



Posted: Friday, December 05, 2014

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
WEDNESDAY, DECEMBER 10, 2014 at 6:00 PM

No Closed Session Scheduled

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ADJOURN TO CLOSED SESSION – *No closed Session Scheduled*
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES – 11-12-14 cc
- VI. COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS
- VII. CITY MANAGER & STAFF REPORTS
- VIII. PROCLAMATIONS & ANNOUNCEMENTS
- IX. ITEMS FROM THE FLOOR
(Three (3) minute limit per Speaker unless Council approves request for extended time.)
- X. CONSENT AGENDA
 1. Financial Status Reports for October 2014.
 2. Law Enforcement Activity For November 2014.
 3. GHD Contract Amendment for Water Treatment Plant Upgrade Project.
 4. Authorization to Accept Bid and Purchase Vector Mounted Trailer, Pending Concurrence from Trinidad Rancheria.
 5. Approval of Draft Letter to Trinidad Rancheria for Planned Use of Remaining IHS Funds for Water Treatment Plant Upgrade.
- IX. DISCUSSION/ACTION AGENDA ITEMS
 1. Report on November 2014 Election Results and Councilmember Appointments.
 2. Resolution 2014-18; Acknowledging the Public Service of Councilmember Tom Davies.
 3. Discussion/Decision Regarding Planning Commissioner Appointments.
 4. Discussion/Decision Regarding Appeal of State Parks CDP Application #2014-01, Vegetation Removal.
- X. ADJOURNMENT

APPROVAL OF MINUTES FOR:

NOVEMBER 12, 2014 CC

Supporting Documentation follows with: 0 PAGES

Minutes were not available at the time this document was published and will be provided to the council and public prior to the meeting.



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

1. Financial Status Reports for October 2014.

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 10/1/2014 Through 10/31/2014

	<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>	
Revenue					
41010	PROPERTY TAX - SECURED	0.00	0.00	90,035.00	100.00)%
41020	PROPERTY TAX - UNSECURED	0.00	0.00	3,015.00	100.00)%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	0.00	50.00	100.00)%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	0.00	485.00	100.00)%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	0.00	200.00	100.00)%
41071	MOTOR VEHICLES	0.00	0.00	1,240.00	100.00)%
41100	PROPERTY TAX - INTEREST +	0.00	0.00	20.00	100.00)%
41110	PROPERTY TAX EXEMPTION	0.00	0.00	667.00	100.00)%
41130	PUBLIC SAFETY 1/2 CENT	0.00	0.00	1,640.00	100.00)%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	0.00	1,450.00	100.00)%
41190	PROPERTY TAX ADMINISTRATION FE	0.00	0.00	(2,373.00)	100.00)%
41200	LAFCO Charge	0.00	0.00	(380.00)	100.00)%
41210	IN-LIEU SALES & USE TAX	0.00	0.00	27,100.00	100.00)%
41220	IN LIEU VLF	0.00	0.00	28,070.00	100.00)%
42000	SALES & USE TAX	26,021.21	37,763.12	181,600.00	(79.21)%
43000	TRANSIENT LODGING TAX	58,094.85	64,931.85	126,000.00	(48.47)%
53010	COPY MACHINE FEE	0.00	0.00	15.00	100.00)%
53020	INTEREST INCOME	476.27	516.72	13,000.00	(96.03)%
53090	OTHER MISCELLANEOUS INCOME	2,195.00	3,042.83	800.00	280.35)%
54020	PLANNER- APPLICATION PROCESSIN	7,485.25	9,445.25	5,000.00	88.91)%
54050	BLDG.INSP-APPLICATION PROCESSI	325.36	3,878.98	7,000.00	(44.59)%
54100	ANIMAL LICENSE FEES	15.00	15.00	300.00	(95.00)%
54150	BUSINESS LICENSE TAX	210.00	10,542.00	9,900.00	6.48)%
54300	ENCROACHMENT PERMIT FEES	50.00	100.00	400.00	(75.00)%
56400	RENT - VERIZON	3,987.34	9,960.60	22,735.00	(56.19)%
56500	RENT - HARBOR LEASE	0.00	0.00	5,125.00	100.00)%
56550	RENT - PG& E	0.00	0.00	8,750.00	100.00)%
56650	RENT - SUDDENLINK	1,278.34	2,521.14	4,825.00	(47.75)%
56700	RENT - TOWN HALL	330.00	1,810.00	7,000.00	(74.14)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	65,000.00	100.00)%
	Total Revenue	<u>100,468.62</u>	<u>144,527.49</u>	<u>608,669.00</u>	<u>(76.26)%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 10/1/2014 Through 10/31/2014

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	1,000.00	2,500.00	60.00%
61000	EMPLOYEE GROSS WAGE	11,756.26	31,174.53	111,770.00	72.11%
61470	FRINGE BENEFITS	69.24	190.52	600.00	68.25%
65100	DEFERRED RETIREMENT	448.80	1,265.52	5,082.00	75.10%
65200	MEDICAL INSURANCE AND EXPENSE	1,694.20	2,935.11	10,068.00	70.85%
65300	WORKMEN'S COMP INSURANCE	(132.87)	589.96	4,471.00	86.80%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	73.00	185.00	750.00	75.33%
65600	PAYROLL TAX	938.17	2,494.02	8,939.00	72.10%
65800	Grant Payroll Allocation	(622.25)	(1,521.02)	(2,500.00)	39.16%
68090	CRIME BOND	0.00	700.00	455.00	(53.85)%
68200	INSURANCE - LIABILITY	0.00	6,355.05	8,830.00	28.03%
68300	PROPERTY & CASUALTY	0.00	3,555.50	4,280.00	16.93%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	20,000.00	100.00%
71130	ATTORNEY-LITIGATION	0.00	0.00	10,000.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	2,000.00	100.00%
71310	CITY PLANNER-ADMIN. TASKS	2,878.25	15,764.92	45,000.00	64.97%
71410	BLDG INSPECTOR-ADMIN TASKS	519.28	1,999.28	8,000.00	75.01%
71510	ACCOUNTANT-ADMIN TASKS	3,037.06	5,653.53	11,050.00	48.84%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	12,285.00	100.00%
72000	CHAMBER OF COMMERCE	13,539.00	14,228.52	15,045.00	5.43%
74200	REIMBURSED GRANT ADMIN EXP	0.00	0.00	(700.00)	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	257.50	2,555.00	5,700.00	55.18%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	500.00	100.00%
75170	RENT	650.00	2,600.00	8,190.00	68.25%
75180	UTILITIES	1,369.01	2,798.99	10,250.00	72.69%
75190	DUES & MEMBERSHIP	0.00	0.00	270.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	3,264.00	3,264.00	5,700.00	42.74%
75220	OFFICE SUPPLIES & EXPENSE	507.15	1,466.07	6,000.00	75.57%
75240	BANK CHARGES	0.00	37.21	200.00	81.39%
75280	TRAINING / EDUCATION	395.00	395.00	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	8,134.00	100.00%
75990	MISCELLANEOUS EXPENSE	50.00	104.00	100.00	(4.00)%
76110	TELEPHONE	143.56	594.29	1,550.00	61.66%
76130	CABLE & INTERNET SERVICE	253.19	1,082.86	4,900.00	77.90%
76150	TRAVEL	563.20	563.20	1,500.00	62.45%
78170	SECURITY SYSTEM	0.00	258.00	1,590.00	83.77%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,500.00	100.00%
Total Expense		<u>41,900.75</u>	<u>102,289.06</u>	<u>334,009.00</u>	<u>69.38%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 10/1/2014 Through 10/31/2014

	<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>	
Expense					
61000	EMPLOYEE GROSS WAGE	384.80	1,122.40	3,327.00	66.26%
65300	WORKMEN'S COMP INSURANCE	(3.09)	13.72	133.00	89.68%
65600	PAYROLL TAX	29.43	85.85	255.00	66.33%
75170	RENT	650.00	2,600.00	8,190.00	68.25%
75180	UTILITIES	166.54	626.30	2,485.00	74.80%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	400.00	100.00%
75300	CONTRACTED SERVICES	4,320.00	4,320.00	88,085.00	95.10%
75350	ANIMAL CONTROL	113.00	452.00	1,925.00	76.52%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	1,000.00	100.00%
76110	TELEPHONE	133.47	374.93	1,630.00	77.00%
	Total Expense	<u>5,794.15</u>	<u>9,595.20</u>	<u>107,430.00</u>	<u>91.07%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 10/1/2014 Through 10/31/2014

	<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>	
Expense					
60900	HONORARIUMS	150.00	600.00	1,800.00	66.67%
75180	UTILITIES	0.00	102.54	1,150.00	91.08%
75190	DUES & MEMBERSHIP	0.00	0.00	35.00	100.00%
75280	TRAINING / EDUCATION	195.00	195.00	400.00	51.25%
75300	CONTRACTED SERVICES	0.00	0.00	25,160.00	100.00%
76110	TELEPHONE	18.03	89.06	300.00	70.31%
76140	RADIO & DISPATCH	0.00	0.00	450.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	164.55	350.00	52.99%
78150	VEHICLE REPAIRS	72.14	72.14	2,500.00	97.11%
78160	BUILDING REPAIRS & MAINTENANCE	285.78	7,820.08	10,500.00	25.52%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	767.06	2,500.00	69.32%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	100.54	400.00	74.86%
	Total Expense	<u>720.95</u>	<u>9,910.97</u>	<u>45,545.00</u>	<u>78.24%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 10/1/2014 Through 10/31/2014

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	4,879.29	12,978.49	40,126.00	67.66%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	491.37	1,321.67	4,296.00	69.23%
65200	MEDICAL INSURANCE AND EXPENSE	1,662.57	6,726.09	28,435.00	76.35%
65300	WORKMEN'S COMP INSURANCE	(49.44)	219.52	1,704.00	87.12%
65600	PAYROLL TAX	411.39	1,095.41	3,587.00	69.46%
65800	Grant Payroll Allocation	(306.13)	(2,046.77)	(500.00)	(309.35)%
71210	CITY ENGINEER-ADMIN. TASKS	962.50	1,540.50	4,800.00	67.91%
71250	CITY ENGINEER - PROJECT FEES	0.00	0.00	6,000.00	100.00%
75240	BANK CHARGES	0.00	15.00	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	41,000.00	100.00%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
76110	TELEPHONE	0.00	56.70	0.00	0.00%
76160	LICENSES & FEES	0.00	460.00	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	280.00	332.84	5,000.00	93.34%
78120	STREET LIGHTING	388.80	1,435.04	4,000.00	64.12%
78130	TRAIL MAINTENANCE	0.00	0.00	2,500.00	100.00%
78140	VEHICLE FUEL & OIL	246.77	1,413.54	4,700.00	69.92%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	25,040.00	25,040.00	45,000.00	44.36%
78190	MATERIALS, SUPPLIES & EQUIPMEN	334.70	1,063.22	6,500.00	83.64%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	500.00	100.00%
	Total Expense	<u>34,341.82</u>	<u>51,651.25</u>	<u>201,098.00</u>	<u>74.32%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 10/1/2014 Through 10/31/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
47650	RECYCLING REVENUE	0.00	1,373.01	5,640.00	(75.66)%
56150	FRANCHISE FEES	576.84	1,830.51	7,000.00	(73.85)%
	Total Revenue	<u>576.84</u>	<u>3,203.52</u>	<u>12,640.00</u>	<u>(74.66)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	1,192.72	3,216.31	9,716.00	66.90%
65100	DEFERRED RETIREMENT	143.13	385.97	1,251.00	69.15%
65200	MEDICAL INSURANCE AND EXPENSE	521.21	1,815.67	7,302.00	75.13%
65300	WORKMEN'S COMP INSURANCE	(12.36)	54.88	344.00	84.05%
65600	PAYROLL TAX	102.18	275.56	767.00	64.07%
65800	Grant Payroll Allocation	(44.37)	(370.06)	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	0.00	500.00	100.00%
75250	TRANSIT SERVICES- HTA	0.00	4,468.00	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	122.78	1,000.00	87.72%
	Total Expense	<u>1,902.51</u>	<u>9,969.11</u>	<u>21,380.00</u>	<u>53.37%</u>
	Net Income	<u>(1,325.67)</u>	<u>(6,765.59)</u>	<u>(8,740.00)</u>	<u>(22.59)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 10/1/2014 Through 10/31/2014

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue				
53020	INTEREST INCOME	0.00	0.00	4,000.00 (100.00)%
53090	OTHER MISCELLANEOUS INCOME	1,320.00	3,799.06	2,500.00 51.96%
57100	WATER SALES	23,202.92	107,677.57	305,000.00 (64.70)%
57300	NEW WATER HOOK UPS	0.00	0.00	3,000.00 (100.00)%
57500	WATER A/R PENALTIES	(550.64)	2,338.08	2,000.00 16.90%
	Total Revenue	<u>23,972.28</u>	<u>113,814.71</u>	<u>316,500.00 (64.04)%</u>
Expense				
61000	EMPLOYEE GROSS WAGE	9,289.42	25,633.60	79,032.00 67.57%
61250	OVERTIME	0.00	0.00	2,000.00 100.00%
65100	DEFERRED RETIREMENT	1,044.54	2,890.75	9,081.00 68.17%
65200	MEDICAL INSURANCE AND EXPENSE	3,149.07	11,113.74	42,045.00 73.57%
65300	WORKMEN'S COMP INSURANCE	(95.79)	425.32	3,229.00 86.83%
65600	PAYROLL TAX	790.83	2,182.86	6,871.00 68.23%
65800	Grant Payroll Allocation	(571.16)	(4,129.82)	(1,000.00) (312.98)%
68200	INSURANCE - LIABILITY	0.00	3,421.95	4,755.00 28.03%
68300	PROPERTY & CASUALTY	0.00	1,914.50	2,305.00 16.94%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00 100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00 100.00%
71510	ACCOUNTANT-ADMIN TASKS	1,635.34	2,462.67	5,950.00 58.61%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	6,615.00 100.00%
72100	BAD DEBTS	0.00	0.00	350.00 100.00%
75180	UTILITIES	1,088.45	4,114.31	15,835.00 74.02%
75190	DUES & MEMBERSHIP	0.00	58.50	700.00 91.64%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	73.24	575.00 87.26%
75220	OFFICE SUPPLIES & EXPENSE	1,114.20	1,386.20	3,500.00 60.39%
75230	INTEREST EXPENSE	0.00	6.46	0.00 0.00%
75240	BANK CHARGES	0.00	0.00	150.00 100.00%
75280	TRAINING / EDUCATION	0.00	0.00	500.00 100.00%
75300	CONTRACTED SERVICES	0.00	0.00	7,000.00 100.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	250.00 100.00%
76110	TELEPHONE	78.04	284.25	1,000.00 71.58%
76130	CABLE & INTERNET SERVICE	49.00	196.00	620.00 68.39%
76160	LICENSES & FEES	0.00	0.00	2,475.00 100.00%
78120	STREET LIGHTING	0.00	1,576.32	0.00 0.00%
78140	VEHICLE FUEL & OIL	132.87	442.72	2,500.00 82.29%
78150	VEHICLE REPAIRS	0.00	271.48	2,000.00 86.43%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	1,200.00 100.00%
78170	SECURITY SYSTEM	0.00	73.50	500.00 85.30%
78190	MATERIALS, SUPPLIES & EQUIPMEN	190.98	309.59	6,000.00 94.84%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00 100.00%
79100	WATER LAB FEES	165.00	445.00	4,500.00 90.11%
79120	WATER PLANT CHEMICALS	575.92	2,228.63	12,000.00 81.43%
79130	WATER LINE HOOK-UPS	0.00	0.00	3,000.00 100.00%
79150	WATER LINE REPAIR	0.00	1,469.12	20,000.00 92.65%
79160	WATER PLANT REPAIR	0.00	0.00	10,000.00 100.00%
90000	Capital Reserves	0.00	0.00	15,000.00 100.00%
	Total Expense	<u>18,636.71</u>	<u>58,850.89</u>	<u>276,038.00 78.68%</u>
	Net Income	<u>5,335.57</u>	<u>54,963.82</u>	<u>40,462.00 35.84%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 10/1/2014 Through 10/31/2014

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	900.00	(100.00)%
58100	CEMETERY PLOT SALES	1,500.00	4,603.33	7,500.00	(38.62)%
	Total Revenue	<u>1,500.00</u>	<u>4,603.33</u>	<u>8,400.00</u>	<u>(45.20)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	1,512.79	4,058.82	12,210.00	66.76%
65100	DEFERRED RETIREMENT	181.56	487.13	1,585.00	69.27%
65200	MEDICAL INSURANCE AND EXPENSE	628.85	2,287.46	9,336.00	75.50%
65300	WORKMEN'S COMP INSURANCE	(15.45)	68.60	528.00	87.01%
65600	PAYROLL TAX	129.63	347.80	1,132.00	69.28%
65800	Grant Payroll Allocation	(59.17)	(494.51)	(50.00)	(889.02)%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	1,009.50	0.00	0.00%
75180	UTILITIES	84.78	210.03	700.00	70.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	264.69	2,157.96	1,000.00	(115.80)%
	Total Expense	<u>2,727.68</u>	<u>10,132.79</u>	<u>26,441.00</u>	<u>61.68%</u>
	Net Income	<u>(1,227.68)</u>	<u>(5,529.46)</u>	<u>(18,041.00)</u>	<u>(69.35)%</u>



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

2. Law Enforcement Activity For November 2014.

**ACTIVITY REPORT
TRINIDAD
BY DEPUTY WILCOX**

11/01/2014-11/30/2014

- Numerous citizen contacts.
- Regular patrol and at Hidden Creek. Been having weekly conversations with the owner. He has been making necessary changes within the park. Responded to the following at Hidden Creek: Custody dispute, two reports of vandalism, feces thrown at neighbor, physical altercation (unfounded), gas siphoning.
- Conducted traffic stops and issued citations (mainly for driving while license is suspended).
- Conducted numerous vehicle investigations.
- Conducted numerous probation searches with State Parks.
- Worked with casino regarding issues they are experiencing and locating/arresting wanted persons.
- Responded to the following at the casino: Welfare checks, petty theft, fraud arrest, warrant arrest, remove unwanted subjects, assault, traffic accident.
- Chevron was broken into. A carton of cigarettes were taken. Deputy Maus is investigating the incident. Chevron had a male subject enter the store and take cash. The incidents appear to be by the same individual.
- Responded a neighbor noise complaint. Location was on Westhaven Drive.
- Responded to a subject sleeping at night outside of the library.
- Alarm call on Wagner Street and Hector Street, Baker Ranch Road. False alarms.
- Report of a suspicious vehicle on Stagecoach Road. Deputies responded and vehicle was no longer on scene.
- Conducted a mental health evaluation on a female subject at Chevron. Subject did have mental health issues, however did not meet criteria. Female left the area with friends after our contact.
- Received a vandalism report on Ewing Street. No further information at this time.
- Animal Control responded to Ocean Avenue for a barking dog complaint.
- Vehicle broken into at Luffenholtz Beach. No witnesses or suspects.
- Ocean Grove called regarding a male acting irrational who ran into the woods. He was not located. Additional call for a male subject who assaulted the bar tender.
- Report of a vehicle broken into on Trinity Street. Clothing was taken. Additional vehicle broken into on Baker Ranch Road.
- Responded to a prowler on West Street. Prowler was a bear. Additional call for service for bear on Patricks Point Drive.
- Neighbor complaint of a chemical smell on Ocean.
- Responded to a deceased subject on Westhaven Drive. No foul play.
- Custody dispute at Murphy's Market. Was handled civilly.
- Welfare check and mental health evaluation for resident. Resident has received the necessary care.
- Incurable juvenile call. Juvenile was counseled.
- Removed unwanted subject on Stumptown Road.
- Met with School Principal and Students.



