the GRS Construction Yard on Boyd Road in Arcata.

As part of its initial application, the applicant proposed the possible use of a concrete saw to cut through the concrete infrastructure on site. Significant amounts of water are typically applied to the cut location during the operation of a concrete saw, generating wastewater runoff. The applicant indicates that current industrial standards suggest that all wastewater runoff be maintained such that it infiltrates on the site. As described above, Trinidad Bay is designated as an Area of Special Biological Significance, and as such the State Water Board strictly prohibits discharges of waste into Trinidad Bay. In response to inquiries raised by Commission staff, the applicant indicated that it was not yet known whether a contractor would use a concrete saw at the site but if they did, “a saw with a built-in vacuum system to capture wastewater will be required. These vacuum systems essentially eliminate wastewater during use of the saw.” To ensure that all debris generated by project activities is disposed of offsite at an upland disposal site where such materials may be lawfully disposed, [Special Condition 2](#) requires submittal of a revised debris disposal plan prior to issuance of the coastal development permit. The plan shall be revised to specify disposal sites for all debris including the wastewater and other waste materials generated from any use of a concrete saw.

To further minimize temporary construction impacts to the biological productivity and quality of nearby coastal waters, the Commission imposes [Special Condition 4](#). Special Condition 4 requires that in addition to the proposed BMPs, the permittee employ a suite of additional BMPs during the construction of the project, including, but not limited to: (a) performance of all ground disturbing activities during dry-weather periods only; (b) seeding of bare soils upon completion of construction activities and prior to the onset of rainfall; (c) use of only weed-free straw to cover bare ground areas; and (d) installation of fiber rolls and silt fencing as proposed prior to, and maintained throughout, the construction period.

As conditioned in the manner discussed above, the Commission finds that the proposed development will maintain marine resources, and sustain the biological productivity and quality of coastal waters consistent with Sections 30230 and 30231 of the Coastal Act.

I. VISUAL RESOURCES

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposed project involves the yet to be performed removal of portions of paved walkways and concrete foundations that once supported the memorial lighthouse and bell, at the Blufftop Site, as well as the follow-up request for authorization to retain the lighthouse within Trinidad Harbor for four years after the memorial lighthouse and bell were relocated to the harbor in January 2018 under emergency permits issued by the City¹⁷ and the Coastal Commission¹⁸. The proposed removal of concrete foundations and walkways from the Blufftop Site using only hand tools, re-contouring of the site to match natural landforms, and re-vegetation of disturbed soil using native species will restore a more natural-looking appearance to the site that will be visually compatible with the character of the surrounding bluff area, consistent with Section 30251.

The memorial lighthouse and bell have been relocated to Trinidad Harbor (The Harbor Site), in an area situated between the base of a driveway leading uphill to a residence and the edge of the harbor parking lot ([Exhibit 4](#)). The placement of the lighthouse and memorial bell in this location within the harbor does not obstruct views to and along the ocean. The relocation site previously consisted of a mound of sand covered by non-native invasive iceplant (*Carpobrotus edulis*) underlain by asphalt. Prior to placement of the memorial lighthouse and bell, approximately 20 to 30 cubic yards of iceplant and sand were excavated using heavy equipment to create a level pad approximately 15 feet long by 15 feet wide. Material was excavated only to the minimum needed to accommodate the lighthouse and memorial bell structures. Excavated material was disposed of by the Trinidad Rancheria in an upland location on Rancheria trust land. As constructed, the temporary placement of the lighthouse and bell at this location minimized the alteration of landforms consistent with Section 30251.

Trinidad Harbor is a working harbor that is often filled with fishing equipment, boat trailers, and public parking in support of coastal recreational uses. In its findings for approval of Design Review and Grading Permit No. 2018-06 described in [Finding D](#) (“Other Agency Approvals”) above, the City Planning Commission further found that “the TML is intended to be a visual attraction and enhance the seaside character of the Trinidad Harbor.” Lighthouses are structures designed to promote vessel safety and are sometimes found in close proximity to harbors. The

¹⁷ City of Trinidad Emergency Permit No. 2017-06E issued December 11, 2017 with addendum issued December 21 for the Blufftop Site

¹⁸ Coastal Commission Emergency Permit No. G-D-18-0001 issued January 8, 2018 for the Harbor Site

placement of the Trinidad Memorial Lighthouse and the memorial bell at the Harbor Site and the temporary retention of these structures at the harbor for up to four years is thus visually compatible with the character of the harbor area.

Therefore, the Commission finds that the project as proposed is consistent with Section 30251 of the Coastal Act.

J. PROTECTION OF COMMERCIAL FISHING & RECREATIONAL FACILITIES

Section 30234 of the Coastal Act states, in applicable part:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

As described above, Trinidad Harbor is a working harbor that is often filled with fishing equipment, boat trailers, and public parking in support of coastal recreational uses. There are numerous coastal recreational and visitor-serving amenities within Trinidad Harbor, including the 540-ft.-long Trinidad Pier, the Seascapes Restaurant, a motorized boat launching hoist, and a gift and tackle shop. During peak fishing seasons such as the commercial harvesting season for Dungeness crab, crab pots and other fishing gear dominate the lower parking areas within the harbor. The memorial lighthouse and bell have been placed on a mound of ice plant-covered sand within a portion of the harbor that has not been utilized for parking or staging of fishing equipment.

Therefore, the Commission finds that the project as proposed does not reduce existing commercial fishing and recreational boating harbor space and does not interfere with the needs of the commercial fishing industry, consistent with Coastal Act Section 30234.

K. PUBLIC ACCESS AND RECREATION

Coastal Act Sections 30210, 30211, 30212, and 30214 protect public access and recreation. In particular, Section 30210 of the Coastal Act states, in applicable part:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states, in applicable part:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to,

the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in applicable part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby

Section 30214 of the Coastal Act states, in applicable part:

The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case...

In applying Sections 30210, 30211, 30212, and 30214, the Commission is limited by the need to show that any denial of a permit application based on these sections or any decision to grant a permit subject to special conditions requiring public access is necessary to avoid or offset a project's adverse impact on existing or potential access.

As described above, the City of Trinidad features numerous public beaches and trails, trails along Trinidad Head, and recreational boating and other visitor-serving opportunities within Trinidad Harbor. Trinidad Harbor also provides both commercial and recreational boating access opportunities including boat launching and berthing for commercial vessels and recreational boats. The project will not adversely affect public access. The placement and temporary retention of the memorial lighthouse and bell at the proposed location within Trinidad Harbor does not displace any existing public access facilities, and does not interfere with the public's ability to access any of the recreational opportunities within and surrounding Trinidad Harbor. As discussed above, the proposed location had been an ice plant covered sand dune. Although the driveway and parking lot adjoining either side of the Lighthouse site are used by public access users, there are no trails or other evidence of public access use of the proposed location of the lighthouse itself for public access. Furthermore, removal of the concrete slabs from the Blufftop Site will not impact the Axel Lindgren Memorial Trail.

Therefore, the Commission finds the proposed development is consistent with the requirements of Coastal Act Sections 30210, 30211, 30212, and 30214.

L. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Section 30240(b) of the Coastal Act requires that environmentally sensitive habitat areas (ESHAs) be protected against any significant disruption of habitat values potentially resulting from adjacent development. Section 30240(b) of the Coastal Act states, in applicable part, the following:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which

would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The Blufftop Site does not contain any known environmentally sensitive habitat. However, the site is located less than one-quarter mile from Trinidad Beach and Trinidad State Beach as well as adjacent to a coastal bluff face that extends down to a sandy beach and Trinidad Bay. Several rare species and habitats are known to occur within and around the project vicinity, such as Sitka Spruce (*Picea sitchensis*) Forest, coastal streams with sensitive riparian habitat that support threatened salmonids, coastal bluff habitat that supports Humboldt mountain beaver (*Aplodontia rufa humboldtiana*), and wetland and riparian habitats that support Pacific tailed frog (*Ascaphus truei*).

The Commission finds that the park and recreation area and sensitive habitats near the project site could be adversely affected if nonnative, invasive plant species were introduced in any landscaping of the subject site. If any such landscaping were to include introduced invasive exotic plant species, the weedy landscaping plants could colonize (e.g., via wind or wildlife dispersal) the nearby ESHA over time and displace native vegetation, thereby disrupting the functions and values of the ESHA. Though the applicant has not proposed any landscaping as part of the project, the Commission attaches [Special Condition 4B\(ii\)](#) to ensure that only native and/or non-invasive plant species are planted on the subject property. As conditioned, the proposed project will ensure that the ESHA near the site is not significantly degraded by any future landscaping that would contain invasive exotic species.

In addition, the Commission notes that certain rodenticides, particularly those utilizing blood anticoagulant compounds such as brodifacoum, bromadiolone and diphacinone, have been found to pose significant primary and secondary risks to non-target wildlife present in urban and urban/wildland interface areas. As these target species are preyed upon by raptors or other environmentally sensitive predators and scavengers, the pest control compounds can bio-accumulate in the animals that have consumed the rodents to concentrations toxic to the ingesting non-target species. In addition, a sensitive species of rodent (Humboldt mountain beaver) is known to occur in the coastal bluff habitat south of the Blufftop Site, and individual mountain beavers could be adversely affected by the use of rodenticides on the site. To avoid these potential impacts to environmentally sensitive wildlife species, [Special Condition 7](#) contains a prohibition on the use of such anticoagulant-based rodenticides.

With the mitigation measures discussed above, which are designed to minimize any potential impacts to the adjacent ESHA, the project as conditioned will not significantly degrade adjacent ESHA or adjacent parks and recreation areas and will be compatible with the continuance of the habitat areas and park and recreation area. Therefore, the Commission finds that the project as conditioned is consistent with Section 30240(b) of the Coastal Act.

M. LOCAL COASTAL PROGRAM CERTIFICATION

Section 30604(a) of the Coastal Act states in part that prior to certification of a local coastal program (LCP), a CDP shall be issued only if the issuing agency finds that the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act, and the permitted development will not prejudice the ability of the local government to prepare a LCP that is in conformity with the provisions of Chapter 3.

As described above, the portion of the project area described as the Harbor Site above (along with additional lands between Trinidad Head and Edward Street), is located in an area that lacks a certified LCP (Area of Deferred Certification or ADC). This ADC was created on May 2, 1978, as part of an approximately 43-acre Special Study Area (including an adjacent 33-acre water area in Trinidad Bay) that was outside of City limits at the time Trinidad's Land Use Plan was certified by the Commission. The area was also not included as part of the certified LCP for Humboldt County.

As discussed in the findings above, the proposed development is consistent with Chapter 3 of the Coastal Act. If the pending fee-to-trust transfer is not completed by the Rancheria and the City continues to proceed with preparation of an LCP for this area, approval of the subject project will not prejudice the ability of the City of Trinidad to prepare an LCP for this area that is in conformity with the provisions of Chapter 3.

N. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City of Trinidad is the lead agency for purposes of CEQA. On December 19, 2017, the City filed a determination for relocation of the memorial lighthouse and memorial bell from at the Blufftop Site as statutorily exempt from environmental review pursuant to Section 15269(c) (exempting specific actions necessary to prevent or mitigate an emergency). As part of its Design Review and Grading Permit No. 2018-06, on July 2, 2018 the City found additional work at the Blufftop Site and the Harbor Site to be categorically exempt from environmental review pursuant to Sections 15301 and 15304 of the CEQA guidelines.

Section 13906 of the Commission's administrative regulations requires Coastal Commission approval of coastal development permit applications to be supported by a finding showing the application, as modified by any conditions of approval, is consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are any feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect the proposed development may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. No public comments regarding potential significant adverse environmental effects of the project were received by the Coastal Commission prior to preparation of the staff report. As discussed above, the proposed project has been conditioned to be consistent with the policies of the Coastal Act. As specifically discussed in these above findings, which are hereby incorporated by reference, mitigation measures that will minimize or avoid all significant adverse environmental impacts have been required. As conditioned, there are no other feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act to conform to CEQA.



Cher-Ae Heights Indian Community of the Trinidad Rancheria



January 6, 2023

John Ainsworth,
Executive Director
California Coastal Commission
455 Market Street, Suite 3300
San Francisco, CA 94105

EXHIBIT NO. 8

**CDP AMENDMENT APPLICATION
NO. 1-18-0630-A1
(Trinidad Civic Club and Trinidad
Rancheria)**

**Correspondence from Tribal
Representatives through
January 25, 2023**

Dear Mr. John Ainsworth,

We appreciated meeting with you in the Government-to-Government Consultation meeting on November 4, 2022, regarding our Coastal Development Co-Application (CDP) for the Trinidad Memorial Lighthouse. As you know, we highlighted our concerns about the equal treatment of Tribes and the recognition of the Trinidad Rancheria's connection to ancestral territory, particularly the Trinidad Harbor Properties and surrounding cultural sites.

As we reiterated in the November 4th meeting, the Trinidad Harbor Properties include significant cultural resources for the Trinidad Rancheria and the Yurok People, in addition to the working waterfront, parking area and community amenities. We have constantly been working to improve and protect these natural and cultural resources. We have conducted cultural resource investigations and have ensured there were cultural monitors on site anytime there has been soil disturbance as part of our projects. We are pursuing communication with the Yurok Tribe and Tsurai Ancestral Society to find solutions that will further ensure protection of the Tsurai Village, Trinidad Head, and Gallendo Trail.

The letter from the Yurok Tribe dated, April 19, 2022 requesting Government-to-Government Consultation regarding the CDP for the Trinidad Memorial Lighthouse Permanent Relocation asserts that the Yurok Tribe alone has jurisdiction over tribal cultural properties in and around Trinidad Harbor, and that the Trinidad Rancheria, whose reservation lands are located adjacent to the Harbor has no jurisdiction. It also asserts that the placement of the Trinidad Memorial Lighthouse affects the sacred sites surrounding the Trinidad Harbor. As stated numerous times, the Yurok Tribes' claim of sole jurisdiction over ancestral territory of the Historic Yurok People and villages is not appropriate or correct and is in conflict with all Federally Recognized Tribes having equal standing.

In our materials and power point presentation as previously shared and included in this packet, it clearly shows that the Trinidad Memorial Lighthouse Placement does not impact Trinidad Head, the Tsurai Village, or potential burial sites.



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www.trinidadrancheria.com

We have completed a cultural resources investigation for the Harbor Properties for previous projects, which is included in our CDP Application, as well as the Initial Environmental Assessment (and amendments based on comments) for this project and lastly, our own Tribal Historic Preservation Officer has concluded that there are no impacts to cultural resources. See letter in attachments. Trinidad Rancheria is a historic tribe with strong ties to cultural/natural resources and through our demonstrated efforts at Trinidad Harbor over the last two decades have fought to protect these resources.

We must reiterate that Trinidad Rancheria is a federally recognized tribe and has a sovereign right to self-determination and economic development to operate the Harbor Properties as a working waterfront. The Trinidad Memorial Lighthouse project is a memorial dedicated to honor those lost at sea and will be part of the working waterfront properties.

We look forward to finalizing this permit and again thank you for your time as well as your staff's time to review this project and work with the Tribe and the Civic Club to resolve our concerns and move this project forward.