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

3. GHD Contract Amendment for Water Treatment Plant Upgrade Project.

CONSENT AGENDA ITEM

Date: December 10, 2014

Item: APPROVAL OF DRAFT LETTER TO TRINIDAD RANCHERIA REQUESTING CONCURRENCE WITH PLANNED USES OF REMAINING INDIAN HEALTH SERVICE FUNDS FOR WATER TREATMENT PLANT UPGRADE PROJECT.

Background: The Trinidad Rancheria is contributing \$136,000 towards the Water Treatment Plant Upgrade Project, with funding from the Indian Health Services. The City and the Trinidad Rancheria entered into a Memorandum of Agreement (MOA) in May of 2014 to clarify the roles and responsibilities of each party, identify the specific uses of the Indian Health Service (IHS) funds that the Rancheria is contributing to the project, and provide a mechanism to allow the transfer of those funds to reimburse the City for approved expenditures.

Consistent with that MOA, the attached letter requests approval from the Trinidad Rancheria with the following uses of their funding support:

1. The City's recommendation for the Vactor Mounted Trailer purchase; and
2. The removal of one item (the stairs to the wet well) from the original MOA; and
3. A proposed set of smaller items and tasks to utilize the remaining unspent funds.

The overall budget total of the MOA is unchanged; these three items are an effort to reprogram unspent funds to their best possible use towards the improvement of the water treatment plan.

Staff Recommendation:

- 1) Authorize Mayor to sign and send the draft letter to the Trinidad Rancheria.

Attachments:

- Draft Letter
- Engineer's Report regarding the recommended uses of the remaining Trinidad Rancheria Funds.



DRAFT

December 10th, 2014

Jacque Hostler, Chief Executive Officer

Garth Sundberg, Tribal Council Chairman

Cher-Ae Heights Indian Community of the Trinidad Rancheria
P.O. Box 630
Trinidad, CA 95570

RE: Request for approval of planned expenditures for the Trinidad Water System Upgrade Project.

Dear Chairman Sundberg and Chief Executive Officer Hostler,

The City of Trinidad is grateful for the financial support of the Rancheria and the Indian Health Service in our efforts to significantly upgrade the City's Water Treatment Plant, which provides clean water to the Rancheria as well as the City. As a part of the Water Treatment Plant Upgrade Project, the City and the Trinidad Rancheria entered into a Memorandum of Agreement (MOA) in May of 2014 to clarify the roles and responsibilities of each party, identify the specific uses of the Indian Health Service (IHS) funds that the Rancheria is contributing to the project, and provide a mechanism to allow the transfer of those funds to reimburse the City for approved expenditures.

In accordance with the MOA, this letter requests the concurrence of the Rancheria with:

1. The City's recommendation for the Vactor Mounted Trailer purchase; and
2. The removal of one item (the stairs to the wet well) from the original MOA; and
3. A proposed set of smaller items and tasks to utilize the remaining unspent funds.

A discussion of each of these items follows. The overall budget total is unchanged; these three items are an effort to reprogram unspent funds to their best possible use towards the improvement of our shared water system.

Vactor Mounted Trailer:

The City has gone through a bidding process to purchase a Vactor Mounted Trailer to help service the new sediment settling tank system at the Water Treatment Plant. The attached report from the City

Engineer (GHD) summarizes the specifications sheet used, the bid responses, and the Engineer's recommendation to accept the lowest responsive and responsible bid.

With the Rancheria's concurrence, the City is ready to purchase this item as recommended in the attached Engineer's Report. The recommended bid is priced at \$37,169, compared to the \$50,000 projected in the MOA Budget.

Removal of 'Stairs to Wet Well' Item:

Over the course of the Upgrade project to date, it has been determined by the Public Works staff operating the plant and the City Engineer that this item is not necessary at this time, and is a lower priority than the items proposed for use with the remaining funds (see next paragraph). This item was budgeted at \$23,899 in the MOA. The City requests the concurrence of the Trinidad Rancheria with our recommendation not to proceed with this item.

Proposed Tasks for the Remaining Funds.

With savings on the Vactor Trailer, the proposed removal of the Wet Well Stairs item, and the contingency funds, there is \$43,831 of funding remaining available towards the Upgrade Project through the MOA. (See Table 1 in the attached Engineer's Report).

The Plant Operators, the City Engineer, and IHS Engineer Barry Jarvis have developed a list of appropriate items and tasks to utilize these funds towards the improvement of the Water Treatment Plant. This list is presented in Table 2 of the attached Engineer's Report. The total cost of this list exceeds the remaining funds; the City would only request reimbursement from the Rancheria up to the available funding through the MOA. The City requests the concurrence of the Rancheria with this task list for the utilization of the remaining IHS funding.

Thank you for your support of this important project to improve our shared water treatment system. Please contact City Manager Daniel Berman with any questions or comments about this request at 677-3876 or citymanager@trinidad.ca.gov.

Sincerely,

Mayor Julie Fulkerson

City of Trinidad



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

4. Authorization to Accept Bid and Purchase Vector Mounted Trailer, Pending Concurrence from Trinidad Rancheria.

CONSENT AGENDA ITEM

Date: December 10, 2014

Item: AUTHORIZATION TO ACCEPT BID AND PURCHASE VACTOR MOUNTED TRAILER, PENDING CONCURRENCE FROM TRINDAD RANCHERIA

Background: One specific piece of equipment needed for periodic maintenance of the upgraded Water Treatment Plant is a vacuum excavator mounted on a trailer. This machine will be used to periodically clean out sediment that accumulates in the sediment settling tank. It may also prove useful for other Public Works functions like cleaning out storm drains and water meters. The City has prepared specifications, advertised for bids, and received responses. The attached report from our City Engineer recommends acceptance of the lowest responsive, responsible bidder at \$36,169

The Trinidad Rancheria is contributing \$136,000 towards the Water Treatment Plant Upgrade Project, with funding from the Indian Health Services. This piece of equipment is one of the items planned for purchase with Rancheria funding. As part of our MOA for those funds, we need the concurrence of the Rancheria with our selected unit before finalizing this purchase. A letter requesting their concurrence is a separate agenda item before you.

Staff Recommendation:

1) Authorize City Manager to accept the recommended bid and complete the purchase, pending the concurrence of the Rancheria.

Attachments:

- Engineer's Report regarding the Vactor Mounted Trailer.



November 20, 2014

Dan Berman
City Manager
City of Trinidad
409 Trinity Street
Trinidad, CA 95570

RE: Request for Funding for Items of Work for the Trinidad Water System Upgrade Project

Dear Mr. Berman,

As you are aware, the City of Trinidad and the Trinidad Rancheria executed a Memorandum of Agreement (MOA) that established parameters for the Rancheria to provide funding assistance for the City's Water System Upgrade Project. The agreement included several items of work that the Rancheria agreed to reimburse the City for the cost of. These items of work included a backup generator, painting of the interior of the treatment plant building, installing stairs to the wetwell and the purchase of a vacuum excavator & trailer. In all, the Rancheria agreed to contribute \$136,000 towards improvements and equipment for the Trinidad Water Treatment Plant.

Through discussions with the treatment plant operators, it was agreed that the stairs to the wetwell are no longer required. The generator and interior painting have been completed by the project Contractor at a cost of \$55,000.

Bids were received for the vacuum excavator and trailer on November 19, 2014. There was good bidder participation with four bids, and received. We have determined the lowest, responsive, responsible bidder to Allquip Universal Inc. dba Access Utilities International (Allquip Universal) with their bid of \$37,169.00 for the Ring-O-Matic VL25. If the City awards the vacuum excavator and trailer to Allquip Universal, then \$43,831.00 of Rancheria funding will remain (see table below).

Table 1 – Summary of Items Currently Funded by Rancheria

Description	Estimated Cost
Generator	\$ 48,000.00
Interior Painting	\$ 7,000.00
Vacuum Excavator & Trailer (if awarded)	\$ 37,169.00
Total Cost	\$ 92,169.00
Total Available Rancheria Funds per MOA	\$ 136,000.00
Rancheria Funds Remaining	\$ 43,831.00

In an effort to maximize the use of the Rancheria funding, GHD worked with the plant operator and Barry Jarvis of Indian Health Services (IHS) to identify additional items that the Rancheria could consider funding. These additional items are presented in the table below. If the City is in agreement with the items included in the list, then a formal request by the City should be made to the Rancheria requesting they be funded. The letter should also request authorization for the City to award the vacuum excavator and trailer to the lowest responsive, responsible bidder.



Table 2 – List of Additional Items that could be funded by the Trinidad Rancheria

Item No.	Description	Estimated Cost
1	Auto Dialer	\$ 7,648.00 ¹
2	Switch for Alternate Chlorine Pump	\$ 920.00 ¹
3	Fencing	\$ 4,000.00 ²
4	Drying bays with covers	\$ 12,000.00 ²
5	Residual chlorine analyzer and sampling port after contact basin	\$ 7,500.00 ²
6	Replace existing chlorine analyzer with reagent-less analyzer	\$ 6,000.00 ²
7	Replace (12) pressure gauges on filter trains	\$ 1,500.00 ²
8	Flow meters and valves for (3) filter trains	\$ 8,000.00 ²
9	Turbidity meter between flocculator and filters wired into the PLC/data logger	\$ 5,500.00 ²
10	Secondary containment for chemicals	\$ 1,000.00 ²
11	Double tether fall restraints	\$ 1,000.00 ²
12	Chemical locker	\$ 1,000.00 ²
13	Handheld turbidity meter	\$ 1,000.00 ²
14	Pressure Transducer for Water Tanks	\$ 1,829.00 ¹
Total Estimated Cost of Additional Items		\$ 58,897.00

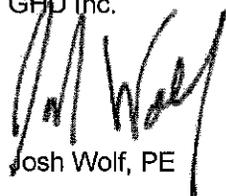
Foototes:

1. Cost based on Contractor proposal.
2. Estimated cost only. Actual cost may vary.

Since the total estimated cost of all items requested exceeds the available funds, the City will need to prioritize work items and only proceed with and request reimbursement for eligible items up to the total available funding amount.

Feel free to contact me should you have any questions or need any additional information.

Sincerely,
GHD Inc.



Josh Wolf, PE

Attachments: Vacuum Excavator & Trailer Bid Summary and Comparison of Equipment Proposed.



City of Trinidad
409 Trinity Street, PO Box 390, Trinidad CA 95570
www.trinidad.ca.gov

City of Trinidad
Vacuum Excavator and Trailer
Bid Opening: 11/19/14 11:00 AM
GHD, 718 Third Street, Eureka CA 95501

Public Bid Opening

Bidder	Total Bid
Ditch Witch (FX20)	\$ 26,296.76
* Allquip Universal Inc. dba Access Utilities International (Ring-O-Matic VL-25)	\$ 37,169.00
Ditch Witch (FX25)	\$ 38,471.72
Owen Equipment (Pacific-Tek PV-250)	\$ 52,544.50

*Considered the Lowest Responsive, Responsible Bid



City of Trinidad
Vacuum Excavator and Trailer
Bid Opening: 11/19/14 11:00 AM
GHD, 718 Third Street, Eureka CA 95501

Comparison of Equipment Proposed

Description	Bid Specification	Ditch Witch FX20	Lowest Responsive, Responsible Bid		
			Allquip Universal Inc. dba Access Utilities International Ring-O-Matic VL-25	Ditch Witch FX25	Owen Equipment Pacific-Tek PV-250
Engine HP	25	27	31	31	25
Min. Fuel Tank Size (gal)	6	10	10	6.9	
Gauges	Hour and Tach		Hour and Tach		Hour and Tach
Engine Displacement (cu-in)	44	44	54	54	
Battery	12v Marine		12v Marine		12v Marine
Max. GVWR (lbs)	7000	4500	7500	9950	7000
Min. Spoil Tank Size (gal)	250	150	250	500	250
Spoils Tank Finish	Epoxy or Powder Coat	Polyurethane Enamel	Epoxy	Polyurethane Enamel	Epoxy
Spoils Tank Hydraulic Lift	yes	no	yes	yes	yes
Filter	One piece washable	washable polyester	5-micron, one Piece Washable	washable polyester	3-stage 10-micron washable
Min. Air Displacement (CFM)	525	540	600	543	525
Min. Lift Capacity (In Hg)	15	15	15	15	15
Suction Hose Diameter (in)	3	3	3	3	3
Vacuum Hose Length (ft)	(2) 25'	(2) 25'	(2) 25'	(2) 25'	(2) 25'
Suction Tool Length (ft)	5 + 5 extension	5 + 5 extension	5' + 5' Extension	5 + 5 extension	5' + 5' Extension
Potholing Tool/Excavator	yes	yes	Yes	yes	Yes
Water tank size (gal)	60	80	100	80	60
Water Hose (ft)	(2) 25	50	50	50	50
Water Pump	not specified	2.6 GPM @ 3000 PSI	4.7 GPM @ 3000 PSI	4 GPM @ 3000 PSI	3 GPM @ 3000 PSI
Trailer	double-axle	single-axle	double-axle	double-axle	double-axle
Trailer Finish	Epoxy or Powder Coat	Polyurethane Enamel	Epoxy	Polyurethane Enamel	Epoxy
Electric Brakes	yes		Yes		
Jack Stand	yes		7,000# Drop Leg		
Warranty for defects	2-year	1-year	2-year	1-year	
Express Warranty	2-year	limited 2-year	2-year	limited 2-year	
Warranty work transport cost	covered	not-covered	covered	not-covered	
Delivery from Contract	60 Days		85 Days or earlier		45 days
Total Bid		\$ 26,296.76	\$ 37,169.00	\$ 38,471.72	\$ 52,544.50
Considered Responsive Bid		No ¹	Yes ³	No ²	Yes

 = does not meet minimum specified requirements
blank = not indicated in bid proposal

Footnotes:

1. Considered nonresponsive since spoils tank volume and warranty less than required/specified. Also no hydraulic lift on spoils tank and single axle trailer proposed.
2. Considered nonresponsive since GVWR significantly larger than maximum allowed and warranty less than required/specified.
3. Variations from specifications considered minor, and therefore the bid is considered responsive.



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

5. Approval of Draft Letter to Trinidad Rancheria for Planned Use of Remaining IHS Funds for Water Treatment Plant Upgrade

CONSENT AGENDA ITEM

Date: December 10, 2014

Item: GHD CONTRACT AMENDMENT FOR WATER TREATMENT PLANT UPGRADE PROJECT.

Background: In their role as City Engineer, GHD is under contract with the City for construction management in the ongoing upgrade of our Water Treatment Plant (WTP). There is a small parcel of privately owned land between Westhaven Drive and the WTP that presents challenges for access and maintenance at the WTP. The primary funder for the project, the California Dept. of Public Health, has agreed that survey, appraisal, and potentially acquisition of this parcel are allowable costs under our funding agreement with them.

This proposed contract amendment will add \$15,902 to our contract with GHD to cover the survey and appraisal of the property, and GHD's cost to secure and oversee these services. These funds would be covered within the existing funding from CDPH, so no additional cost to the City is proposed. These funds would be shifted from the contingency fund to the Contract fund in the existing grant agreement, reducing that contingency fund from a current balance of \$184,607 to a revised balance of \$138,705. Additional details are provided in the draft Contract Amendment (attached).

Staff Recommendation:

1) Authorize City Manager to sign the attached contract amendment for services with GHD Inc. for survey and appraisal work associated with the Water Treatment Plant Upgrade Project.

Attachments:

- Draft Amendment No.2 to Agreement between City of Trinidad and GHD Inc. for Construction Phase Services for the Water Treatment Plant Upgrade Project



**Amendment No. 2
to the
Agreement Between
The City of Trinidad and GHD
For
Boundary Survey and Property Appraisal
Related to
Construction Phase Services
For the Water System Upgrade Project**

This contract amendment is between the city of Trinidad and GHD Inc. (GHD) and relates to the original agreement for construction phase services signed by the City on 12/16/13. This amendment is based on a prime agreement between the City of Trinidad and GHD dated May 20, 2008 and any subsequent amendments to this prime agreement. All provisions of the prime agreement Apply to this agreement unless noted otherwise in this agreement.

INTRODUCTION

In July 2014, the California Department of Public Health (CDPH) authorized the City of Trinidad to proceed with initial steps necessary to acquire the Crittenden property (APN 515-121-018), which is located directly adjacent to the City's water treatment plant on Westhaven Drive. Acquiring the Crittenden property is beneficial to the ongoing operations of the water treatment plant as it provides direct equipment access the wetwell in Luffenholtz Creek.

Through coordination with CDPH, the following approach was developed to define the property, establish a fair market value, and purchase the property (the approach has been reviewed by the City Attorney and is intended to be consistent with the Uniform Relocation Act):

1. **Boundary Survey and Title Assessment** – Research and compile boundary information to determine the extent of the Crittenden property.
2. **Appraisal** – Appraise property to determine fair market value of the property.
3. **Transfer Property** – Prepare and/or record required legal paperwork (deed, title insurance, recording fees, public meetings/notifications, etc.) to transfer property.

CDPH has authorized the City to proceed with both Items 1 and 2 and has agreed to reimburse the City the cost of both items (up to \$10,000 for Item 1 and up to \$7,000 for Item 2). After the completion of the appraisal, the City will need a separate approval from CDPH to proceed with the transfer of the property (item 3).

This amendment adjusts GHD's scope of services and authorized fee to include the boundary survey, title assessment and appraisal services requested by the City. A separate contract amendment will be required should the process proceed to the Item 3 (Transfer Property), and should GHD series be required.

SCOPE OF SERVICES

The following tasks define GHD's scope of services:

Task 1: Boundary Survey

GHD will subcontract with Points West Surveying who will conduct the boundary survey of the Crittenden property. Points West Surveying will provide the following services:



- Research of record boundary information and research at County "Road Room" for status of road rights of way, including possible abandonments;
- Obtain a Preliminary Title report on behalf of the City;
- Prepare boundary calculations;
- Conduct fieldwork to locate monuments of record sufficient to determine the Crittenden parcel boundary and locate Trinidad water system site improvements such as fences and existing access roadways;
- Set monumentation of the Crittenden parcel boundary lines; and
- Prepare a Record of Survey to be filed with Humboldt County.

Task 1 Fee: \$9,901.71

Task 2: Property Appraisal

GHD will subcontract with Ryan Real Estate Appraisers and Consultants for the appraisal of the Crittenden property. The purpose of the appraisal is to provide the City with a supportable and credible estimate of the fair market value of the property. The appraisal will also include an evaluation by a Professional Registered Forester to determine the value of timber on the property.

This task also includes GHD's time to coordinate and review the final appraisal with the City, CDPH and Crittenden.

Task 2 Fee: \$6,000.00

COMPENSATION

The services performed under this amendment will be billed on a time and materials basis for a total fee not to exceed **\$15,901.71**.

<u>Agreement</u>	<u>Amount</u>
Original Agreement:	\$ 220,000.00
Amendment No. 1	\$ 15,000.00
Amendment No. 2	\$ 15,901.71
New Contract Total	\$ 250,901.71

AGREED

City of Trinidad

GHD Inc.

Dan Berman, City Manager, Date

Steven Allen, Principal, Date

Trinidad Tracking Number:



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

1. Report on November 2014 Election Results and Councilmember Appointments

DISCUSSION AGENDA ITEM

Wednesday, December 10, 2014

Item: Report on November 2014 Election Results and Councilmember Appointments

Election Results: The Tuesday, November 04 Election the city ballot included (3) Councilmember positions. The only name that appeared on the ballot was incumbent Jim Baker. There was one qualified write-in candidate, incumbent Dwight Miller.

The County certified the election results on December 02 (attached). Councilmember Miller received at 44 write-in votes, and Councilmember Baker received enough votes to retain his seat on the Council. Both their positions have been approved.

One vacant seat remains open. The Council may fill that seat by appointment as soon as they find a qualified candidate, who must reside inside city limits and be a registered voter. At the time this meeting packet was published, no letters of interest have been received.

Here is the updated list of current Councilmembers terms:

Julie Fulkerson:	Term expires December 31, 2016
Jack West:	Term expires December 31, 2016
Dwight Miller:	Term expires December 31, 2018
Jim Baker:	Term expires December 31, 2018
Pending Appointment:	Term expires December 31, 2018

Upcoming Schedule:

- Councilmember Davies last meeting: Wednesday, December 10.
- Mayor Selection process: Wednesday, January 14.

Mayor Selection Process:

City ordinance 2.06.010 states that "As soon as practicable after each general election at which one or more persons are elected to the city council, the council members shall vote one of their own to serve as mayor, and one to serve as mayor pro tem..."

Recommended Action: No action required.

Attachments: County of Humboldt Election Results, Precinct 5T-1, Trinidad City Limits.

**Final Canvass Report — Total Voters — Official
HUMBOLDT COUNTY — STATEWIDE GENERAL ELECTION Nov 4, 2014 — November 04, 2014**

12/02/2014 09:48 AM

Page 138 of 149

Total Number of Voters: 38,529 of 76,064 = 50.65%

Precincts Reporting 107 of 107 = 100.00%

TRINIDAD CITY COUNCIL MEMBER

Precinct	Mail Ballot Precincts Ballots Cast	Precinct Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	JAMES H. BAKER II	E. DWIGHT MILLER	Unresolved Write-Ins	Unqualified Write-Ins	Totals
5T-1	77	70	147	227	64.76%	88	44	0	29	161
Totals	77	70	147	227		88	44	0	29	161



DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

2. Resolution 2014-18; Acknowledging the Public Service of Councilmember Tom Davies.

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Gabriel Adams, City Clerk
Julie Fulkerson, Mayor



RESOLUTION 2014-18

ACKNOWLEDGING THE PUBLIC SERVICE OF TOM DAVIES

WHEREAS, Tom Davies has served as a Trinidad City Council member from 2011 through 2014; and

WHEREAS, Tom Davies served as the City of Trinidad's member to the Redwood Coast Energy Authority; and kept the council and community apprised of energy saving grants, opportunities, and programs; and

WHEREAS, Tom Davies served on the Vacation Dwelling Unit committee which required countless meetings, conversations, drafts, rewrites, public hearings and two years of communication with the California Coastal Commission; and

WHEREAS, Tom Davies attended countless council sessions, balanced budget brainstorms, challenging closed sessions, proper public hearings; and participated thoughtfully, with careful consideration, wisdom and unflinching courtesy, always adding balance; and

WHEREAS, Tom Davies continues to serve on the Trinidad Volunteer Fire Department Team, responding to put out fires and save lives;

NOW, THEREFORE IT BE RESOLVED, THAT the City Council of Trinidad congratulates and thanks Tom Davies for his years of whole-hearted and dedicated service to the citizens of Trinidad and to the future well-being of the community.

PASSED UNANIMOUSLY AND ADOPTED BY THE TRINIDAD CITY COUNCIL of Humboldt County of the State of California this 12th day of December, 2014.

Attest:

Gabriel Adams
Trinidad City Clerk

Julie Fulkerson
Mayor



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

3. Discussion/Decision Regarding Planning Commissioner Appointments.

DISCUSSION AGENDA ITEM

Wednesday, December 10, 2014

Item: Discussion/Decision Regarding Planning Commissioner Appointments.

Background: Planning Commissioner terms fall under the same odd-year timeline as City Councilmember terms. In December (3) Commissioners terms will expire. It is up to the City Council to appoint or reappoint qualified candidates, who serve at the pleasure of the Council. The process and commissioner qualifications are described in city ordinance 2.20, Planning Commission (attached).

Here is a list of current Planning Commissioner seats and term limits:

Richard Johnson:	Term expires December 31, 2014
Chuck Vanderpool:	Term expires December 31, 2014
Diane Stockness:	Term expires December 31, 2014
Mike Pinske:	Term expires December 31, 2016
Gale Becker:	Term expires December 31, 2016

As of Friday, December 05, the city received (4) letters of interest for (3) vacant positions. Three of the applicants are currently serving and would like to continue; Richard Johnson, Chuck Vanderpool, and Diane Stockness. The third letter is from Elaine Weinreb, a non-resident who resides in Westhaven. Under the current ordinance, the Planning Commission is allowed (2) non-residents to serve under certain conditions, as described below...

In the event there are no acceptable applicants from within city limits, the city council may appoint up to two members who need not be residents of the city of Trinidad, but reside within the greater Trinidad area as defined as the area in Humboldt County north of Little River and south of Big Lagoon.

Recommended Action: Appoint (3) members to the Planning Commission for the 2014-2018 term.

Attachments:

- Ordinance 2.20, Planning Commission
- (4) Letters of Interest

(25 hits)

Chapter 2.20 PLANNING COMMISSION

Sections:

- 2.20.010 Number of members.
- 2.20.020 Ex officio members.
- 2.20.030 Term of office.
- 2.20.040 Members – Appointment.
- 2.20.050 Vacancies.
- 2.20.060 Removal from office.
- 2.20.070 Election of chair and vice chair.
- 2.20.080 State provisions adopted.
- 2.20.090 Qualifications of planning commission members.

2.20.010 Number of members.

The city planning commission shall consist of five members. [Ord. 122A § 1, 1958].

2.20.020 Ex officio members.

The mayor of the city and the city attorney shall be ex officio members of the city planning commission, but shall not have a vote. [Ord. 122A § 2, 1958].

2.20.030 Term of office.

The term of office of the members of the commission shall be four years, except for the first members of the commission pursuant to the provisions of the ordinance codified in this chapter. [Ord. 122A § 3, 1958].

2.20.040 Members – Appointment.

The members of the commission shall be appointed by the mayor with the approval of the city council. [Ord. 122A § 4, 1958].

2.20.050 Vacancies.

Vacancies shall be filled by appointment for the unexpired portion of the term. [Ord. 122A § 6, 1958].

2.20.060 Removal from office.

Any appointee of the commission may be removed by any of the following:

- A. The mayor subject to approval by the city council;
- B. The majority vote of the city council. [Ord. 122A § 7, 1958].

2.20.070 Election of chair and vice chair.

The commission shall elect its chair and vice chair from among the appointed members of the commission.

The chair of the planning commission shall be elected to a two-year term, on a rotating basis, so that no individual may serve a second term as chair as long as there are others on the commission who have not so served. [Ord. 96-1 § 1, 1995; Ord. 122A § 8, 1958].

2.20.080 State provisions adopted.

The provisions of Government Code of California Title 7, Chapter 3, as amended, are adopted and its statutes are adopted as a whole insofar as they may apply to the terms of office, powers and duties and methods of removal of the members of the planning commission. [Ord. 122A § 9, 1958].

2.20.090 Qualifications of planning commission members.

Except as provided hereinafter, no person may serve on the Trinidad planning commission unless, at the time of appointment to office, and at all times thereafter during the term of the appointment, that person is a resident of the city limits of the city of Trinidad.

However, in the event there are no acceptable applicants from within the city limits, the city council may appoint up to two members who need not be residents of the city of Trinidad, but reside within the greater Trinidad area as defined as the area in Humboldt County north of Little River and south of Big Lagoon. [Ord. 2011-01 § 1, 2011; Ord. 2007-03 § 1, 2007; Ord. 94-2 § 1, 1994].

The Trinidad Municipal Code is current through Ordinance 2011-02, passed July 13, 2012.

Disclaimer: The City Clerk's Office has the official version of the Trinidad Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

December 3, 2014

Trinidad City Council
Trinidad, California

RECEIVED DEC 05 2014

Dear City Council members,

I enjoyed my one year appointed term on the Trinidad Planning Commission. As a planning commissioner I gained alot of knowledge about Trinidad community planning. I learned about land use, the design review process, permits, the ordinances, public hearings and more about the city of Trinidad. And, I found the General Plan elements very interesting and rewarding to discuss and work on. My year on the Trinidad Planning Commission was valuable as I gained valuable knowledge about the city of Trinidad's land use matters and issues.

I am requesting to

serve on the Trinidad Planning
Commission for the upcoming
vacant four year term.

Sincerely,
Diane Stockness
P.O. Box 345
493 View Avenue
Trinidad, Calif. 95570
(707) 677-3387

12.3.2014

To: City of Trinidad

Attn: Gabe

RECEIVED DEC 03 2014

Dear, Gabe.

I would like to place my name for consideration of another appointment to the Trinidad Planning Commission.

With gratitude,

Chuck Vandypool

707-845-6231

December 2, 2014

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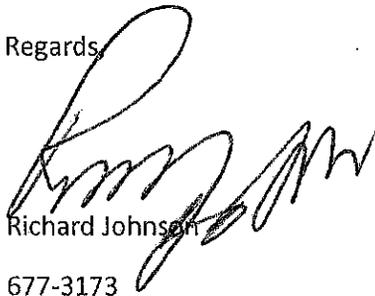
City of Trinidad

Attention: City Clerk

Gabe,

Please place my name in consideration for appointment to the Trinidad Planning Commission for another term.

Regards,

A handwritten signature in black ink, appearing to read 'Richard Johnson', written over the printed name.

Richard Johnson

677-3173

November 19, 2014

RECEIVED NOV 19 2014

Dear Members of the Trinidad City Council:

I understand that the City allows up to two members of the Greater Trinidad Area to serve on the Planning Commission even if they live outside of the city limits.

I also understand the terms of two or three members of the existing Planning Commission will be up in December.

If there is an opening on the Commission that is not filled by a Trinidad resident, I would be willing to serve on the Commission.

I have lived in Westhaven for 30 years, and been a homeowner for most of that time. I have a degree in Planning (BA in Environmental Studies & Planning, 1977) from Sonoma State University. I worked as an Environmental Planner and Transportation Planner for Caltrans until 1992, and was a specialist in CEQA. I also did an internship for the City of San Rafael.

I was also a freelance journalist for many years, writing for the McKinleyville Press and the Humboldt Advocate (both now defunct). As part of my beat, I covered the Trinidad City Council and became familiar with its many issues.

I left journalism to serve on the Humboldt County Grand Jury in 2012-13 and 2013-14. That period of service is now over, and I am eager to continue helping the community in a way compatible with my skills.

I currently volunteer at the Trinidad Library, and am a member of the Trinidad Coastal Land Trust. I have discussed my interest in the Planning Commission with two Councilmembers and was encouraged by both to apply.

You can reach me at (707) 677-0920 or at elreb@suddenlink.net
My mailing address is P.O. Box 427, Trinidad CA 95570.

Elaine Weinreb



DISCUSSION AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 44 PAGES

4. Discussion/Decision Regarding Appeal of State Parks CDP Application #2014-01, Vegetation Removal.

DISCUSSION AGENDA ITEM
December 10, 2014

Item: Appeal of Planning Commission Approval of CDPR 2014-01

The project involves a proposal by CA Dept. of Parks and Recreation, Trinidad State Beach to remove select vegetation in an area from the main parking lot off Stagecoach Rd. to the Marine Lab. This project was considered by the Planning Commission at a duly noticed public hearing on July 16, 2014. The Planning Commission approved the project by a 3-0 vote, with one Commissioner absent and one Commissioner recusing himself due to owning property adjacent to the project. Several people attended the meeting to speak in favor of the project, while two letters were written in opposition. The State Park representative, Michelle Forys, verbally addressed most of the concerns brought up at the hearing. On July 29, 2014, within the appeal period, Kim Tays appealed the Planning Commission's decision to the City Council. Because the appellant has since moved out of state, EPIC has been designated as her representative.

Coastal Commission staff wrote a letter dated August 27, 2014 that indicated that they concurred with some of the points in the appeal and suggested that more detail be added to the project description. On August 28, State Park project manager, Michelle Forys met at the project site along with myself, Coastal Commission staff Kasey Sirkin and EPIC representatives Natalynne DeLapp and Kimberly Baker. We toured the entire project area with Michelle as she described the proposed activities in more detail. It became apparent that some of the concerns of the appellant were a result of misunderstandings and a lack of detail in the written project description. In addition, some of the controversial project components were removed from the proposal, including the removal of native vegetation to restore both grassland habitat and coastal viewsheds.

Based on the site visit and the Coastal Commission's August 27 letter, the project description and attachments were revised. The project manager, Michelle, sent out a revised project description on October 15, 2014. On October 30, the appellant, Kim Tays, sent an email still objecting to and questioning a few aspects of the project. Coastal Commission staff, Kasey Sirkin, also wrote a letter dated October 29, 2014 with some additional suggestions for improving the project description. In addition, Michelle met with Coastal Commission staff on November 21 to ensure that their concerns were adequately addressed.

I believe that the State Park's December 4 letter and revised project description and reports have done a thorough job of addressing the appellant's concerns. EPIC representatives and Coastal Commission staff have indicated that they do not have significant concerns with the current project description. However, based on the support given for the project by the public at the Planning Commission hearing, much of which was focused on view restoration, and public safety, I would like to address some of the changes that have been made to the project since that hearing.

Important public views of the coast are protected by both the City's LCP and the Coastal Act. The original project, as approved by the Planning Commission, included more substantial vegetation removal than the current proposal. That proposal included removal of native vegetation in addition to the exotics. The purpose was to increase native grassland habitat (as opposed to the existing coastal scrub, which is also native) as well as to improve public views of the shoreline and ocean from the parking lot and trail. Several people submitted photos from previous decades showing the

entire project area to have been grasslands. Grasslands are considered an important habitat, but it likely existed in this location due to human management activities such as grazing and fires.