Sincerely,



Garth Sundberg
Tribal Chairman
Trinidad Rancheria

Cc: Shana Gray, Tamara Gedick, Doyle Coyne, Civic Club Leadership



Cher-Ae Heights Indian Community of the Trinidad Rancheria



September 1, 2022

John Ainsworth
Executive Director
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105

Subject: Trinidad Rancheria Request for Government-to-Government Meeting

Dear Mr. Ainsworth,

On behalf of the Cher-Ae Heights Indian Community of the Trinidad Rancheria (“Trinidad Rancheria” or “Tribe”), I am requesting a government-to-government meeting with you, to discuss issues related to the Tribe, Trinidad Harbor, and the need for the California Coastal Commission (“Commission”) to ensure equal treatment of federally recognized tribes. While we are most immediately concerned about the Commission’s review of the Tribe’s pending application to permanently locate the Trinidad Memorial Lighthouse (“Memorial Lighthouse”) on the Tribe’s Trinidad Harbor properties, we are also concerned about the apparent reluctance of Commission’s local staff to recognize the Trinidad Rancheria’s affiliation with our ancestral territory.

The Trinidad Rancheria is a federally recognized tribe located within the “North Coast” region of California, which is home to no less than 12 federally recognized Indian tribes. The Trinidad Rancheria, like the Yurok Tribe, the Resighini Rancheria, and the Big Lagoon Rancheria, is a federally recognized Indian tribe descended from the historic Yurok people (“Yurok People”).¹ Although the Trinidad Rancheria—like the Yurok Tribe and most other tribes in California—has ancestral ties with several Native peoples, the Trinidad Rancheria’s members are primarily Yurok People and our ancestral territory is that of the Yurok People.² Our reservation lands, acquired by the United States in 1908 for the benefit of the Trinidad Band (now the Cher-Ae Heights Indian Community of the Trinidad Rancheria), are located less than a mile from Trinidad Harbor. Our

¹ Section 11(b) of the Hoopa-Yurok Settlement Act (Public Law 100-580) provided the Trinidad Rancheria and other Tribes of Yurok origin the option to merge with the Yurok Tribe, and the Senate Report accompanying the Act clarified Congress’s recognition of our Yurok origin. *See* S. Rept. 100-564, Partitioning Certain Reservation Lands Between the Hoopa Valley Tribe and the Yurok Indians to Clarify the Use of Tribal Timber Proceeds and for other purposes, 100 Cong. 2d Sess. (“Senate Report”) at 29. A copy of the Senate Report is linked [here](#).

² Note that the Senate Report at 25-26.

Tribe purchased the Harbor properties in the year 2000 and made a commitment to improve the property and address environmental issues when the Tribe purchased the property.

The Trinidad Rancheria has made substantial investments to undertake significant projects to protect the environment, and specifically the "Area of Special Biological Significance" located in Trinidad Harbor. The Trinidad Rancheria has addressed non-point source pollution issues in a number of substantial projects since purchasing the property in the year 2000. Those projects include cleanup of the abandoned septic tanks and existing septic tanks by installing a state of the art wastewater treatment plant and public restrooms; mitigation of the creosote pilings of the previous pier with a complete pier replacement, mitigation of storm water runoff from the pier, and mitigation of storm water runoff from the asphalt parking lot through storm water projects. We have done this work while also improving services to better enable the public to enjoy and access Trinidad Harbor and adjacent beaches through continued pier operations for the commercial crab fleet and the charter boat operation, and maintenance of public accommodations such as public parking, a boat launch, bait shop, and public restrooms. This area is also a significant cultural resource for the Trinidad Rancheria, and we have consistently protected cultural resources in this area, including Trinidad Head, by conducting a comprehensive cultural resources analysis and insisting on cultural monitors anytime there has been any soil disturbance within the Tribe's property or the surrounding properties owned by the City and the BLM.

The Yurok Tribe has engaged in a longstanding assault on the rights of the Trinidad Rancheria related to natural or cultural resources within our shared ancestral territory. In particular, the Yurok Tribe asserts hegemony over the entire shared ancestral territory of the Yurok People, which includes the lands of the three other tribes of historic Yurok origin, and conflates the ancestral territory of the Yurok People with the territory of the Yurok Tribe. Over the past number of years the Yurok Tribe has engaged in a relentless offensive to undermine the Trinidad Rancheria's efforts to exercise our basic sovereign rights related to portions of our shared ancestral territory on lands very close to the Trinidad Rancheria's reservation lands, and they have interfered with our efforts to work with local, state, and federal governments related to matters on shared ancestral lands. For example, the Yurok Tribe has made the specious argument, soundly rejected by federal and state agencies and the federal courts, that Trinidad Rancheria is a "non-historic tribe" and that all land surrounding the Trinidad Rancheria is within the territory of the Yurok Tribe,³ and that our Yurok ancestry was somehow terminated by the Hoopa-Yurok Settlement Act.⁴ Based on these baseless arguments, the Yurok Tribe opposed an amendment to a California Fish and Game Commission regulation that identified the Trinidad Rancheria as a Tribe that historically engaged in traditional fishing and gathering on a regulated site (Reading Rock). This was an effort to deprive the Trinidad Rancheria and our members of the right to continue engaging in such

³ In considering the assertion that some tribes are historic and some are "created," the United States Court of Appeals for the Ninth Circuit recently held: "No tribunal has accepted this argument . . . [t]he distinction . . . between historic tribes and other tribal entities organized under the IRA is without basis in federal law." *Jamul Action Comm. v. Simermeyer*, 974 F.3d 984, 988–989 (9th Cir. 2020).

⁴ This argument was rejected by legal counsel for the California Fish and Game Commission and its legal counsel. See Memorandum of Michael Yaun, enclosed as Attachment 1.

traditional and customary activities, and it was rejected by the Fish and Game Commission, which adopted the amendment. *See* Section 632(b), Title 14 California Code of Regulations.

For more than ten years, the Yurok Tribe has also prevented the City of Trinidad and the California State Coastal Conservancy from engaging with the Trinidad Rancheria on the management of City-owned land on which the Tsurai Village site is located, despite the Trinidad Rancheria's affiliation with the site. The Trinidad Rancheria has a vital historic and cultural connection to the Tsurai Village site, which is also recognized in the City's General Plan.⁵ In addition, it is significant that the Trinidad Rancheria was acquired by the United States in 1908 for the benefit of the Trinidad Band (now the Cher-Ae Heights Indian Community of the Trinidad Rancheria), and some members of the Trinidad Rancheria are directly descended from those who lived in Tsurai (Cheurey) Village.⁶ Management of the land on which Tsurai Village was located is the subject of pending litigation involving the City of Trinidad, the Trinidad Rancheria, the Tsurai Ancestral Society, the California State Coastal Conservancy, and the California Coastal Commission.⁷

The Yurok Tribe's position regarding the shared ancestral territory was summed up by a Yurok Tribal Council Member, who stated that the Yurok Tribal Council has a constitutional mandate to acquire all ancestral lands of the Yurok People, and another "constitutional mandate is to protect our ancestral territory from foreign government, and whether the Rancherias like it or not they are not the Yurok Nation therefore they are considered a foreign government in our lands, that's why we oppose any fee to trust that the Rancherias attempt."⁸ The goal of the Yurok Tribe, as stated to members of the Trinidad Rancheria Tribal Council, is to force the Trinidad Rancheria out of Trinidad Harbor.