Based on the concerns brought up in the appeal, State Park staff decided to take a step back and reconsider the project a little more holistically. One important consideration was that the CEQA Notice of Exemption (NOE) that was filed only described removal of non-native vegetation. (Note though that a NOE is not required to be filed, and the project still fell under the same exemption even with the additional removal of select native vegetation as well.) In addition, a few of the seedling trees proposed to be removed as part of the original project description had been misidentified as non-native. State Parks staff have decided that they need to address the removal of native plants more comprehensively. Michelle stated that they still have plans to do additional vegetation management to improve public views and restore grassland habitat in the future under a separate Coastal Development Permit application. However, because there is so much non-native vegetation, some of it quite large, there will be a noticeable reduction in the amount vegetation in areas, which will still improve viewsheds and open up some grassland habitat.

Also, I would like to make one additional note regarding CEQA. Procedurally, the City is not the CEQA 'Lead Agency' for this project, and therefore does not have primary CEQA authority in this case. Section 15051 contains the criteria for determining the CEQA Lead Agency: *"Where two or more public agencies will be involved with a project, the determination of which agency will be the Lead Agency shall be governed by the following criteria: (a) if the project will be carried out by a public agency, that agency shall be the Lead Agency, even if the project would be located within the jurisdiction of another public agency..."* Because the City of Trinidad does have discretionary authority over the project in the form of approval of the CDP, Trinidad is a 'Responsible Agency' under CEQA. However, it is the Lead Agency's responsibility to determine whether an exemption applies to a project. Because the project is exempt, no further review by the City under CEQA is required.

The permit mechanism for this project is a Use Permit. The City's LCP does not have a separate process for just a CDP, so that is included with whatever other permit may be required. In this case, as described in the July staff report, vegetation removal within the Open Space zone requires a Use Permit (§17.16.030). The findings required for granting a use permit can be found in the July staff report. Because the revision of the project description only reduces the scope of the project, the policy analysis and findings included in the July staff report are still valid.

The following documents related to this project are available and relevant to the appeal. However, in order to save paper (and sanity) the project description appendices (84 pages) were not provided in the packet. However, they are available in the file at City Hall and on the City's website for review. In addition, the on-line version is in color.

- Letter from State Parks Redwood Coast Sector Manager dated December 4, 2014 addressing Kim Tays' comments of October 30, 2014
- Revised Project Description dated December 2014 with Appendices A-E (Appendix E withheld from the publically available file)
 - Appendix A: Best Management Practices
 - Appendix B: 2010 Sensitive Plant Survey and Habitat Assessment for the Exotics Removal Project

- Appendix C: 2014 Supplemental Sensitive Plan Survey and Habitat Assessment for the Coastal Scrub and Grassland Restoration Project
- Appendix D: Notice of (CEQA) Exemption
- Appendix E: Cultural Review (confidential)
- Email from Kim Tays dated October 30, 2014
- Letter from Coastal Commission, Coastal Program Analyst, Kasey Sirkin dated October 29
- Letter from Coastal Commission, Coastal Program Analyst, Kasey Sirkin dated August 27
- Appeal of Planning Commission action by Kim Tays dated July 29, 2014
- Final Planning Commission staff report prepared by City Planner, Trever Parker, dated July 8, 2014.

In terms of procedure and action, the City Council can uphold or deny the appeal, or modify the Planning Commission's decision through additional conditions of approval or other means. Because the project description has changed, the original decision will necessarily be modified if the current proposal is approved. This is somewhat unusual, and could be considered to be partially upholding both the Planning Commission's decision and partially upholding the appeal. However, I do not think that the Planning Commission's action was wrong or inappropriate in approving the original project. But because the project has changed, there is no need to analyze that decision beyond the current proposal. It is staff's opinion that the required findings can be made and **staff recommends approval of the revised project.**

If the Council wishes to approve the project, it is suggested that the motion be worded to deny the appeal and uphold the Planning Commission action with the condition that the project conform to the revised project description. On the other hand, a denial of the project, upholding the appeal, should be based on not being able to make one or more of the required use permit findings or a finding that the project is not consistent with one or more City LCP or Coastal Act policies.

Recommended Action:

Consider the application materials, appeal and response; open the public hearing; take action on the appeal.



DEPARTMENT OF PARKS AND RECREATION
NORTH COAST REDWOODS DISTRICT
Jeff Bomke
1111 Second Street
Crescent City, CA 95531
Email: Jeff.Bomke@parks.ca.gov

Lisa Mangat, Director

December 4, 2014

Trever Parker
City of Trinidad
409 Trinity Street
Trinidad, CA 95570

**Regarding: Appeal to Application CDP 2014-01 California State Parks
Vegetation Removal and Maintenance Activities**

Trever,

This letter and attached document is California State Parks' (CSP) official response to an email sent by Ms. Kimberly Tays on October 30, 2014 concerning CDP 2014-01 *California State Parks Vegetation Removal and Maintenance Activities* (California Coastal Commission # 1-TRN-14-0640). Ms. Tays has already appealed this project in July 2014 and in response CSP revised the project description (September 2014) and addressed her comments that were in her original appeal. This letter will address the comments and suggestions made by Ms. Tays in her October 30, 2014 email.

The appellant stated *"I have reviewed the revised plans (dated September 2014) that will be presented at the upcoming November 12 Trinidad City Council meeting. While I am, overall, pleased with the revisions of the restoration project, I object to the plans to remove the more sizeable, mature Monterey cypress trees growing within the project area. While, admittedly, Monterey cypress are not native to Humboldt County, they are native to coastal Monterey, California, and are growing in local State Parks, such as Patrick's Point. Monterey cypress is not an invasive tree species and is not a threat to the Trinidad State Beach coastal bluff environment. Any money and time spent on restoring this Park should be directed towards removal and/or control of highly invasive plants such as English ivy, Cotoneaster, Scotch broom, Pampas grass, Mattress vine, etc., which are a serious threat to the Park's biological diversity. I feel confident in stating that of all of the plant species that the California State Parks North Coast Redwoods District should be worried about, Monterey cypress is not one of them"*.

Ms. Tays is correct that Monterey cypress (*Hesperocyparis macrocarpa*) is native to the Monterey peninsula, but it is not native to Humboldt County. The Monterey cypress found along the north coast of California did not naturally colonize this area on its own, but was brought to this area and planted by humans. Although not considered invasive

by the California Invasive Plant Council, at this particular site they have become invasive. Park staff that began working on natural resource issues at Trinidad State Beach remembers that in 2001 there was only one very large Monterey cypress and one smaller one near the Humboldt State University (HSU) marine lab (Pers. com Michelle Forys 2014). Neither of these trees is slated for removal. Now there are at least 38 Monterey cypress trees in this area and all but a few large ones are less than 15 years old. The Monterey cypresses have encroached into habitat that would normally support shore pine (*Pinus contorta*) and Bishop pine (*Pinus muricata*). The shore pine and Bishop pine habitat communities are considered sensitive and by allowing the Monterey cypress trees to continue to reproduce in this area, suitable habitat will no longer be available for the shore and Bishop pines to colonize. Another reason CSP is removing the Monterey cypress is because they are non-native and part of the California State Parks' mission is to enhance, protect, and maintain native plant communities. By leaving the Monterey cypress to continue to reproduce and colonize this area, CSP is not upholding its mission.

Furthermore, the CSP Department Operations Manual (DOM) which is considered official policy, states under the Natural Resource section 0310.7 "*Controlling damaging exotic plant species is one of the Department's greatest challenges in fulfilling its mission to help preserve the natural resource values of the State Park System. Invasive exotic (non-native) plants pose a serious threat to native ecosystems. These species can spread rapidly and out-compete California's native species, simultaneously changing the landscape, destroying habitat for other native species, and upsetting natural ecosystem processes. Goals of management of invasive exotic plants in the State Park System are to: 1) Protect and restore the biological diversity of California State Park ecosystems; 2) Reduce the costs of resource maintenance; and 3) Reduce fire hazard and fire control costs*". In addition, section 0310.7.2 of the DOM further states "*Exotic plant species will be managed— up to and including eradication— if (1) control is prudent and feasible, and (2) the exotic species has a deleterious impact on: 1) Abiotic processes; or 2) Biotic community composition and interactions; or 3) Vegetation structure; or 4) Genetic integrity; or 5) Aesthetic resources; or 6) Cultural resources; or 7) Public health and safety. Consideration will be given to managing exotic species that have, or potentially could have, a substantial impact on park resources, and that can reasonably be expected to be successfully controllable.*" This project is consistent with CSP policy and meets all three of the invasive non-native plant management goals. As stated in section 0310.7.2 of the DOM the removal of the Monterey cypress is deemed necessary as they have a deleterious impact on Biotic community composition and interactions, vegetation structure, aesthetic resources, and public health and safety.

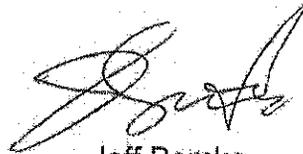
Ms. Tays further states "*As mentioned in my appeal letter, not only am I concerned with the protection of the Park's native vegetation, I am also concerned with protection of the Park's visual resources and wildlife habitat. The larger Monterey cypress are important trees because they help conceal houses, rooftops, utility poles and lines, roads, cars, etc. from nearby trails, beaches, the ocean and Trinidad Head. They also add windswept beauty and diversity to the vegetative landscape and offer vital habitat for birds and other animals. In the July 2014 project plans, the documents stated 20 Monterey cypress would be removed from the project area. Their dimensions and*

locations were not provided. However, in the revised documents, the plans state 36 Monterey cypress would be removed from the project area. In addition, the plans state: "During implementation should any Monterey cypress that has not been mapped within the project area is found and it is 12" DBH or less, it will be removed." [Emphasis added.] Also, I noticed in Photograph 10 (on page 12) that the trees in the photo appear to be misidentified; they look to be Sitka spruce and Douglas fir, not Monterey cypress".

All of the Monterey cypress trees that will be removed are not adjacent to the park property line, houses, power poles, or roads. Most of the trees to be removed are less than 20 feet tall and are surrounded by other native trees that will not be removed and taller in size. In the revised project description the area alongside the trail and adjacent to the eastern property line will be revegetated using native coastal scrub plant species such as wax myrtle (*Morella californica*), coast siltassel (*Garrya elliptica*), and coyote brush (*Baccharis pilularis*) and native trees. The revegetation will help to ensure that the visual aesthetics of the park are not significantly impacted. Ms. Tays is correct that the numbers of Monterey cypress has changed from 20 to 36. In revising the project description (September 2014) the size of Area C was expanded to the north to ensure that all of the Monterey cypress trees 12" DBH or smaller in this portion of the Park were included under this project. By increasing the size of Area C an additional 16 Monterey cypress were included in the revised project description. Ms. Tays is correct that in Photograph 10 there are native trees but they are in the background of the picture. The only tree in this picture that will be removed is the Monterey cypress at the forefront of the picture, which is identified correctly by an Environmental Scientist that is knowledgeable about how to identify Monterey cypress and mapped and measured the trees that will be removed. A variety of large, native trees will remain in this area and provide suitable habitat for the native wildlife.

Feel free to contact me if you have any questions or need further clarification.

Sincerely,



Jeff Bomke

Redwood Coast Sector Manager

Ec: Michelle Foyers, Environmental Scientist
Roger Goddard, Acting District Superintendent
Bob Merrill, California Coastal Commission
Kimberly Tays; Appellant
Natalynne DeLapp, EPIC
Kimberly Baker, EPIC

Trinidad State Beach Coastal Scrub and Grassland Restoration Project

Prepared by Michelle Forsys, Environmental Scientist, North Coast Redwoods District
Revised December 2014

PROJECT LOCATION

This project is located at Trinidad State Beach (TSB) in the North Coast Redwoods District of California State Parks (Figure 1). The 4.7-acre project area consists of coastal scrub and grassland habitats in the most southern portion of the Park. The project area extends from the large paved parking lot off of Stagecoach Road, adjacent to Trinidad School to the southern boundary of the Park near the Humboldt State University (HSU) Marine Lab (Figure 2).

PROJECT PURPOSE

The purpose of this project is to restore the native coastal scrub and grassland communities by removing invasive, non-native plants that have invaded this portion of the Park. The trail that runs along the east side of the project area is heavily overgrown with invasive, non-native plants that have begun out competing the native scrub/grassland plant species to the west of the trail. Finally, there is no firebreak between TSB and the residential houses immediately east of the Park along the trail, creating a fire hazard and/or unsafe conditions.

EXISTING CONDITIONS

The project area is primarily composed of coast scrub habitat (Figure 3). However, remnants of grassland can be found in small pockets of the project area (Figure 3). In addition, there is a small portion of forest within the project area (Figure 3). Throughout the project area there are many invasive, non-native plants which have invaded a majority of the coastal scrub and grassland areas. Some of the species include English ivy (*Hedera helix*), 5 species of *Cotoneaster*, English holly (*Ilex aquifolium*), Spanish heath (*Erica lusitanica*), jubata grass (*Cortaderia jubata*) and Scotch broom (*Cytisus scoparius*). There are 31 invasive, non-native plants within the project area that will be removed during implementation of this project (Table 1). Many of these species are rated by the California Invasive Plant Council (Cal-IPC) as High or Moderate, and one is rated by both the California Department of Food and Agriculture (CDFA) and California Exotic Pest Plant Council (CalEPPC) (Table 1). In addition, 4 species are also considered noxious weeds in Oregon, and can be found in similar habitats as those found at TSB (Table 1).

The project area has been broken into four sites; Area A - View Shed, Area B - Trail, Area C - Scrub/Grassland, and Area D - Developed (Figure 3). California State Parks (CSP) had been maintaining a view shed (Area A, 0.17 acres) at the west end of the TSB parking lot until recently. This area is primarily composed of small *Cotoneaster* sp. and small native (< 3 feet tall) trees such as shore pine (*Pinus contorta* subsp. *contorta*) and grand fir (*Abies grandis*). This view shed overlooks the north end of TSB, Pewetole Island, and the south end of College Cove (Figure 3, Photo 1 and 2). If this area is not maintained on an annual basis, the public will no longer be able to see the ocean from this viewing area.

Table 1. Invasive, non-native plants in the Trinidad State Beach Coastal Scrub and Grassland Restoration project area.

Scientific Name	Common Name	Cal-IPC Rating ¹	CalEPPC Rating ²	CDFA Rating ³	Oregon Rating ⁴
<i>Cirsium vulgare</i>	bull thistle	Moderate	B		B
<i>Cortaderia jubata</i>	jubata grass	High			B
<i>Cotoneaster franshetii</i>	orange cotoneaster	Moderate			
<i>Cotoneaster horizontalis</i>	horizontal cotoneaster				
<i>Cotoneaster lacteus</i>	milk-flower cotoneaster				
<i>Cotoneaster pannosus</i>	silverleaf cotoneaster	Moderate			
<i>Cotoneaster simonsii</i>	Himalayan cotoneaster	Moderate			
<i>Crococsmia X crocosmiiflora</i>	montbretia	Limited			
<i>Cytisus scoparius</i>	Scotch broom	High	A-1	C	B
<i>Daucus carota</i>	Queen Anne's lace				
<i>Erica lusitanica</i>	Spanish heath	Limited			B
<i>Escallonia rubra</i>	red claws				
<i>Euphorbia peplus</i>	petty spurge				
<i>Geranium dissectum</i>	cutleaf geranium	Limited			
<i>Geranium molle</i>	dove's-foot geranium				
<i>Hedera helix</i>	English ivy	High			B
<i>Hesperocyparis macrocarpa</i>	Monterey cypress				
<i>Hypericum calycinum</i>	Aaron's beard				
<i>Ilex aquifolium</i>	English holly	Moderate and Alert			
<i>Lathyrus latifolius</i>	perennial sweetpea				B
<i>Leucanthemum vulgare</i>	ox-eye daisy				
<i>Lotus corniculatus</i>	bird's-foot trefoil				
<i>Muehlenbeckia complexa</i>	mattress vine				
<i>Oxalis corniculata</i>	creeping wood-sorrel				
<i>Pittisporum</i> sp.	Pittisporum				
<i>Raphanus sativus</i>	wild radish	Limited			
<i>Rubus armeniacus</i>	Himalayan blackberry				
<i>Ranunculus</i> sp.	buttercup				
<i>Senecio minimus</i>	coastal burnweed				
<i>Viburnum tinus</i>	laurustinus				
<i>Vinca major</i>	periwinkle	Moderate			

¹ Cal-IPC - California Invasive Plant Council; ² CalEPPC - California Exotic Pest Plant Council; ³ California Department of Food and Agriculture, ⁴ Although this listing has no standing in California, it show that these plants are considered invasive in an adjacent state that is part of larger bioregion.

The majority of the vegetation between the trail and the residential houses (Area B, 0.71 acres) is densely populated by invasive, non-native plants, primarily English ivy, *Cotoneaster* sp., *Pittisporum* sp., Spanish heath and Aaron's beard (Figure 3, Photos 3 - 5). A few native species still exist in this area, including coyote brush (*Baccharis pilularis*), California blackberry (*Rubus ursinus*), red alder (*Alnus rubra*), coast silk tassel (*Garrya elliptica*), and Sitka spruce (*Picea sitchensis*). By removing non-native plants in this area, fuels will be reduced, lessening the chance of a wildfire moving out of the Park and onto private property. This will also help to restore the native coastal scrub in this area.

The area to the west of the southern half of the trail (Area C, 2.9 acres) was once primarily coastal grassland (Figure 3). Over the last 10 years, little management has occurred in this area allowing many invasive, non-native plant species (English ivy, mattress vine (*Muehlenbeckia compacta*), Spanish heath, *Cotoneaster* sp., and *Pittisporum* sp.) to become established (Photos 6 - 10). In addition, native coastal scrub plants, including coyote brush, twinberry (*Lonicera involucrata*), and California huckleberry (*Vaccinium ovatum*), are also present in this area (Photo 6).

In addition, many, non-native Monterey cypress (*Hesperocyparis macrocarpa*) trees have begun to invade the scrub/grassland area and mattress vine has begun to strangle multiple native plant species at the southeast corner of the park across from the HSU Marine Lab (Figure 4, Photos 11 - 14). There is very little coastal grassland left within TSB and it is a sensitive habitat that is important for native wildlife. Two sensitive plant species, Oregon coast paintbrush (*Castilleja affinis* ssp. *litoralis*) and mountain crowberry (*Empetrum nigrum* ssp. *hermaphroditum*) occur along the vertical bluff edges at TSB near Elk's Head (Appendix A). By restoring the scrub/grassland and removing the non-native plants, more suitable habitat will become available for these sensitive plant species to colonize. In addition, by restoring this coastal grassland/scrub habitat through annual management, fuels will be reduced making it safer for Trinidad residents if a wildfire occurs.

Area D (0.57 acres) extends from the corner of Stagecoach Road along the southern side of the parking lot, between the fence and the park road (Figure 3). This area is comprised of both native and invasive, non-native plants (Photos 15 - 18). Within this area there are many *Cotoneaster* sp. and *Pittisporum* sp. plants, English ivy and Himalayan blackberry. In addition, there are four mature Monterey cypress trees. These Monterey cypress trees have begun to reproduce and there are several samplings that have begun to grow.

PROJECT DESCRIPTION

This project proposes to maintain a view shed and restore coastal scrub and grassland habitats by removing invasive, non-native plants within the project area. Non-native plants will be flagged prior to project implementation and removed with hand tools (e.g. shovels, weed wrenches, chainsaws). Excavation should not exceed 24 inches. Chainsaws will be used to remove *Cotoneaster* sp., *Pittisporum* sp., and the Monterey cypress. Roots of any invasive, non-native species that can resprout when cut to the ground will be completely removed from the ground. All removed vegetation will be transported to an appropriate dumping area or compost facility, outside of the Coastal Zone in a timely fashion and then composted or chipped, depending on the species. Specific actions for each treatment area are discussed below.

Area A (View Shed Area): The project proposes to remove the invasive, non-native plants, mainly *Cotoneaster* sp. and Queen Anne's lace (*Daucus carota*) from within this area. No native trees will be removed in this area. The initial treatment of this area will be completed in 1 week. Once initial treatment has been conducted retreatment will occur annually or as needed. The area is relatively flat and there are multiple native plants intermixed with the non-native plants. Therefore no revegetation will be needed.

Area B (Trail Area): Non-native plants (mainly Queen Anne's lace, Scotch broom, English ivy, Aaron's beard, *Pittisporum* sp., Spanish heath, Himalayan blackberry, and multiple species of *Cotoneaster* sp.) in this area will be removed. When plants are dug out of the ground, soil will be contoured using hand tools so that no large holes are left where the plants were removed. No native trees will be removed. Mulching and revegetation will occur when the native plant recolonization is in need of assistance or where large areas of ground are exposed after invasive, non-native plants removal. Coastal scrub plant species will be used to revegetate Area B. Species such as coyote brush, Pacific reed-grass (*Calamagrostis nutkaensis*), wax myrtle (*Morella californica*), coast siltkassel (*Garrya elliptica*) and native trees such as Sitka spruce once mature plants will help to create a vegetated barrier between the trail and the private property fences. Seeds from these species will be collected from within TSB and either sown into the ground and/or existing native plants will be transplanted. The initial treatment of this area will be completed over a 2 year period. Revegetation efforts will occur for 2 years after the second retreatment. Once initial treatment has been conducted on a portion of this area, retreatment will occur annually or as needed, and prior to any new initial treatment in Area B.

Area C (Scrub/Grassland Area): Area C has the highest diversity of invasive, non-native plant species (Monterey cypress, mattress vine, radish, 3 species of *Cotoneaster* sp., Queen Anne's lace, Scotch broom, English ivy, Aaron's beard, *Pittisporum* sp., Spanish heath, perennial peavine (*Lathyrus latifolius*), jubata grass, periwinkle (*Vinca major*), bull thistle (*Cirsium vulgare*), burn weed (*Senecio minimus*), montbretia (*Crocasmia X crocosmiiflora*) and Himalayan blackberry) of the four areas. When plants are dug out of the ground, soil will be contoured using hand tools so that no large holes are left where the plants were removed. No native trees will be removed. Mulching will occur when large areas of ground are exposed after invasive, non-native plants removal.

Mattress vine is growing in the southeastern portion of Area C (Figure 4). This plant is strangling multiple species of coastal scrub and the population size has tripled in size since it was first discovered a few years ago (Photos 11-14). In order to remove the mattress vine some native shrubs, such as coyote brush and twinberry, may have to be cut back, but not removed. There is no physical way to reach the mattress vine roots without cutting back some of the brush. Coyote brush and other native shrubs in this area will resprout after being cut back. No native trees will be removed in this area. In addition, 36 Monterey cypress trees ranging from < 1" Diameter at Breast Height (DBH) to 12" DBH will be removed (Table 2, Figure 4). During implementation should any Monterey cypress that has not been mapped within the project area is found and it is 12" DBH or less, it will be removed. There are two Monterey cypress trees that are larger than 12" DBH in Area C. These trees are large, most likely the larger of the two trees is a historic planting. These trees will not be removed under this project. These trees are not being removed for various reasons; 1) the removal of these large trees will require a significant amount of equipment which would likely impact the native species in Area C; 2) to minimize soil disturbance and erosion that could occur with the removal of the trees; and 3) the Notice of Exemption

(NOE) does not permit taking of any trees larger than 12" DBH. The initial treatment of this area will be completed over a 2-year period. Once initial treatment has been conducted on a portion of this area, retreatment will occur annually or as needed, and prior to any new initial treatment in Area C.

Table 2. Number and size of Monterey cypress to be removed in Area C of the Trinidad State Beach Coastal Scrub and Grassland Restoration project area.

DBH (Inches)	Total Trees
0.5	7
1	8
2	10
3	5
4	2
6	1
8	2
12	1
Grand Total	36

Area D (Developed Area): Within this area a variety of invasive, non-native plants occur. They include English ivy, English holly, buttercup (*Ranunculus* sp.), Monterey cypress, bull thistle, Scotch broom, Himalayan blackberry, red claws (*Escallonia rubra*), *Geranium* and multiple species of *Contoneaster* sp. In addition, there are 4 large Monterey cypress trees, which will not be removed. These trees are not being removed for various reasons; 1) the removal of these large trees will require a significant amount of equipment and temporary road closure on Stagecoach Road; 2) to minimize soil disturbance and erosion that could occur with the removal of the trees; and 3) the NOE does not permit taking of any trees larger than 12" DBH. However, if any Monterey cypress under 12" DBH are found during treatment efforts in this area, they will be removed. The initial treatment of this area will be completed over a 2-week period. Once initial treatment has been conducted, retreatment will occur annually or as needed. Revegetation will occur along the property line where removal efforts caused the fence to be exposed. Native coastal scrub species will be used to revegetate this area. Species that will be used include wax myrtle, coyote brush, coast silktassel, and Sitka spruce. Revegetation will occur after the second retreatment effort.

PROJECT TIMELINE

This project is a multi-year project and initial treatment of each area will occur during different years to ensure that not more than 0.3 acres of non-native plant are removed per year (Table 3). Initial treatment of Areas B and C will be conducted over a 2-year period. Retreatment of each area will occur annually or until no longer required. It is anticipated that removal efforts will occur over a 2 week period each year. Revegetation will occur at different times based on the area and if there is a need for greater native plant cover. Although it is anticipated that the project will be completed over a 5-year period, a permit extension may be requested if the restoration objectives are not met.

Table 3. Timeline for Trinidad State Beach Coastal Scrub and Grassland Restoration project.

Area	Year 1	Year 2	Year 3	Year 4	Year 5
A		Initial Treatment	Retreatment	Retreatment/ Revegetation	Retreatment
B	Initial Treatment	Initial Treatment/ Retreatment	Retreatment/ Revegetation	Retreatment/ Revegetation	Retreatment
C		Initial Treatment	Initial Treatment	Retreatment/ Revegetation	Retreatment/ Revegetation
D	Initial Treatment	Retreatment	Retreatment/ Revegetation	Retreatment/ Revegetation	Retreatment

PROJECT MONITORING

Multiple types of monitoring will be used to determine the success of the project. First, multiple photo points will be established using a Global Positioning System (GPS) unit within all 4 areas. Photos will be taken before, during, and after initial treatment of each area and annually before and after each retreatment effort. Photo monitoring will also occur before and after any revegetation efforts, and annually for the first 3 years after revegetation efforts occur. Second, all non-native plants within the project area will be mapped using a GPS unit prior to initial treatment of each area. At the end of the 5 year project all remaining non-native plants will be mapped. The project will be considered a success when the non-native plant cover (area mapped) is less than 10% of the original areas mapped. Finally, the percent cover of all plant species in each of the 4 areas will be determined using a point intercept method. The length of the transect and the amount of points to be sampled will be different for each and will be based on the shape and size of each area. Point intercept (transect) monitoring will be conducted prior to initial treatment of each area and at the end of the 5-year project timeline. The project will be considered a success when the non-native plant cover is less than 10% of the area sampled. If these goals are not met at the end of the 5-year project restoration activities will continue until these goals has been met. At the end of the 5-year permit period a report will be produced for the City of Trinidad documenting the work and monitoring that occurred throughout the project.

PROJECT COMPLIANCE

The Trinidad Area of Special Biological Significance (ASBS), also known as a State Water Quality Protection Area, is located west of the Park. Mill Creek and an unnamed tributary that flows into College Cove do not fall within the project area. There are no wetlands, water features, drainages, or unstable areas within the project area. However, Trinidad State Beach is considered a FCWA 303 (d) impacted water body. Water quality Best Management Practices will be used throughout the life of the project (Appendix A).

A sensitive plant survey was conducted in 2010, which covered almost the entire Park (Appendix B – Figure 1). Two special status plant species were encountered near Elk Head; Oregon coast paintbrush and mountain crowberry (Appendix B). These plants are located at the north end of the Park, a few miles from the project area. Area C will have the potential habitat for these species once restoration occurs. A second sensitive plant survey was conducted in 2014 (Appendix C). This survey concentrated on surveying and mapping sensitive habitats within the 4.7 acre project area. Sensitive habitats were not mapped or

discussed in the 2010 report. It is highly unlikely that any sensitive plants have colonized the project area (since the 2010 survey), due to the dense cover of invasive, non-native plants. There are no known sensitive animal species using the habitat within the project area. Work will occur between August 1 and April 30 to ensure no breeding birds are disturbed.

This project has gone through both the California Environmental Quality Act (CEQA) and cultural review processes. A NOE was filed and a 5024 completed for the cultural review (Appendix D and E respectively). All culturally sensitive areas found during the cultural review process are outside of this project area (Appendix E – not to be released to the public).

REFERENCES

California Invasive Plant Council; <http://www.cal-ipc.org>

California Exotic Pest Plant Council; <http://www.cal-ipc.org>

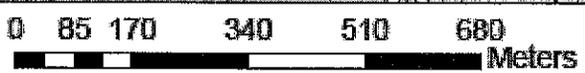
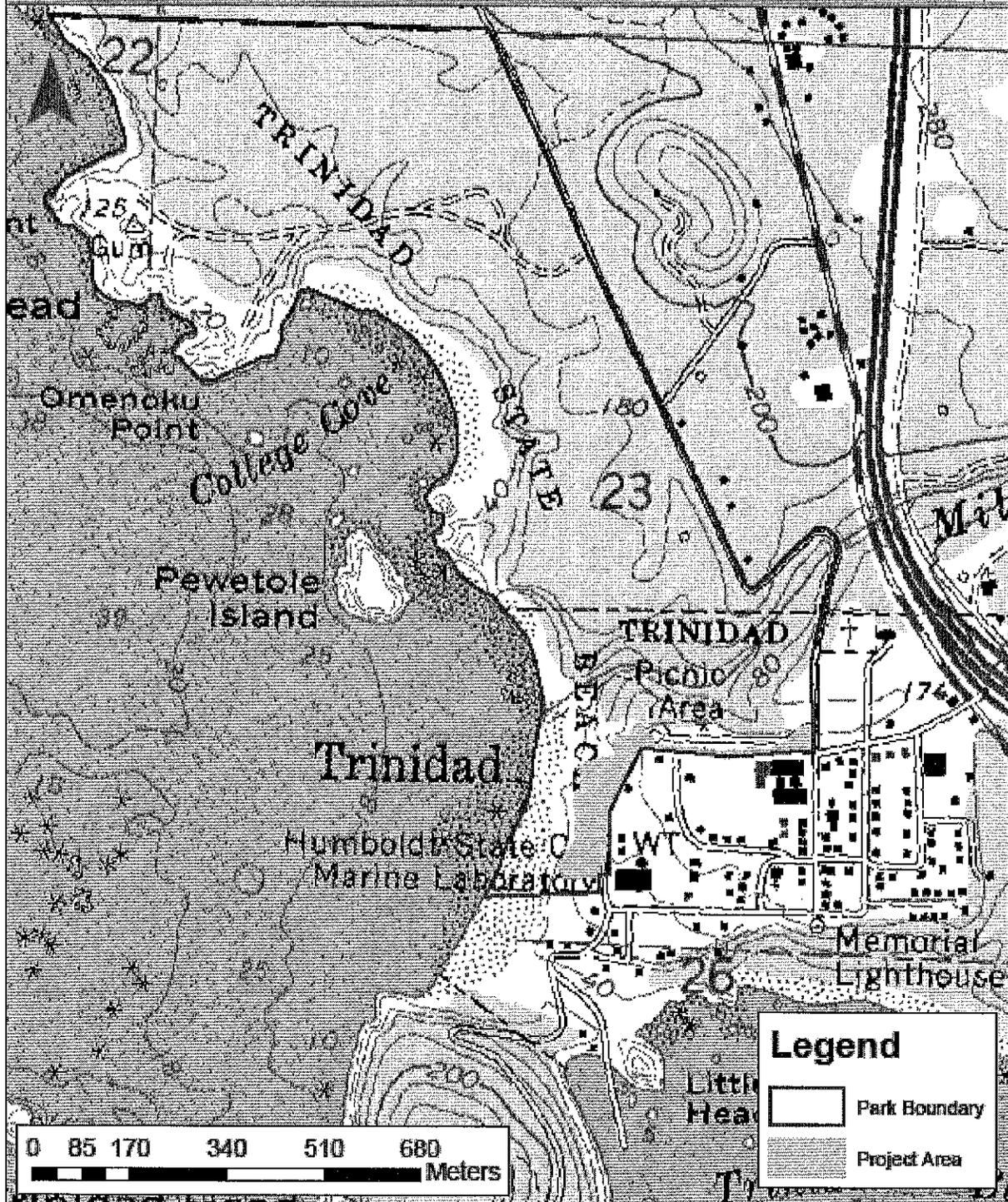
California Department of Food and Agriculture; <http://www.cdffa.ca.gov/>

Oregon Dept. of Agriculture;