The Trinidad Rancheria is a co-applicant with the Trinidad Civic Club on a project to permanently relocate the Trinidad Memorial Lighthouse to the Tribe's Harbor Properties, which was submitted on January 14, 2022. This project was approved by the City of Trinidad's Planning Commission

⁵ *See* the City's General Plan Policy 69, which requires the consent of the Trinidad Rancheria for activities affecting the Tsurai Study Area; *see also* the City's Position Paper on Ownership and Management of the Tsurai Study Area (Position Paper). Enclosed with this letter as Attachments 2 and 3 are an excerpt from the City's General Plan setting out Policy 69 and a copy of the City's Position Paper, respectively.

⁶ *See* Department of the Interior Report of the Commissioner of Indian Affairs to the Secretary of the Interior for the fiscal year ended June 30, 1915. (Washington: Government Printing Office 1915). <http://images.library.wisc.edu/History/EFacs/CommRep/AnnRep1517/reference/history.annrep1517.i0001.pdf>. Table 30 of this 1915 report describes the lands purchased for Indians in California to June 30, 1915, and for each acquired parcel, this table sets out the band, the county, the number of Indians, the acres, and the amount paid. With regard to the Trinidad Rancheria, Table 30 of this report indicates that 60 acres were purchased in Humboldt County for the Trinidad Band, which included 43 Indians, and that the purchase price was \$1,198.90. Relevant pages of this report are enclosed with this letter as Attachment .

⁷ *City of Trinidad v. Tsurai Ancestral Society et al.*, DR 180684. Notably, the Yurok Tribe successfully moved to be dismissed from the City's lawsuit.

⁸ Toby Vanlandingham, a Yurok Tribal Council Member, posted this statement on social media May 2019, which is substantially similar to comments Yurok Tribal leaders and officials have stated in direct conversations with Trinidad Rancheria tribal leaders and officials.

and the application for a coastal development permit is pending with the Commission's Northcoast Regional Office.

As background, the Civic Club initially constructed the Memorial Lighthouse, which is a replica of the Trinidad Lighthouse in 1949 on the bluffs overlooking the harbor for the preservation of maritime aids to navigation from the U.S. Coast Guard. Later, it was established as a memorial to those lost or buried at sea, and with the engraved names it continues to hold significant meaning for the families and those who continue to fish these waters. In 2017, it was determined that the Memorial Lighthouse was subject to imminent threat from an active landslide on adjacent City property. The City of Trinidad initially issued an Emergency CDP (#2017-06E) to relocate the structure approximately 20 ft. to the northeast, which was determined to be outside of any immediate risk. However, after sod was removed and the concrete slab poured, significant protests were initiated due to potential cultural resource impacts. In an effort to accommodate the needs of the historic Memorial Lighthouse while also protecting tribal cultural resources, the Trinidad Rancheria offered to allow the Memorial Lighthouse to be placed temporarily in the Trinidad Harbor parking area. The Commission approved coastal development permit 1-18-0630 for this purpose, and the Memorial Lighthouse was moved to the Tribe's property on January 10, 2018.

The Civic Club and the Trinidad Rancheria undertook a thorough and public consultation process to identify the most appropriate permanent location for the Memorial Lighthouse, during which numerous potential sites were considered. In order to determine which location the Yurok Tribe, the Trinidad Rancheria, and the community would support, the Civic Club formed a Site Selection Advisory Committee with four representatives from the Yurok Tribe, three from the Trinidad Rancheria and three from the Civic Club. A Public Meeting was held on February 27, 2018 to consider six sites suggested to the Club by community members. Proponents of the various sites gave presentations with information about the sites while photographs of the sites were shown. The attendees and committee members were introduced to seven site-selection criteria to consider in their evaluations of these sites, and public and committee comments were considered during the meeting. Additionally, a public input forum was provided for those who could not attend the meeting. The Harbor location received the most favorable comments, and was the only one that met all seven criteria and received no "culturally sensitive" comments on the charts. Yurok tribal representatives adamantly opposed two sites (Trinidad Head and the intersection of Trinity & Edwards Streets) and both were eliminated from consideration, but they did not object to the Harbor location. After the Civic Club members approved the Harbor location, an engineer was hired and plans developed for relocation of the monument in the Harbor. It took four years to finalize the plans and raise funds. It was not until the permit applications were submitted to the City that the Yurok Tribe changed its position and opposed the Harbor location.

It was determined it would be most appropriate to locate the memorial in its current location, which the City Planning Commission found to be consistent with the City's Zoning Ordinance, Grading Ordinance, General Plan and other policies and regulations. The application pending before the Commission proposes to improve the current temporary site that houses the memorial to become

a permanent fixed location, with a concrete foundation raising the memorial approximately seven feet above its current foundation, the installation of concrete pavers, a retaining wall, and pedestrian walkways. The planning process for the project included and evaluated a number of factors.

The City Planning Commission prepared a comprehensive staff report and a supplemental staff report based on 819 pages of documents submitted to the City, which included numerous reports and related documents, including an engineering report prepared by Joshua McKnight, Trinity Valley Consulting Engineers (TVCE) and an initial impact assessment prepared by Trenton Wilson of Analytical Environmental Services (AES).⁹ As noted above, on January 14, 2022 the Tribe and the Civic Club submitted the permit application to the Coastal Commission. In response to the nearly 1,000-page Coastal Commission application submitted by the Trinidad Rancheria and the Civic Club, the Commission's local staff requested, in a letter dated February 11, 2022, significant additional documentation and information. On June 2, 2022, we submitted extensive responses to the Commission's requests.¹⁰

⁹ The application packet submitted to the City included, among other documents, the following:

- *Memorial Lighthouse Relocation Plans* (including renderings of the Lighthouse): TVCE
- *R2 Soil Report: Preliminary Site Evaluation*: TVCE
- *Cultural Report on Temporary Site Construction*: Rachel Sundberg, Trinidad Rancheria
- *Initial Impact Assessment of the Trinidad Memorial Lighthouse Project*: AES
- *Site Search Summary*: Trinidad Civic Club Leadership
- *Public Meeting* 84-page pdf documentation of meeting: Civic Club
- *Lighthouse in Limbo* PowerPoint slides of Public Meeting presentation: Civic Club
- *Memorandum of Understanding Between the Cher-Ae Heights Indian Community of the Trinidad Rancheria, the Trinidad Civic Club, the Yurok Tribe and the Tsurai Ancestral Society Regarding the Removal of the Trinidad Memorial Lighthouse from the Civic Club Property* dated January 7, 2018
- *Friends of the Memorial Lighthouse* pdf documenting donors: Civic Club
- *Viewshed Cultural Concerns Regarding Views of the Memorial Lighthouse From Trinidad Head*: Civic Club. Photographic evidence demonstrates that the Lighthouse is only viewable on 10% of the roads/trail on the Head—only 7% if 2 views through trees are not counted.
- *Views Without the Memorial Lighthouse on Trinidad Head*: Civic Club (a photographic survey demonstrating that the Memorial Lighthouse is not visible from most of Trinidad Head)
- *Analysis Addressing Height Concerns*: Civic Club
- *Comment Letter Regarding Visual TCRs and TML Relocation*: AES

¹⁰ The additional documents and information requested by the Coastal Commission and submitted by the co-applicants included, among other things, the following:

- Clarification of Fee to Trust Transfer
- Expanded list of interested persons and Envelopes (136 supporters for 97 envelopes, 13 interested persons from Emergency CDP and 29 outreach contacts for a total of 139 contacts)
- Clarification of Project Details: Information regarding the retaining wall, sound level of bell, as well as the following reports:
 - *Updated Impact Assessment of the Trinidad Memorial Lighthouse Project*: AES
 - *Debris Disposal Plan*: TVCE
 - *Construction Equipment and Staging Report*: TVCE
 - *Relationship to Rancheria Stormwater CDP*: Pacific Affiliates of Eureka
- Length of City Development Authorization: Corrected permit from Trever Parker, Trinidad City Planner
- Evidence of local approvals: Letter from Steve Allen, Trinidad City Engineer

The Commission's Project Director, Tamara Gedick, responded to our June submission with a letter dated July 1, 2022, which demands additional and excessively burdensome documentation, such as additional geotechnical and engineering reports for the three alternative sites that were already analyzed by the engineer. These three sites are all slightly higher in elevation and closer to the boundary of Trinidad Head than the preferred Harbor site, which is located previously disturbed land adjacent to the parking lot and is not located on Trinidad Head.¹¹ Further, because the Yurok Tribe has also expressed opposition to the three "alternative" locations, there is no reasonable basis for the Commission to demand additional engineering and geotechnical reports for them. Moreover, the Project Director is requesting geotechnical and engineering analyses, project costs, and potential funding options for multiple additional potential locations for relocating the memorial beyond the three analyzed alternative sites, which the Civic Club does not own and has not been offered as potential locations. These additional sites are not available or viable for a variety of reasons, as documented in the Site Search Summary enclosed with the application packet submitted to the City. It is unduly burdensome to require the co-applicants to expend substantial funds on geotechnical and engineering reports for sites that are not available.

Additionally, the Commission's July 1, 2022 letter requests "proposed mitigation for unavoidable impacts and retention of the Memorial Lighthouse beyond the initial authorization period." The City permit erroneously stated a short time limit, but the City Planner corrected the permit, extending the time limit.¹² Further, the Civic Club was told by the local Coastal Commission staff that the temporary permit limit could be extended if more time was needed--we just had to make a request. The Commission's Project Director has not identified the asserted "unavoidable impacts," and we note that the delay has been caused by the Yurok Tribe's change in its position regarding site locations and the Commission's continued request for numerous costly reports and analyses.

The Commission's letter also states that the Commission received a written request from the Yurok Tribe on April 19, 2022, and that the Commission conducted a government-to-government meeting with the Yurok Tribe on June 7, 2022. We were not notified of the Yurok Tribe's April 19 letter until July 1, 2022, yet that letter and subsequent information provided by the Yurok Tribe

-
- Alternatives Analysis (See comments below)
 - Visual Resources: Compatibility with existing area in height & bulk, improvement on existing conditions and a lighting plan.
 - Possible Effects on Public Access: Civic Club (Memorial Ceremony 1x/year, 2-month construction period, parking, impacts minimized and mitigated.)
 - Tribal Consultation Follow-up: Yurok letter to City of Trinidad, cc to Civic Club
 - *Spill Prevention Plan*: TVCE
 - Declaration of Posting

¹¹ See Bureau of Land Management map on page 78 of the Initial Impact Assessment by AES submitted with the permit application.

¹² See the City Planner's memorandum of March 16, 2022, enclosed with this letter as Attachment 4.

in its meeting with the Commission are cited as raising additional questions requiring additional information before the application can be scheduled for review by the Commission.

The Commission's July 1, 2022 letter states that the proposed Harbor site is of significance to the Yurok People, without recognizing that the Trinidad Rancheria is also traditionally and culturally affiliated with the site, which is located next to our reservation lands and within our Harbor properties. As noted above, the Trinidad Rancheria is descended from the Yurok People and our Tribe is traditionally and culturally affiliated with Trinidad Harbor, Trinidad Head, and Tsurai Village, but the Commission's letters and reports fail to recognize the Trinidad Rancheria's affiliation with these sites and our related rights, resulting in unequal treatment under the law.¹³ We have expended substantial sums and energy to care for our Harbor properties in accordance with our traditional and cultural beliefs, and to improve the unique environmental resources in this area of special biological significance.

The Yurok Tribe falsely asserts that it alone has jurisdiction over tribal cultural properties in and around Trinidad Harbor, and that the Trinidad Rancheria, whose reservation lands are located adjacent to the Harbor, is not a "real" tribe and has no cultural affiliation with the Harbor. On the contrary, the Trinidad Rancheria is inextricably tied to and culturally affiliated with this area. Further, our Tribe acquired the Harbor properties to reinvigorate our cultural and traditional connection to these lands. We own and operate the Tribe's Harbor lands and pier in a manner that respects our traditions and culture, and serves the interests of the larger community, including the boating and fishing community and those who cherish the memorial lighthouse. The Yurok Tribe is seeking to restrict our Tribe's ability to use our lands in an effort to dominate the entire shared ancestral territory of the Yurok People and deny the Trinidad Rancheria its rights, and to interfere with our cultural traditions and heritage. We are concerned that the certain decisions of local Commission staff have the effect of allowing the Coastal Commission permitting process to be weaponized to undermine the Trinidad Rancheria's rights as a federally recognized tribe and to impair our ability to maintain our cultural and heritage.

Because the Trinidad Rancheria's application will not come before the Board of Commissioners until and unless local staff requirements are satisfied, it is imperative that we have an opportunity to consult with you directly. In addition, if Commission staff are operating on the misunderstanding that the Trinidad Rancheria has no cultural affiliation with our ancestors based on the Yurok Tribe's arguments that our Tribe is not a "historic tribe," that would violate state law and policy and have substantial statewide implications.

I appreciate your favorable consideration of our request and look forward to meeting with you. Please contact the Trinidad Rancheria's Chief Executive Officer, Jacque Hostler-Carmesin, if you would like additional information and to schedule the requested meeting.

¹³ For example, local Commission staff failed to recognize that the Trinidad Rancheria is also descended from Yurok People and is affiliated with the Tsurai Village in the staff report accompanying the application for CDP 1-18-0630.

Respectfully,



Garth Sundberg
Tribal Chairman

Enclosures

cc: Stephanie Lai, Assistant Attorney General, California Department of Justice
Wade Crowfoot, Secretary, California Natural Resources Agency



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548



April 19, 2022

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RE: Request for Yurok Tribe Government-to-Government Tribal Consultation - Coastal Development Permit (CDP) Amendment Application No.1-18-0630-A1

Aiy ye kwee' Tamara, Kate, and Melissa:

The Yurok Tribe requests web-based, formal government-to-government consultation with the California Coastal Commission ("Commission") on the Trinidad Civic Club and Cher-Ae Heights Indian Community of the Trinidad Rancheria ("Applicants") Coastal Development Permit Application No.1-18-0630-A1 to construct the Trinidad Memorial Lighthouse ("Application"). This Application has impacts on Yurok Tribal Cultural Resources that are incompatible with the Yurok Tribe's sovereignty. The City of Trinidad has also failed to consult at the government-to-government level with the Yurok Tribe on this project despite the Yurok Tribe's repeated requests for consultation regarding the many issues with the project and impacts to Yurok Tribal Cultural Resources.

The Yurok Tribe's ancestral territory comprises 7.5 percent of the California coastline, spanning from the Little River to the south and Damnation Creek to the north. The traditional eastern boundary is Bluff Creek on the Klamath River and Hoopa Bluffs on the Trinity River. Thus, Trinidad and the proposed location for the Application project is within the Yurok Tribe's Ancestral Territory. There are several Tribal Cultural Resources in the project area, including those eligible for

listing under the California Register of Historic Places and the National Register of Historic Places—such as Trinidad Head, the Tsurai Village, and even some burial sites. The permanent construction of the project significantly impacts these resources via potential ground disturbance and visual and aesthetic change. Aside from this, there are also related actions stemming from this project that have not been properly considered or analyzed by the Applicants. Since this memorial is meant to compliment a memorial ceremony, it is likely that the construction of the project will result in renovations or expansion to the parking lot area, additions to the grounds including more benches or a picnic area, additional traffic on the Trinidad head trails, and more.