<http://www.oregon.gov/ODA/programs/Weeds/Pages/AboutWeeds.aspx>

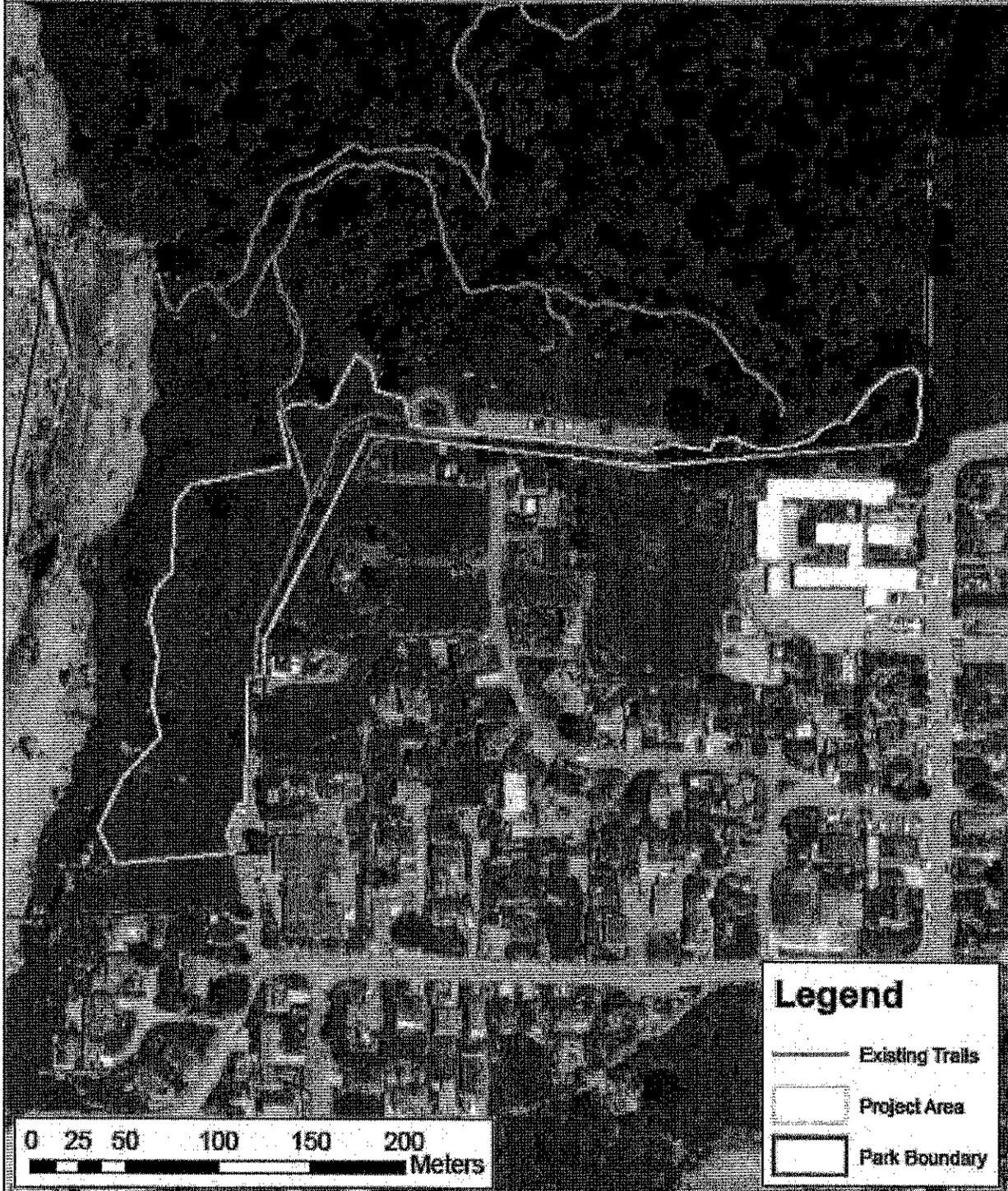
Trinidad State Beach

North Coast Redwood District



Legend

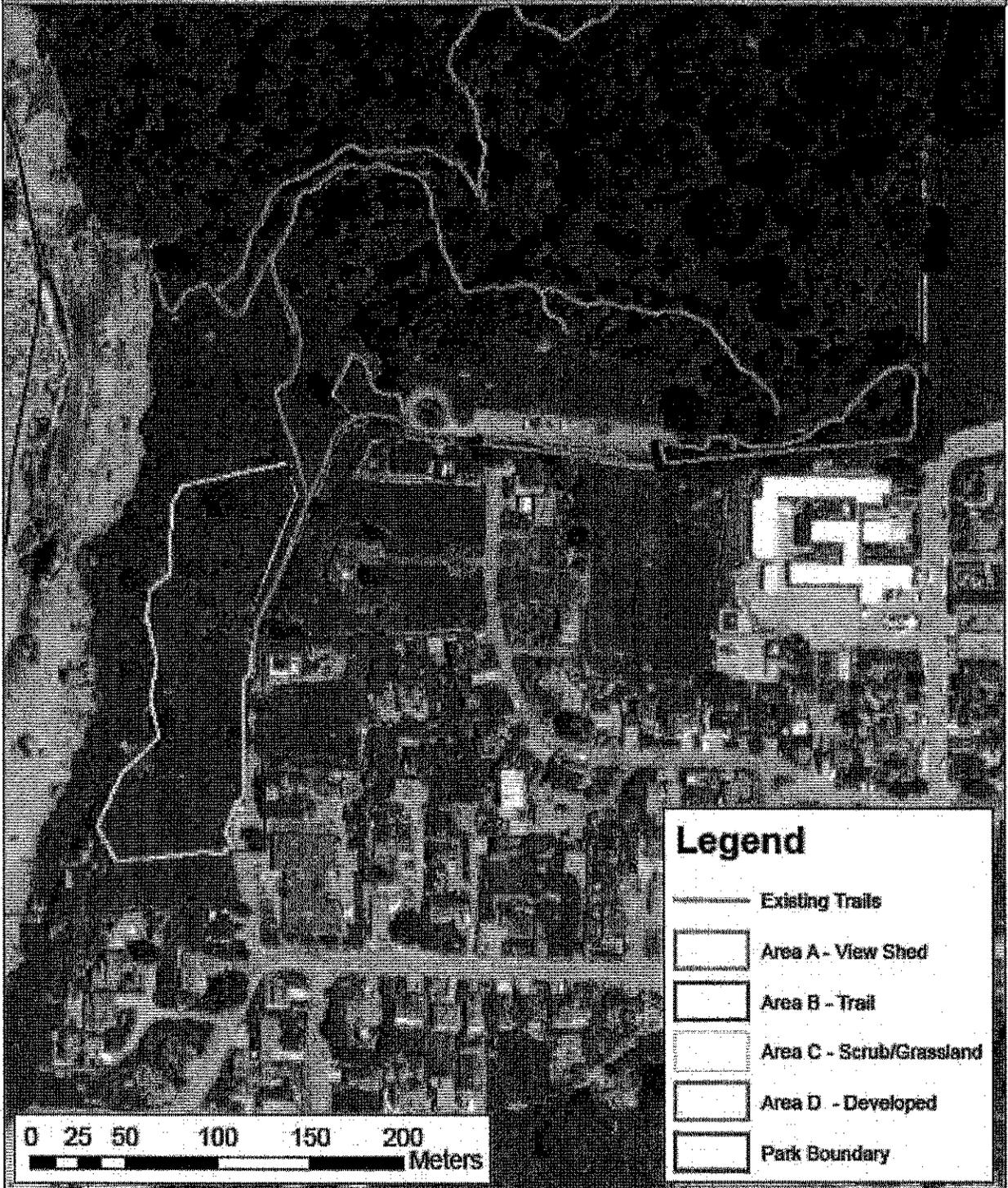
- Park Boundary
- Project Area



0 25 50 100 150 200
Meters

Legend

- Existing Trails
- Project Area
- Park Boundary

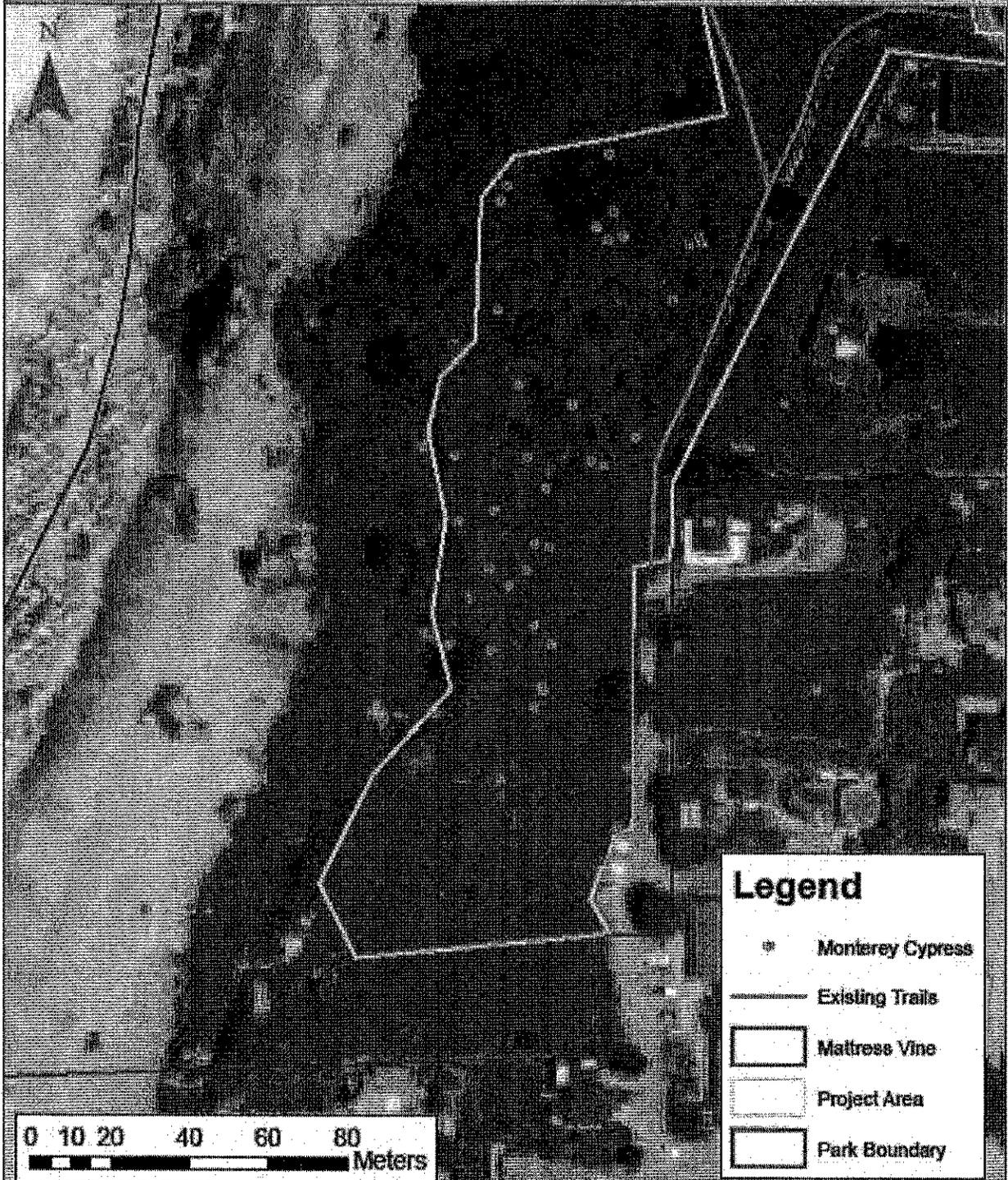


0 25 50 100 150 200 Meters

Legend

-  Existing Trails
-  Area A - View Shed
-  Area B - Trail
-  Area C - Scrub/Grassland
-  Area D - Developed
-  Park Boundary

Coastal Scrub and
Grassland Restoration Project



0 10 20 40 60 80 Meters

Legend

- Monterey Cypress
- Existing Trails
- ▭ Mattress Vine
- ▭ Project Area
- ▭ Park Boundary

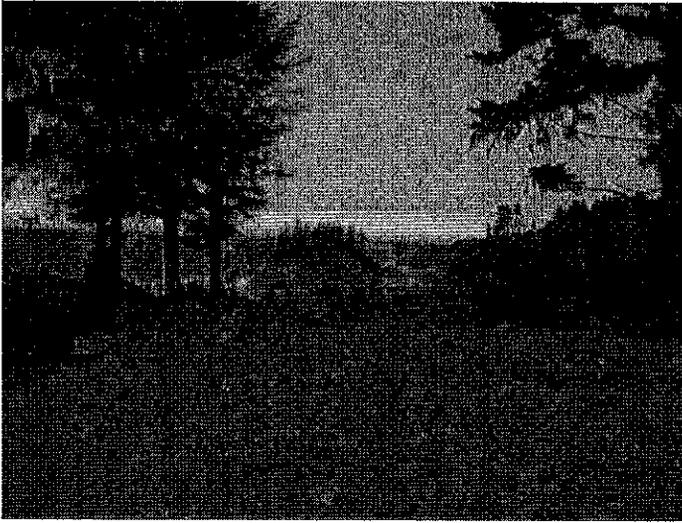


Photo 1. Area A - View shed area



Photo 2. *Cotoneaster* crowding out native scrub species.

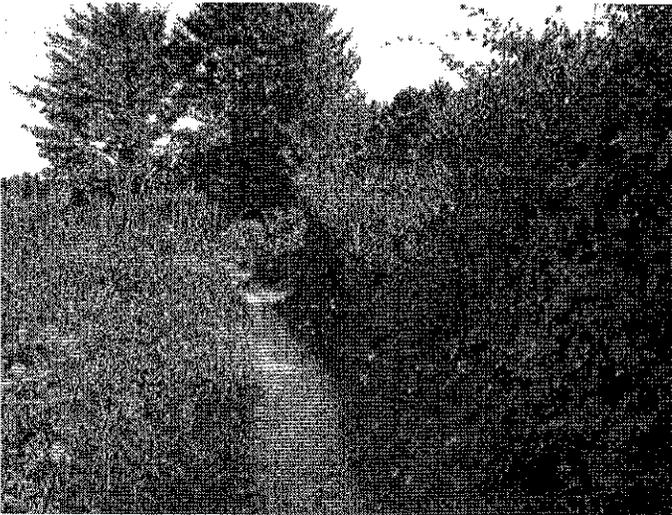


Photo 3. Trail area covered in *Cotoneaster* sp.



Photo 4. *Cotoneaster* crowding out native scrub species.



Photo 5. Trail area covered in English ivy.



Photo 6. Native coastal scrub with some *Cotoneaster*.

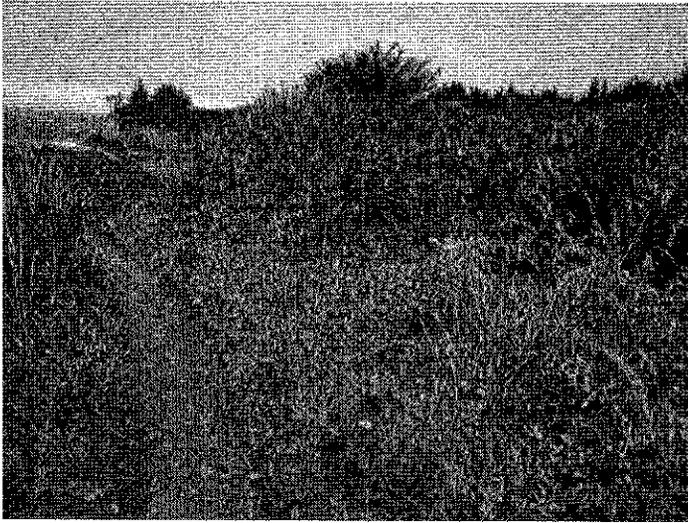


Photo 7. English ivy taking over coastal scrub and grassland.

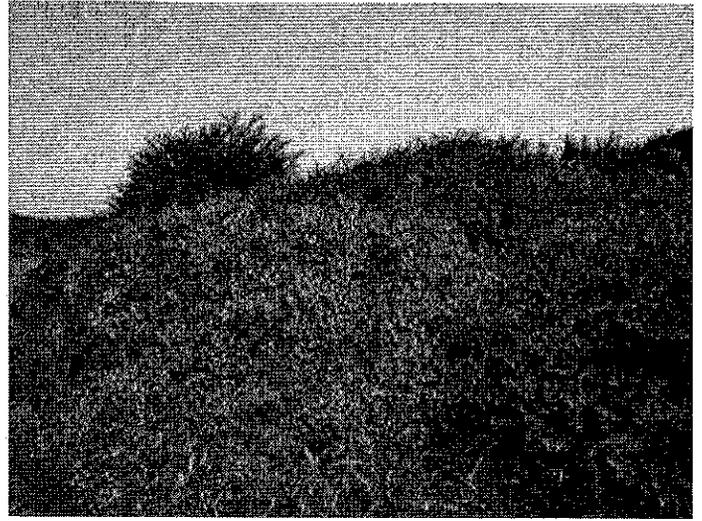


Photo 8. English ivy growing over Cotoneaster.

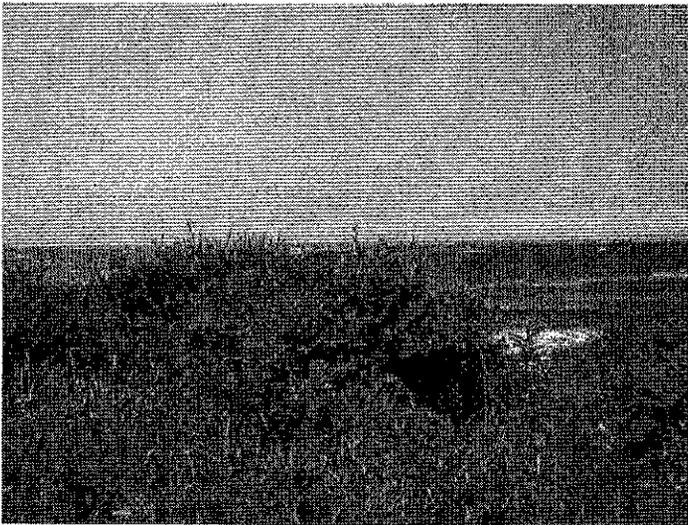


Photo 9. Cotoneaster out competing native scrub plants.



Photo 10. Cotoneaster and Monterey cypress (fore front) taking over shore pine area (background).

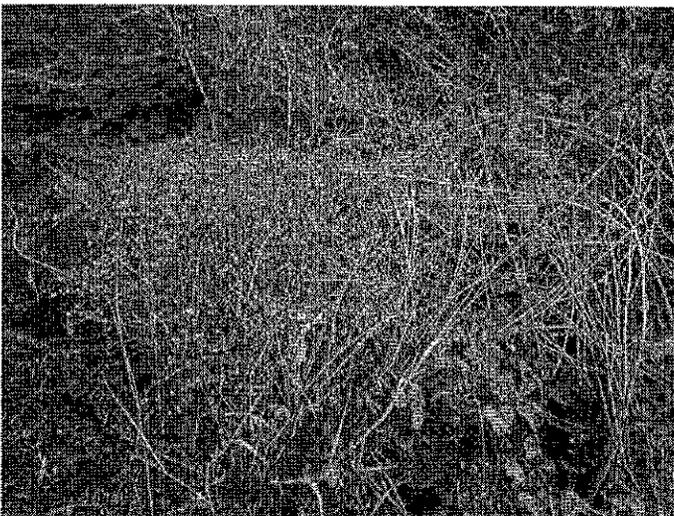


Photo 11. Mattress vine.



Photo 12. Mattress vine covering coyote brush.

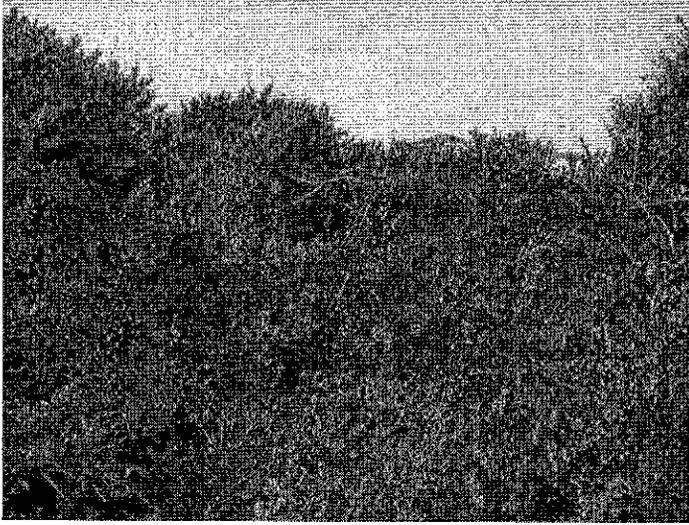


Photo 13. Native scrub plants covered in mattress vine.