During this consultation with the Commission the Tribe's leadership would like to discuss the following regarding the Application:

- Tribal Cultural Resource impacts of the project
- The Applicants failure to evaluate alternative locations or provide reasoning as to why alternative locations were not chosen.
- Visual impacts to Trinidad Head and Tribal Cultural Resources
- Tribal Access issues during construction and special events at the Lighthouse
- The Application's consistency with the Coastal Act
 - o Section 30251 visual quality impacts
 - o Section 30244 impacts to archaeological resources

The Yurok Tribe would also like to request notification regarding any updates or Commission actions on this Application.

Please contact Taralyn Ipiña at tara@yuroktribe.nsn.us to schedule a consultation meeting. We look forward to receiving your response to this consultation request within 30 days from date of this letter.

Wok-hlew',

A handwritten signature in black ink, appearing to read "Joseph L. James". The signature is fluid and cursive, with the first name "Joseph" being more legible than the last name "James".

Joseph L. James
Yurok Tribe Chairman



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548



February 25, 2022

Trinidad City Council
409 Trinity Street
PO Box 390
Trinidad, CA 95570

RE: Additional Request for Tribal Consultation, Trinidad Memorial Lighthouse Project

Aiy ye kwee' Trinidad Councilmembers,

This letter serves as a formal notice of opposition to the Trinidad Memorial Lighthouse ("TML") project submitted by the Trinidad Civic Club and Cher-Ae Heights Indian Community of the Trinidad Rancheria. On July 14, 2021 the Yurok Tribe requested government to government consultation with the City Council. On July 29, 2021 Eli Naffah sent a response letter to the Tribe in which the City Council refused to meet with Yurok Tribe Councilmembers and instead invited the Tribe to meet with City staff. The letter also did not address any of the Yurok Tribe's concerns listed in our previous letter. On January 19, 2022 the Yurok Tribe met with Eli Naffah and Trever Parker. This meeting did not constitute government-to-government consultation under the California Environmental Quality Act ("CEQA") §21080.3.1. The Tribe has been engaging with the City on its preferred placement of the TML for years at this point. While the City has stated that there is no legal reason not to move forward with the TML project and has approved the Trinidad Civic Club's Design Review Use Permit and Grading Permit, this assessment is incorrect.

The Yurok Tribe once again requests to meet directly with the City Council members to discuss impacts of the TML project on Yurok Tribal cultural resources. The Yurok Tribe strongly suggests that the City Council meet in a 2x2 closed session, where two City Council members meet with Yurok Tribe Councilmembers.

Despite concerns with confidentiality and noncompliance with CEQA tribal consultation requirements, the Yurok Tribe will meet in an open session with the City Council if the Council refuses to meet in a closed session. The Tribe will also be opposing the Civic Club's coastal development permit application to the California Coastal Commission. Below you will find further information on the Tribe's concerns with the City's actions thus far.

I. The City is in Violation of CEQA

The City of Trinidad continues to argue that CEQA does not apply to this project. The Yurok Tribe disagrees, CEQA does apply and the project is not exempt under the CEQA Guidelines codified at 14 C.C.R. §15303. Even if this project did qualify as a categorical exemption

under the CEQA Guidelines, there is an exception to this exemption and the City has failed to provide the analysis required by Cal. Pub. Res. Code § 21168.5 to support its finding that none of the exceptions apply in this situation.

a. CEQA Applies to this Project

In our most recent meeting, City staff argued that CEQA does not apply to a “private project” or a “private development application.” This is incorrect. Under §21080 CEQA applies to any discretionary project approved by a public agency. Both the City of Trinidad and the Planning Commission are public agencies that have approval authority over this project.¹ Thus CEQA is applicable to this project.

b. The Project is Not Exempt under Section 15303(c) of the CEQA Guidelines

City staff and the Planning Commission also contends that the project is categorically exempt under the CEQA Guidelines §15303(c). Agencies are required to construe CEQA exemptions narrowly.² As one California court summarized, “[e]xemption categories are not to be expanded beyond the reasonable scope of their statutory language.”³ Categorical exemptions should be interpreted by agencies to provide the fullest possible environmental protection within the scope of the statutory language.⁴ Section 15303(c) suggests that structures not exceeding 2500 square feet are exempt from CEQA, but the project here exceeds 3,000 square feet and includes the construction of completely new modifications including a sidewalk, benches, curbs, and a historic anchor.⁵ In a staffing memo dated June 23, 2021 to the Planning Commission the City Planner stated that the 2,500 sq. ft. limit in §15303(c) only applies to the “structure” itself, not the entire footprint of the improvements including parking lots and landscaping. There is no evidence supporting this interpretation, and in fact contradicts the reasonable construction of the statute. Why would a project that has a small floor area, but a large and “permanent”⁶ ground disturbance with significant traffic and parking impacts be exempted from CEQA review? This section of the memo goes on, “Keep in mind that the subsections are only examples, not necessarily limitations.” Assuming this is true, the reasoning could also shift in the other direction. As §15303 only provides examples, the City should not fail to analyze impacts and ignore impacts on tribal resources that would qualify as an exception under the CEQA categorical exemption even if the project seemingly falls under the exemption found in §15303. The City’s determination is not a narrow interpretation of section 15303’s exemptions and is incorrect.

¹ “Public agency” includes any state agency, board, or commission, any county, city and county, city, regional agency, public district, redevelopment agency, or other political subdivision. Cal. Pub. Res. Code §21063.

² Deborah Behles, *Why CEQA Exemption Decisions Need Additional Notice Requirements*, 33-Fall ENVIRONS ENVTL. L. & POL’Y J. 111, 118 (2019).

³ *Mountain Lion Found. v. Fish & Game Comm’n*, 16 Cal. 4th 105, 125 (1997) (holding delisting threatened or endangered species under the California Endangered Species Act was not reasonably within the CEQA exemption for environmental protection).

⁴ *County of Amador v. El Dorado County Water Agency*, 76 Cal. App. 4th 931, 966 (Ct. App. 1999) (finding exemption for minor changes to existing structures did not apply to project that added 17,000 acre-feet of water use to a hydroelectric project).

⁵ TML Initial Impact Assessment 2-3.

⁶ “Approximately 0.07 acres (3,075.8 square feet) that make up the project site will be permanently disturbed as a result of the Proposed Project.” City Planning Staff Report, June 2, 2021 3.

c. Even with an Exception, Several Exceptions May Apply

An agency may not apply a categorical exemption under California Environmental Quality Act (CEQA) without considering whether it is foreclosed by an exception.⁷ Two exceptions that apply to this project include substantial adverse change to a historical resource and unusual circumstances. Even if the project is exempt under §15303, CEQA states that “a project that may cause a substantial adverse change in the significance of a historical resource, as specified in Section 21084.1, shall not be exempted from this division pursuant to subdivision (a).”⁸ There are several historical resources within the area of the TML project, including Trinidad Head which is a registered California Historical Resource⁹ and a Tribal cultural resource under § 21074.

The City has repeatedly claimed that during initial planning for the relocation of the lighthouse no concerns regarding Tribal cultural resources was brought up in relation to the location. This is not true. There are several tribal cultural resources in the project area, including those eligible for listing under the California Register of Historic Places and the National Register of Historic Places (“NRHP”) – such as Trinidad Head, the Tsurai Village, and even some burial sites.¹⁰ The permanent construction of the TML significantly impacts these resources via potential ground disturbance and visual and aesthetic change. Aside from this, there are also related actions stemming from this project that have not been properly considered or analyzed. Since this memorial is meant to compliment a memorial ceremony and Trinidad’s scenic and recreational character, it is likely that the construction of the TML will result in renovations or expansion to the parking lot area, additions to the grounds including more benches or a picnic area, additional traffic on surrounding roads and the Trinidad head trails, and more.