Photo 14. Cotoneaster and Himalayan blackberry covered by mattress vine.

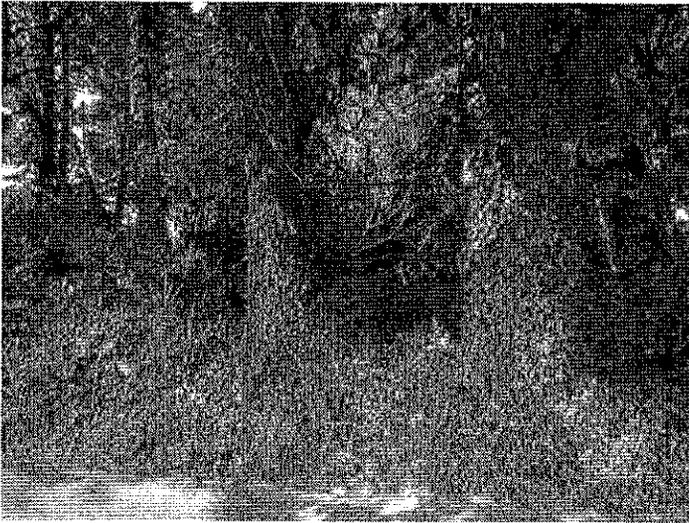


Photo 15. SW corner of Area D.

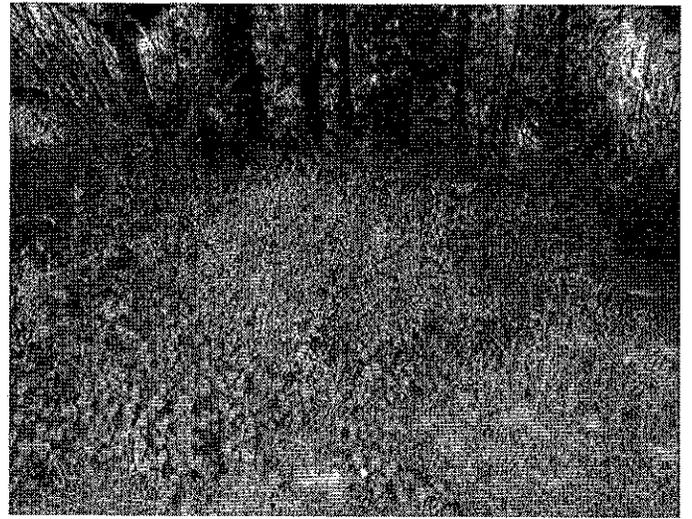


Photo 16. English ivy and Cotoneaster in Area D.



Photo 17. Middle section of Area D (red claws. to be removed).

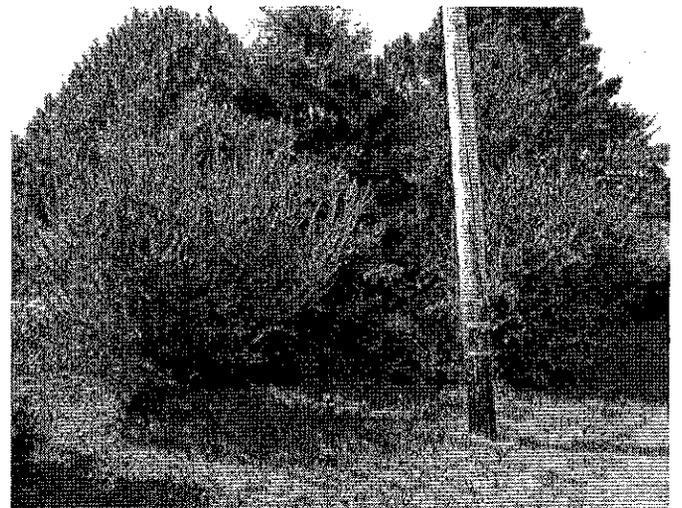


Photo 18. Middle section of Area D (Cotoneaster to be removed).

Trinidad State Beach Restoration Project (CDP 2014-01)

From : Kimberly Tays <kimkat067@gmail.com>

Thu, Oct 30, 2014 02:44 PM

Subject : Trinidad State Beach Restoration Project (CDP 2014-01)**To :** Natalynne DeLapp <Natalynne@wildcalifornia.org>, trever@streamlineplanning.net, bob merrill <bob.merrill@coastal.ca.gov>, kimberly@wildcalifornia.org, jeff bomke <jeff.bomke@parks.ca.gov>, roger goddard <roger.goddard@parks.ca.gov>, kasey sirkin <kasey.sirkin@coastal.ca.gov>, michelle forys <michelle.forys@parks.ca.gov>

This email is written in response to California State Parks' response (via Mr. Jeff Bomke) to my appeal regarding the proposed Trinidad State Beach Grassland and Scrub Restoration Project (CDP 2014-01).

I have reviewed the revised plans (dated September 2014) that will be presented at the upcoming November 12 Trinidad City Council meeting. While I am, overall, pleased with the revisions of the restoration project, I **object** to the plans to remove the more sizeable, mature Monterey cypress trees growing within the project area. While, admittedly, Monterey cypress are not native to Humboldt County, they are native to coastal Monterey, California, and are growing in local State Parks, such as Patrick's Point. Monterey cypress is not an invasive tree species and is not a threat to the Trinidad State Beach coastal bluff environment. Any money and time spent on restoring this Park should be directed towards removal and/or control of highly invasive plants such as English ivy, Cotoneaster, Scotch broom, Pampas grass, Mattress vine, etc., which are a serious threat to the Park's biological diversity. I feel confident in stating that of all of the plant species that the California State Parks North Coast Redwoods District should be worried about, Monterey cypress is not one of them.

As mentioned in my appeal letter, not only am I concerned with the protection of the Park's native vegetation, I am also concerned with protection of the Park's visual resources and wildlife habitat. The larger Monterey cypress are important trees because they help conceal houses, rooftops, utility poles and lines, roads, cars, etc. from nearby trails, beaches, the ocean and Trinidad Head. They also add windswept beauty and diversity to the vegetative landscape and offer vital habitat for birds and other animals. In the July 2014 project plans, the documents stated 20 Monterey cypress would be removed from the project area. Their dimensions and locations were not provided. However, in the revised documents, the plans state 36 Monterey cypress would be removed from the project area. In addition, the plans state: "During implementation should any Monterey cypress that has not been mapped within the project area is found and it is 12" DBH or less, it will be removed." [Emphasis added.] **Also, I noticed in Photograph 10 (on page 12) that the trees in the photo**

appear to be misidentified; they look to be Sitka spruce and Douglas fir, not Monterey cypress.

For the above reasons, I respectfully propose the following:

(1) The larger Monterey cypress (those trees 6" DBH and larger) be protected and NOT REMOVED.

(2) The large trees identified in Photograph 10 should be surveyed again to insure they are NOT native Sitka spruce and Douglas fir trees and, therefore, mistakenly cut down. If they are identified as Monterey cypress, the trees appear to be sizeable trees (6" DBH and larger) and should be protected.

(3) Any Monterey cypress trees that have not been mapped within the project area should not be removed without going through the permit and public review process because of the possible impacts to the natural resources of the Park Parks re-evaluating this project and submitting its revised project proposal. I would respectfully request that my suggestions, above, be incorporated into the revised plans for this important restoration project.

Sincerely,
Kimberly Tays (Appellant)

Trinidad State Beach Restoration Project (CDP 2014-01)

From : Kimberly Tays <kimkat067@gmail.com>

Thu, Oct 30, 2014 03:04 PM

Subject : Trinidad State Beach Restoration Project (CDP 2014-01)**To :** Natalynne DeLapp <Natalynne@wildcalifornia.org>, trever@streamlineplanning.net, bob merrill <bob.merrill@coastal.ca.gov>, jeff bomke <jeff.bomke@parks.ca.gov>, roger goddard <roger.goddard@parks.ca.gov>, kasey sirkin <kasey.sirkin@coastal.ca.gov>, michelle forys <michelle.forys@parks.ca.gov>

I apologize for the mistake in the last paragraph of my previous (Oct. 30) email. I am using a public library computer and for some reason the computer sent my email before my email was edited and finalized.

Please replace paragraph (3) in my previous email with the following:

(3) Any Monterey cypress trees that have not been mapped within the project area should not be removed without going through the permit and public review process because of the possible impacts to the natural resources of the Park.

I appreciate California State Parks re-evaluating this project and submitting its revised project proposal. I would respectfully request that my suggestions, above, be incorporated into the revised plans for this important restoration project.

Sincerely,
Kimberly Tays (Appellant)

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

1385 EIGHTH STREET • SUITE 130

ARCATA, CA 95521

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FACSIMILE (707) 826-8960



October 29, 2014

Hon. Julie Fulkerson, Mayor
City of Trinidad
409 Trinity Street
Trinidad, CA 95570

RE: Coastal Development Permit Application No. 2014-01 *California State Parks Vegetation Removal and Maintenance Activities*, southern portion of Trinidad State Beach (APNs 042-021-01 and 042-031-01), California Department of Parks and Recreation, Applicant

Dear Mayor Fulkerson:

Thank you for the opportunity to review the California State Parks response to the appeal filed by Ms. Kimberly Tays concerning the Trinidad State Beach Grassland and Scrub Restoration Project (CDP 2014-01). The revised project proposes to conduct vegetation removal and ongoing maintenance activities within the southern portion of Trinidad State Beach, in the North Coast Redwoods District, to restore coastal scrub and grassland habitat, improve viewsheds and reduce fire hazards. The four-acre project area consists of coastal scrub and grassland habitats in the most southern portion of the Park. Overall, approximately 1.2 acres of vegetation will be removed over four years, with no more than 0.3 acres of vegetation removed annually. The project area extends from the large paved parking lot off of Stagecoach Road to the southern boundary of the Park near the Humboldt State University (HSU) Marine Lab. Invasive non-native and native vegetation will be removed with hand-tools (e.g., shovels, weed wrenches, chainsaws) and excavation should not exceed 24 inches. Chainsaws will be used to remove approximately 36 Monterey Cypress trees. All removed vegetation will be piled and transported to an appropriate dumping area to be composted, chipped or burned later.

After reviewing the revised project description and updated vegetation information, the Commission believes that many of our concerns have been addressed and that the revised proposed project, as described, will be in substantial conformance with the Trinidad LCP. To assist in preventing a future appeal to the Commission, we are providing the following list of the information provided in the revised project description that has allowed us to make this determination.

1. Restoration Impetus for Project

Information provided in the revised CDP application and appeal response indicates that the objective of the project is to "restore" the area to native vegetation, and is therefore, no longer intended to reestablish a particular type of habitat type or characteristic, namely "coastal scrub and grassland habitat" (page 3 of appeal response). The proposed project will achieve this objective through selective removal of existing non-native vegetation, which will allow existing native vegetation to grow larger and fill in to open areas. Given the selective nature of the

proposed project, and the low likelihood of adverse impacts to native vegetation, Commission staff feels that the project has a high likelihood of achieving the stated objective, and restoring areas of native vegetation. Therefore, our concern as to whether the former restoration objective of reestablishing a vegetative assembly of undocumented historical presence given its dissimilar composition compared to surrounding plant communities may not be met has been alleviated.

2. Clarification of Project Description

As requested, the revised project description and CDP application provides detailed information on the quantity of vegetation proposed to be removed (page 4 of revised project description), as well as providing additional maps (Figure 4) indicating the location of all trees that will be removed. The revised CDP application also provides information relating to how the project will maintain open spaces and will improve the existing character and habitat value of the overall project area (page 4 of revised project description). Additionally, the applicant has provided an updated vegetation survey and additional details on the existing character and habitat values of the project area. Upon review, the Commission finds that the information supplied in the revised CDP application provides sufficient details to determine that the project is consistent with the City's LCP and other relevant Coastal Act issues.

3. Alternatives Analysis

After reviewing the revised CDP application, it appears that the proposed project would be to conduct a more selective removal of vegetation over a longer period to retain trees that add character, dimension, and interest to the landscape of the Open Space zoning district in which it is located, provide important wildlife habitat, and act as a buffer to the adjacent urban development. It does not appear that the revised project has the potential to create significant adverse environmental impacts and includes avoidance and minimization measures that will protect sensitive resources, water quality and surrounding habitat areas. Therefore, Commission staff believes that there is no other feasible alternative to the revised project that would have less environmentally damaging effects, be consistent with the LCP, and meet the project's native vegetative cover restoration objectives.

4. Success Criteria

Under the revised CDP application, photo monitoring will be used to assess the success of the project (page 5 of appeal response). Multiple photo points will be established using Global Positioning System (GPS) and photos will be taken before, during and after initial treatment of each area and annually before and after re-treatment. Although the proposed monitoring is an improvement from the original CDP application where no monitoring was suggested, Commission staff still feels that more stringent success criteria should be established. Some quantifiable and verifiable standards of restoration success need to be established for the project. These end-points could be structured in terms of minimum basal area, stem-count per sampled area, diversity indices, or other metrics, which would clearly substantiate that the goals of this five-year undertaking have been achieved. In addition if, at the conclusion of the five-year permit term, it is determined that the quantified success criteria have not been met, the project

description and permit conditions should provide for an administrative extension of the project restoration work until such success thresholds have been met.

5. Consistency with Open Space Zoning

As described in the previous comment letter, according to Section 4.02 of the Zoning Ordinance of the City Trinidad, the purpose of the Open Space (OS) district is to “maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources.” Although the revised project description footprint is reduced from the original project, there remains the need for preserving the natural and scenic character of the areas adjacent to the TSP parking lot and residential areas. To achieve this objective non-native vegetation that currently softens and screens from view the adjoining residential development should be replaced with new landscaping, consisting of native species to maintain the objectives of the project, between the trail and the back sides of the residential lots, to ensure LCP consistency. Depending upon the actual amount of the vegetation along the south side of the Trinidad State Beach parking lot that is actually proposed to be removed and the resulting opening of views to adjacent developed school grounds and residential improvements, such vegetation removal through this area may trigger the need for replacement landscape screening to assure consistency with LCP provisions for protecting the Open Space scenic character.

Thank you for the opportunity to comment on the above referenced CDP application. As always, Commission staff is available to discuss our comments in greater detail as well as any questions you may have regarding our concerns. If any questions arise please contact me at 707-826-8950 ext. 205.

Sincerely,

L. Kasey Sirkin
Coastal Program Analyst II

Cc: California Department of Parks and Recreation
Trinidad State Beach
4150 Patricks Point Drive
Trinidad, CA 95570

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 8TH STREET • SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
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August 27, 2014

Trinidad City Council
409 Trinity Street
Trinidad, CA 95570

RE:Coastal Development Permit Application No. 2014-01 *California State Parks Vegetation Removal and Maintenance Activities*, southern portion of Trinidad State Beach (APNs 042-021-01 and 042-031-01), California Department of Parks and Recreation, Applicant

Dear Mayor Fulkerson:

It has been brought to the Commission's attention that the approval of the above-mentioned CDP application has been appealed to the local jurisdiction and will be reviewed by the Trinidad City Council, likely at the Council's September 10, 2014 meeting. The proposed project is located in the City of Trinidad's local jurisdiction as well as being in an area that is appealable to the Commission. Therefore, in the interest of ensuring that the approved project is consistent with the local LCP and that pertinent LCP issues are addressed at the local level, Commission staff has reviewed the proposed project and CDP application and is providing comments for consideration when evaluating the proposed project appeal.

The project proposes to conduct vegetation removal and ongoing maintenance activities within the southern portion of Trinidad State Beach, in the North Coast Redwoods District, to restore coastal scrub and grassland habitat, improve viewsheds and reduce fire hazards. The 4-acre project area consists of coastal scrub and grassland habitats in the most southern portion of the Park. The project area extends from the large paved parking lot off of Stagecoach Road to the southern boundary of the Park near the Humboldt State University (HSU) Marine Lab. Invasive non-native and native vegetation will be removed with hand-tools (e.g. shovels, weed wrenches, chainsaws) and excavation should not exceed 24 inches. Chainsaws will be used to remove approximately 160 trees in the project area, of which 97 are non-native trees. All removed vegetation will be piled and transported to an appropriate dumping area to be composted, chipped or burned later.

Commission staff has prepared the following comments for the City's consideration as to the proposed project's conformance with the policies of the certified LCP and the pertinent policies of the Coastal Act. Many of our comments point out the level of information provided with the application may not be sufficient to fully determine whether the proposed project is consistent

with the LCP. We encourage the City to address these information needs prior to acting on the local appeal.

1. Restoration Impetus for Project

The information provided in the permit application is less than clear as to whether the pre-existing vegetative cover was indeed ‘coastal scrub and grassland habitat’. Based on a quick review of aerial and historic photographs and a cursory examination of the profiles of soil borings taken in proximity of the project area, it is not clear what the natural characteristics of the site are and whether the area was cleared of previously existing spruce-hemlock forest upon settlement in the 1850s or if the area is naturally treeless as purported and seen in the Elk Head area. To better understand the historic condition of the proposed project site, the City should request information from the applicant to further substantiate that the area in question was historically coastal scrub/grassland and restoration of the site to this type of habitat is appropriate.

2. Clarification of Project Description

Site Mapping

The project description of the CDP application needs to be further detailed to enable one to ascertain if the project is consistent with LCP policies and coastal act issues. Additional information that would be helpful to have includes: (1) a site map that shows the location of all areas where vegetation/tree removal will take place, and their locations in relation to any ESHA habitat on or in proximity to the project properties; (2) a table depicting the quantity of vegetation/trees that will be removed, including a breakdown of the quantity and species of vegetation removed at each site; (3) the total quantity of native versus non-native vegetation to be removed; (4) size/DBH of all trees that are proposed to be removed; (5) removal method for each place where vegetation removal is proposed; site map depicting all ESHA habitat; (6) list of all BMPs that will be implemented at each removal location; erosion control and stormwater management plans; and project implementation scheduling.