As the Yurok Tribe has identified in its previous letters to the Commission, the lack of notice and communication regarding the TML on behalf of the Planning Commission and the co-applicants is unacceptable. The Yurok Tribe has expressed multiple times that Trinidad Head is not an appropriate location for the TML because it is a sacred area for the Yurok Tribe and descendants of the Tsurai Village.

Section 15300.2 of the CEQA Guidelines also states that “categorical exemption[s] shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.”¹¹ Parties can show an unusual circumstance for projects in an exempt class by showing that project has some feature that distinguishes it from others in the exempt class, such as its size or location.¹² Unusual circumstances are present here since not only has the Commission and City Council failed to consult with the Tribe and the co-applicants have failed to produce a complete cultural impact study, but the

⁷ *World Business Academy v. California State Lands Commission* (App. 2 Dist. 2018) 234 Cal.Rptr.3d 277, modified on denial of rehearing, review denied.

⁸ Cal. Pub. Res. Code §21084.

⁹ Trinidad Head, <https://ohp.parks.ca.gov/ListedResources/Detail/146>.

¹⁰ TML Initial Impact Assessment 3-31, 3-32.

¹¹ 14 C.C.R. §15300.2 (c).

¹² *Citizens for Environmental Responsibility v. State ex rel. 14th Dist. Ag. Assn.* (App. 3 Dist. 2015) 195 Cal.Rptr.3d 168, 242 Cal.App.4th 555.

relocation of the TML was also meant to be temporary. The Yurok Tribe has signed an MOA with the co-applicants of this project stating that this is a temporary relocation, and that there are significant impacts to Tribal cultural resources. Both the Yurok Tribe and the Tsurai Ancestral Society have submitted comments supported by their own cultural studies and traditional knowledge as experts stating that this location should not be permanent due to impacts to cultural resources. The plans submitted by the co-applicants include new modifications that were not originally agreed upon or discussed with the Yurok Tribe. Based on these factors it is reasonable that this project will affect the environment due to unusual circumstances.

There is a low threshold for finding that an exception to a CEQA categorical exemption applies. Courts apply the fair argument test to determine whether a project creates a reasonable possibility of significant effects due to unusual circumstances. The fair argument standard creates a “low threshold” for further environmental review and “reflects a preference for resolving doubts in favor of environmental review when the question is whether any such review is warranted.”¹³ For example, in *Georgetown Preservation Society v. County of El Dorado* a California appellate court held that comments made by the public regarding aesthetic impacts from a project raised a fair argument that the project did have a significant impact on the environment.¹⁴ It is critical to note that in that case, the court held that lay opinion on aesthetics of a project was enough evidence of a significant impact requiring an EIR, while in this case a Tribe and its cultural resource experts are trying to raise critical issues with this project. The Yurok Tribe’s concerns are not mere lay opinion, rather they are experts regarding their ancestral territory and Tribal cultural resources.¹⁵ Here the Tribe’s concerns go beyond mere aesthetics and into cultural and environmental impacts, and thus our concerns raise more than a fair argument and CEQA applies.

Not only does the Tribe believe the decision to exempt this project from CEQA was incorrect, but it was also inappropriate to make this decision without properly consulting the Yurok Tribe at the government-to-government level. The Yurok Tribe is an expert under CEQA and Trinidad Head is an area of profound spiritual significance to Yurok culture. It is imperative the City Council consult with the Tribe because the cultural studies of this project and area are incomplete and inaccurate. A non-Native Archeologist does not speak for what is sacred to the Yurok Tribe or its members. Thus, CEQA does apply in this case and the City Council must consult with the Yurok Tribe to protect cultural resources.

d. Even if An Exception Does Not Apply, the City Failed to Provide Evidence Supporting its Determination

The City failed to make express findings supported by substantial evidence as to why an exception prohibiting categorical exemption this project did not apply. In the June 28, 2021 Staff Memo the City Planner stated “Again, based on the current information, staff’s opinion is that the

¹³ *Sierra Club v. County of Sonoma*, 6 Cal. App. 4th 1307, 1316-17 (Ct. App. 1992) (expert’s opinion on refilling of pits with sediment and other material raised substantial evidence supporting a fair argument project caused significant effects on the environment).

¹⁴ *Georgetown Preservation Society v. County of El Dorado* (2018) 30 Cal.App.5th 358, 379 (holding a fair argument was raised and thus EIR was required where public comments provided lay opinions on nontechnical issues of size and general appearance of a discount chain store in a city historic center).

¹⁵ Cal. Pub. Res. Code §21080.3.1(a).

above exemption is appropriately applied, and that there is no substantial evidence that an exception applies.” No further explanation is given to support this opinion.

The Tribe’s comments in our previous letter were never fully addressed or responded to in the written record. Thus, by failing to provide reasoning behind their opinion or provide expert opinion contradicting the Tribe’s expert opinion on Tribal cultural resource impacts, the City didn’t make a sufficient finding under § 21168.5 of the California Public Resources Code. The determinations were not supported by substantial evidence supporting a fair argument but were rather based on lay opinion of the significance of Tribal cultural resources. The City has not provided reasoning as to why an exception is not applicable, particularly the unusual circumstances exception, but rather just lists the exceptions.

At each stage of the CEQA review process, the public agency must evaluate the environmental impact of a project against a measure commonly referred to as the baseline, i.e., the environment's state in the absence of the project.¹⁶ This was meant to be a temporary project. The new plans for the lighthouse aim to create a more prominent landmark that will serve as an event location. Additionally, the lighthouse is taller, wider, and closer to Trinidad Head than its prior location. In absence of this project, the lighthouse would at best be removed and at worst remain without further ground disturbance. The City failed to make the requisite analysis in its determination.

e. The City is in Violation of CEQA Tribal Consultation Requirements

In the June 23, 2021 Civic Club Supplemental Staff Report, the City Planner states:

The consultation requirements of CEQA do not apply to exemptions. In addition, they do not require government-to-government consultation. And in fact, because a CEQA analysis often necessitates coverage of confidential information, consultation on a staff level is often more appropriate, since the City Council cannot meet in closed session. While it is good practice for the City to consult with Tribes outside of legally mandated requirements, it is not always practical to do so.¹⁷

This is incorrect. Not only should the City have consulted with the Tribe prior to making its exemption determination,¹⁸ especially given the controversial nature of this project which the City knew about, but as described above the project is not exempt from CEQA. In this case, CEQA does require government-to-government consultation between the City Council and the Tribe. Lead agencies are responsible for consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.¹⁹ “Lead agency” means the public agency which has the principal responsibility for carrying out or approving a project which

¹⁶ *North County Advocates v. City of Carlsbad* (2015) 241 Cal.App.4th 94, 101, 193 Cal.Rptr.3d 360; *CREED-21 v. City of San Diego* (2015) 234 Cal.App.4th 488, 504, 184 Cal.Rptr.3d 128.

¹⁷ Civic Club Supplemental Staff Report, June 23, 2021 7.

¹⁸ Prior to the release of a negative declaration [exemption decision], mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation. Cal. Pub. Res. Code §21080.3.1(b).

¹⁹ *Id.*

may have a significant effect upon the environment.²⁰ Here the Lead Agency is the City, arguably the City Council:

It is up to the Lead Agency to make the CEQA determinations, and the City is the Lead Agency for this project. The Planning Commission's determination on the proposed exemption is appealable to the City Council, who has final authority on the CEQA decision (outside of litigation).²¹

Thus, by the city's own admission the City Council has the final, ultimate, and principal authority under CEQA and accordingly AB 52 Tribal Consultation. To contend otherwise would be disingenuous as the Planning Commission and City Council clearly work closely together and both represent the City as a whole. The City Council, not City staff, is required to consult with the Tribe – it is not a matter of practicality. Additionally, there is no statutory restriction on meeting with a quorum of Commissioners and City Councilmembers.

II. The Brown Act Does Not Prevent the City Council from Meeting with the Tribe

As stated in previous correspondence, the Brown Act does not prohibit City Councilmembers from meeting with the tribe for government-to-government consultation. As regular course of business, the Tribe meets with agencies and city elected officials in closed meetings on projects that impact the Tribe's cultural and natural resources/relatives. These interactions are not contrary to any law and are in fact required by tribal consultation law under California Government Code §65352.4, referenced in CEQA §21080.3.1, "Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance" (emphasis added). Thus, in forcing the Tribe to meet in an open session the City is in violation of CEQA and the Government Code. As the Tribe was informed that the City's attorneys have been giving advice to the contrary, the Tribe asks that the City's attorneys please review the following information.

As a defense to prior requests for consultation with the Tribe, the City has incorrectly claimed that it cannot do so without violating the Brown Act. The Brown Act requires legislative bodies, including city councils and their committees, to have meetings open to the public and to include specific requirements for closed meetings. Yet the Brown Act does not apply in cases where tribes are requesting tribal government-to-government consultation under CEQA or similar laws like NHPA. This is because the Brown Act does not apply to ad hoc committees consisting solely of less than a quorum of the legislative body, provided they are composed solely of members of the legislative body and provided that these ad hoc committees do not have some "continuing subject matter jurisdiction," and do not have a meeting schedule fixed by formal action of a legislative body.²² Thus, allowing a subcommittee consisting of less than a quorum of the Planning Commission to consult with the Tribe is appropriate in this case.

²⁰ Cal. Pub. Res. Code §21067.

²¹ Civic Club Supplemental Staff Report June 23, 2021 4.

²² BEST BEST & KRIEGER LLP., ATTORNEYS AT LAW, SUMMARY OF THE MAJOR PROVISIONS AND REQUIREMENTS OF THE RALPH M. BROWN ACT 1, <https://www.bbklaw.com/bbk/media/library/pdf/major-provisions-and-requirements-of-the-brown-act.pdf>

Specifically for tribal consultation under CEQA, the California Governor's Office of Planning and Research has stated: "Should a local legislative body participate in confidential tribal consultations, it is important that they do so as an advisory committee with less than a quorum, so as to not invoke the Brown Act's requirements of public participation (see Government Code §54952(b)). Otherwise, the Brown Act will require that the consultations be held in public, thereby defeating the purpose of confidentiality, or, alternatively, any decisions made by the quorum of the body within a closed meeting would be rendered invalid."²³ Thus, the Commission may consult with the Tribe and the Brown Act will not be violated as long as consultation is completed with a committee consisting of less than a quorum, usually two members of Council.

III. The Project's NHPA Analysis is Flawed and Failed to Include Tribal Consultation

The TML project is not exempt from CEQA, and thus AB 52 tribal government-to-government consultation requirements apply. However, in the Initial Impact Assessment the co-applicants also incorrectly analyzed requirements under NHPA as well. NHPA applies to federal projects, including federally funded and federally approved projects. Trinidad Head is a National Monument and State Historic Landmark, which likely makes it eligible under the NRHP.²⁴ Additionally, a resource may be listed as an historical resource in the California Register if it meets any of the following National Register of Historic Places criteria.²⁵ Given that there are likely historic properties in the area and that NHPA applies, the Commission should also follow the requirements of NHPA's Section 106 consultation process at 36 C.F.R. §800.3.

Aside from principles of comity and sovereignty, confidentiality is another major principle that tribal government-to-government consultation seeks to preserve. Under CEQA, confidentiality of information shared during consultation is required to protect tribal cultural resources. Additionally, in possessing their own cultural, economic, and political institutions tribes have an inherent right to protect and develop cultural heritage, traditional knowledge and traditional cultural expressions.²⁶ Thus, it is important that consultations are held separately from public meetings. However, it appears that the City has left the Tribe with no other choice but to have consultation during an open session.

Under CEQA, tribal consultation doesn't end when the project is approved by an agency, rather it is considered concluded when the parties agree to mitigate or avoid a significant effect to a cultural resource or a party, acting in good faith and after reasonable effort, concludes that mutual agreement is reached.²⁷ Thus, despite the City's decision to approve planning documents for the TML and submit an application to the Coastal Commission, the City is still obligated to consult with the Tribe as there is no mutual agreement between the City and the Tribe on this project.

²³ GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, TRIBAL CONSULTATION GUIDELINES 27 (2005) <http://nahc.ca.gov/wp-content/uploads/2019/04/SB-18-Tribal-Consultation-Guidelines.pdf>

²⁴ Proclamation No. 7264 (Jan. 12, 2017), <https://www.blm.gov/sites/blm.gov/files/programs-nlcs-california-coastal-expansion-proclamation-01-12-2017.pdf>

²⁵ Cal. Pub. Res. Code §5024.1.

²⁶ G.A. Res. 61/295, annex, Declaration on the Rights of Indigenous People, art. 31 (Sept. 13, 2007).

²⁷ Cal. Pub. Res. Code § 21080.3.2 (b).

The Tribe requests a 2x2 meeting with City Councilmembers to discuss specific cultural impacts and our recommendations for this project. If necessary, we will agree to have an open/public session even though an open session is not required by the Brown Act. If you do not provide a response to consult with the Tribe in person within 15 days of the receipt of this letter, the Tribe will pursue legal action. We look forward to your response. Please reach out to Taralyn Ipina for scheduling at tara@yuroktribe.nsn.us.

Wok-hlew',

A handwritten signature in black ink, appearing to read "Joseph L. James". The signature is fluid and cursive, with the first name "Joseph" being the most prominent.

Joseph L. James
Chairperson
Yurok Tribe

Cc: City Planner; City of Trinidad Planning Commission; Trinidad Civic Club; Tamara Gedik, California Coastal Commission; City Manager; Russel Gans; Julianne Polanco, State Historic Preservation Officer



Cher-Ae Heights Indian Community of the Trinidad Rancheria



July 27, 2018

Patti Fleschner
Trinidad Civic Club
PO Box 285
Trinidad, CA 95570-0285

RE: Trinidad Memorial Lighthouse Relocation – Cultural Monitoring

Dear Ms. Fleschner,

On January 9-11, 2018, a Trinidad Rancheria Cultural Monitor was present and monitored ground disturbance associated with site preparation for the relocation of the Trinidad Memorial Lighthouse from the previous location to its current temporary location on Trinidad Rancheria property. The monitor remained on site throughout the relocation process.

According to the Monitor Record, ground disturbance was limited to a 15 x 15 square foot area at a depth of 3ft. Soil composition at the site was sandy clay, with no mottling indicating a lack of organic materials in the soil at that depth. No cultural resources were found in the project area; however, the Monitor did find a 1972 Miller Light bottle and some old tires. Neither of those items are considered to be significant and were disposed of.

If I can be of further assistance, or you require further information please feel free to contact me at 707-677-0211 ext. 2726, or via email at rsundberg@trinidadrancheria.com.

With Respect,

Rachel Sundberg
Tribal Programs Director/THPO
Cher-Ae Height Indian Community
of the Trinidad Rancheria.



www.trinidadrancheria.com

1 Cher-Ae Lane • PO Box 630 • Trinidad, California • 95570 • 707.677.0211 • 707.677.3921 (fax)