Consistency with Open Space Zoning

According to Section 4.02 of the Zoning Ordinance of the City of Trinidad, the purpose of the Open Space (OS) district is to “maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources.” Vegetation that currently softens and screens from view the adjoining residential development should be replaced with new landscaping, consisting of native species to maintain the objectives of the project, between the trail and the back sides of the residential lots, to ensure LCP consistency. Depending upon the actual amount of the vegetation along the south side of the Trinidad State Beach parking lot that is actually proposed to be removed and the resulting opening of views to adjacent developed school

grounds and residential improvements, such vegetation removal through this area may trigger the need for replacement landscape screening to assure consistency with LCP provisions for protecting the Open Space scenic character. While the Staff Report (pp. 4-5) suggests this project complies with Chapter 3 of the Coastal Act in that it is being done to “restore environmentally sensitive habitat areas and preserve public access and coastal viewsheds” there is no information provided as to how this will be achieved.

Alternatives Analysis¹

Public Resources Code Section 21080.5(d)(2)(A) of CEQA “prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would significantly lessen any significant effect that the activity may have on the environment.” A feasible alternative for this project that should be considered would be to conduct a more selective removal of vegetation over a longer period to retain trees that add character, dimension, and interest to the landscape, provide important wildlife habitat and act as a buffer to the adjacent urban development.

Explanation of Need for Removal of Native Vegetation

The composition of the vegetation prior to the spread and establishment of the invasive-exotics likely included a multi-strata successional mixture of grass & forbs understory, shrub layer and tree canopy. In addition to the mapped and tabulated detail requested above, the restoration plan should discuss why removal of native tree species is needed to achieve project goals and objectives. Alternatives, such as limbing and pruning to minimize their spread and shading effects, should also be investigated and discussed in the project description.

Updated Surveys

The data used is based on a Plant Survey prepared over 4 years ago and appears to apply to work done at College Cove and Elk Head, which are at the far northern end of the Park, several miles from the project site. The Archeological Review submitted for this project also appears to apply to restoration work done at the College Cove and Elk Head

¹ Commission staff notes the City’s intent to find the project exempt from CEQA pursuant to a Class 4 “minor alterations to land” categorical exemption (14 CCR 15304). Notwithstanding the debatable point as to whether significant shrub and tree removal over much of a four-acre area, including native “healthy, mature, scenic trees” would reasonably be within the qualified bounds of the *minor alteration* exemption, in order for the subject exemption to be invoked, the project must be shown to not otherwise be excepted from exemption, as detailed in CEQA Guidelines section 15300.2. To wit, factual evidence must be provided that demonstrates that there is not a “...reasonable possibility that the activity will have a significant effect on the environment due to ‘unusual circumstances.’” Such unusual circumstances may be the comprehensive and single-phase aspects of the project scope, for which alternatives exist, such as phased and/or down-scaled vegetation removal, that could serve to reduce the project effects to less than significant levels.

locations and is approximately 2 years old. This means no plant or archeological reviews were conducted, specifically, for the 4-acre site (see Trinidad State Beach Sensitive Plant Survey Result, dated July 21, 2010 and the Archeological Review dated November 15, 2012). To be adequately informed about the true impacts of this project, a current plant survey needs to be prepared, specifically, for the 4-acre site, so the public knows what plants would be impacted and where. An updated plant survey and habitat assessment should be completed and a map depicting all vegetation areas, including areas to be removed and areas that will remain, should be included in the project description.

Success Criteria

Some quantifiable and verifiable standards of restoration success need to be established for the project. These end-points could be structured in terms of minimum basal area, stem-count per sampled area, diversity indices, or other metrics, which would clearly substantiate that the goals of this five-year undertaking have been achieved. In addition if, at the conclusion of the five-year permit term, it is determined that the quantified success criteria have not been met, the project description and permit conditions should provide for an administrative extension of the project restoration work until such success thresholds have been met.

Retention of existing character and habitat value

As discussed above the proposed project will be implemented in an area that has been zoned as Open Space and therefore is required under the LCP to:

...maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources, and to ensure that the health and safety of the public is ensured through careful regulations of development in areas affected by geologic instability, steep slopes, tsunami and flood hazards.

Given the large quantity of both native and non-native vegetation that will be removed from the area, it is important to understand how the vegetation removal will change the characteristics of the park for both humans and wildlife that use the existing vegetation for habitat. Important wildlife and bird habitat may be impacted from the project. Therefore, the project proposal should discuss how the removal of the vegetation will be conducted in a manner as to retain the character of the existing park features, as well as to continue to provide habitat for wildlife species in a similar manner as currently exists.

3. Restoration Methodology

Re-sprouting of Large Chain-sawed Brush

There is the possibility that some of the larger vegetation indicated for chainsaw removal only to avoid significant soil disruption, may re-sprout. The restoration plan should

address this likelihood and identify what measures would be taken to address such tenacious regrowth. Additionally, information should be included in the project description on methods that will be used to ensure that non-native vegetation does not regrow. A long term monitoring and maintenance plan should also be provided to document proposed monitoring of restoration efforts.

Assurance that Brush Removal Will Occur

According to the CDP, once vegetation is cut, it will either be piled up on site or removed to an undisclosed site for disposal. After discussions with our staff ecologist, Commission staff advises that the cut materials be removed off of the site for disposal and not otherwise chipped, lopped, and spread onto the site. If left onsite, remaining vegetation could increase the spread of invasive species through promoting adventitious vegetative regrowth from any viable root and stem tissue within the cut materials. Therefore, the restoration plan should address how often and when vegetation will be removed from the site and where removed vegetation will be disposed of.

Thank you for the opportunity to comment on the above referenced CDP application. As always, Commission staff is available to discuss our comments in greater detail as well as any questions you may have regarding our concerns. If any questions arise please contact me at 707-826-8950 ext. 215.

Sincerely,

L. Kasey Sirkin
Coastal Planner

Cc: California Department of Parks and Recreation
Trinidad State Beach
4150 Patricks Point Drive
Trinidad, CA 95570

July 29, 2014

Sent Via Email

Trinidad City Council
Mayor Fulkerson and Councilmembers Baker, Davies, Miller, West
City of Trinidad
409 Trinity Street
Trinidad, CA 95570

Dear Mayor Fulkerson and Councilmembers:

This letter serves as an official appeal to the Trinidad City Council to overturn the decision by the Trinidad Planning Commission at their July 16, 2014 meeting to approve the California State Parks, North Coast Redwoods District's (CSP) Coastal Development Permit (CDP 2014-01) to "*conduct vegetation removal activities (mostly exotic species) within the southern portion of Trinidad State Beach to restore coastal scrub and grassland habitat [...].*" While I did not attend the Trinidad Planning Commission, I did submit my concerns in writing on July 14 via email which gives me standing to file this appeal to the Trinidad City Council. Due to the fact that I will be out of town during the upcoming City Council appeal hearing, Natalynne DeLapp, Executive Director of the Environmental Information Protection Center (EPIC), will be acting on my behalf at that meeting.

The following is a list of reasons supporting my appeal of this project:

First and foremost, I am filing this appeal because of the finding that this project is Categorical Exempt from the California Environmental Quality Act (CEQA). Section 15304 of CEQA exempts "*minor alterations to the condition of land and vegetation.*" Page 1 of the Staff Report for this permit states "*The definition of development contained in the Coastal Act and the City's LCP includes 'major vegetation removal,' [...]. [G]enerally more than 500 sq. ft. of vegetation removal or removal of trees over 12" in diameter is considered 'major.'*" [Emphasis added.] As vegetation removal would take place over a 4-acre site, or 174,240 sq.ft. in area, it cannot be considered minor and, therefore, is not CEQA exempt. By designating this project CEQA exempt, CSP is granting itself the privilege of bypassing environmental reviews that should be triggered a large-scale project, such as this, that has the potential to significantly impact visual resources, wildlife habitat (such as burrowing animals and birds that currently live in the vegetation) and the wild, natural and scenic character of this coastal bluff and Environmentally Sensitive Habitat Area (ESHA).

The photographs provided for this project show, from certain angles, how some areas of the 4-acre site look now and how they looked 40-50 years ago. These "before and after" photos speak volumes as to how drastically the environment would be altered if this densely vegetated landscape was cleared and returned to a grassland and coastal scrub environment. In fact, there is so much mature, woody vegetation growing here, it is unlikely CSP can achieve its restoration goals in such a short period of time unless it has extensive funds and resources to deal with the challenges of invasive plant problems on a long-term basis. This area will not miraculously turn into a coastal scrub and grassland environment with the plan proposed, here. There is just too much area and too much vegetation involved.

After walking the site the other day, I noticed large stands of Alder trees that are growing in a unique tunnel form along the hiking trail leading to the beach, and in other areas, that would be subject for removal because they are less than 12" DBH (the threshold for removal). If these mature Alder stands

are cut down, this would significantly alter the character of the area, the hiking experience and impact wildlife habitat. In addition, a very knowledgeable California Native Plant Society (CNPS) guide expressed concerns that a small thicket of seedling pines that are slated for removal at the west end of the parking (by the Pewetole Island Overlook) have been misidentified as Monterey pine (*Pinus radiata*) when, in fact, they are Shore pines (*Pinus contorta*). She inspected the seedling pines, in question, and said the needles were not consistent with a Monterey pine. They had shorter needles in bundles of 2, which would be consistent with a Shore pine. To be specific, Monterey pines have needles 3 to 6 inches in length attached to the stem in bundles of 3; Shore pines have needles 1-1/2 to 3 inches in length attached to the stem in bundles of 2. This finding indicates that Shore pines used to be on this site and that their seeds were still present in the soil and viable. It is likely the light from earlier view clearings stimulated the seeds to germinate. Because Shore pines are an unusual siting in the Trinidad area, it would be a shame for CSP to remove the entire thicket of these Shore pine seedlings on the belief that they are Monterey pines. This is another example why CSP must conduct current and proper biological and wildlife studies to insure proper steps are taken to protect this sensitive and diverse environment.

The purpose of the Open Space (OS) Zone is to *"maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources."* While the Staff Report (pp. 4-5) claims this project complies with Chapter 3 of the Coastal Act in that it is being done to *"restore environmentally sensitive habitat areas and preserve public access and coastal viewsheds"* the reality is this project will likely have the opposite effect because of (1) the extensive and intrusive nature of the project, (2) the fact it is being carried out in such a short period of time, and (3) CSP has not conducted current and site-specific environmental studies to insure protection of this ESHA environment.

Because much of the vegetation on this site is the size of small trees and covers such a large area, it is inevitable CSP will use chainsaws instead of weed wrenches or shovels for much of the vegetation removal. The problem, here, is that unless the invasive plants are dug out of the ground, they will just resprout, thus, undermining any restoration efforts and wasting taxpayer money and resources. And because so many native shrubs and trees are intertwined with the non-native plants, it is likely a lot of native vegetation will be damaged or destroyed in the process of any removal activities, despite being flagged

While language was inserted into the permit at the July 16 Planning Commission meeting that *"the removed vegetation will be taken off-site to an appropriate area for composting, chipping or burning,"* this proposal is not realistic due to the sheer volume of vegetation that would need to be removed and the amount of money and labor involved to do this. Once this project is underway, it is inevitable the vegetation will be left on site. If debris piles are left behind, this will create a fire hazard, visual blight and will interfere with the regeneration of native vegetation.

Currently, when you walk down the hiking trail towards the HSU Marine Lab or beach, there is a sense of being in a rugged and wild place. The rooftops and houses are barely noticeable along much of the trail and from the beach. Should CSP carry out the vegetation clearing, as proposed, that feeling of wildness and remoteness will be obliterated. Suddenly, the urban development that is now camouflaged by the vegetation will become very noticeable. And, as mentioned earlier, important wildlife and bird habitat would be seriously impacted from such an intrusive and destructive clearing. If CSP had consistently been maintaining this area as a grassland, that would be one thing, but it

has neglected this area for decades and now, in a matter of months, it plans to clear 4-acres of dense, mature vegetation without the proper environment studies and without proposing alternatives to this highly destructive and intrusive project.

Public Resources Code Section 21080.5(d)(2)(A) of CEQA "*prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would significantly lessen any significant effect that the activity may have on the environment.*" A feasible alternative for this project would be to conduct a more selective removal of vegetation over a longer period of time so that the site can be properly managed and maintained. Also, to lessen the impacts on the environment, large and unique stands of Alders and the seedlings of Shore pines that have recently been identified should not be removed, altogether, just because they are smaller than 12" DBH and encroach into viewsheds. A plan for selective removal of these trees should be included in the permit, as trees such as these add character, dimension and interest to the landscape, provide important wildlife habitat and act as a buffer to the adjacent urban development. CSP can achieve its goal of restoring viewsheds and certain grasslands, such as at the Pewetole Island Overlook, maintaining trail access and creating fire breaks without this scorched earth approach to restoration. And, as required under CEQA, CSP must consider alternatives that would lessen the significant impacts to this ESHA environment.

The data used by CSP for this "Grassland Restoration Project" is based on a Plant Survey prepared over 4 years ago and appears to apply to restoration work done at College Cove and Elk Head, which are at the far northern end of the Park, several miles from the project site. The Archeological Review submitted for this project also appears to apply to restoration work done at the College Cove and Elk Head locations. This means no plant or archeological reviews were conducted, specifically, for the 4-acre site (see Trinidad State Beach Sensitive Plant Survey Result, dated July 21, 2010 and the Archeological Review dated November 15, 2012). To be adequately informed about the true impacts of this project, a plant survey needs to be prepared, specifically, for the 4-acre site so the public knows what plants would be impacted and where. The situation regarding the seedling Shore pines that appear to have been misidentified as Monterey pines is a perfect example of why a recent Plant Survey should be done, as a lot of new vegetation or seedling trees may have begun growing on this site during the past 4 years. The tables that are attached to the Plant Survey list the plants species found within Trinidad State Beach but, again, the public cannot determine if any of these plants are found within the 4-acre project site because the Plant Survey is not current or site specific. An Archeological Review should be done for the same site for the same reasons.

In addition, the Notice of Exemption is dated January 14, 2013, and pertains to removal of **exotic plants only**. Not only is this Notice 1-1/2 years old, it is misleading because this project would impact more than exotic species. Dozens of native trees would be removed and, as mentioned earlier, native shrubs would certainly be destroyed or damaged because they are growing amidst the non-native plants and trees. In addition, on p3 of the Staff Report, it states "*Most of the trees being removed are less than 6 ft. tall, and nothing over 12" DBH will be removed.*" **This means some very large trees could be removed, as a healthy tree that is close to 12" DBH could be up to 20 feet in height or more.** Additionally, on p3 of the Staff Report, it states "*Annual maintenance will occur over the term of the permit (proposed 5 years) to keep more non-natives and trees from encroaching into the restored areas.*" [Emphasis added.] This statement implies CSP has no intention of allowing any trees (even if native or unique) to regenerate on the project site. To satisfy CEQA, CSP's permit

should be modified to protect larger, native trees and the unique thickets of Alders and seedling Shore pines in order to lessen the impacts of this proposed project on the environment.

The permit application submitted by CSP contains language that is very subjective, as well, saying "*California State Parks will restore and maintain the grassland, continue maintaining the view shed by removing **any encroaching trees and shrubs**, and remove the invasive, non-native plants along the trail [...]. Vegetation removal will occur whenever invasive, non-native plants are found within the project area and when **vegetation becomes a problem** along the trail and view shed areas.*" The permit application does not define the vegetation that is subject for future removal, it just says **any** vegetation that is deemed to be a **problem** or is **encroaching** into trails or viewsheds can be removed. Considering the fact that this Park is adjacent to at least 7 homeowners with personal and financial interests in maintaining unobstructed views of the ocean, this view-centric permit could put protection of the Park's natural resources in jeopardy. Although the proposed permit says that no mature, healthy trees will be removed from the project site, it fails to address the fact that by removing 160 trees, many of which are native, CSP will essentially be removing the next generation of native trees that will replace the now-standing trees that will eventually die or blow down.

The Pewetole Island Overlook at Trinidad State Beach is an important scenic view that needs to be protected, but the majestic Sitka spruce trees that are growing at the overlook provide a prime example of how mature, scenic trees enhance the beauty and interest of the landscape and viewscape. If CSP is permitted to continually remove all of the seedling trees just because they may block someone's view, this means the agency will be eliminating the next generation of scenic trees from the Park. Coastal views are important features, but they are not the only reason people visit our Parks. Many public members enjoy a diverse landscape that allows native plants and trees to grow amongst the coastal views. You do not have to choose one over the other. However, the language in this permit is so subjective and permissive, CSP could indiscriminately cut down any or all trees and shrubs without any sort of reviews or public input simply by deeming the vegetation to be a **problem** or claiming it is **encroaching** into a view.

State Parks claims this is a "*Grassland Restoration Project,*" but the only data on grasses is found in the 2010 Plant Survey where it lists, together, all of the native and non-native grasses. There is no site specific data on what grasses are growing on the site and whether those grasses are native or non-native. If they are non-native grasses, the permit should identify what native grasses will be planted in place of the non-native grasses. If native grasses are not planted, once the area is cleared, it will return to non-native grasses.

The other serious threat to these Park resources comes from the bluff, itself. On p5 of the Staff Report, it says "*Bluff faces will not receive treatment.*" The problem, here, is that the bluff faces harbor large infestations of highly invasive Pampas grass. This threat is not addressed in the permit application and is one of the unique problems in trying to restore an area to the way it was 40 or 50 years before these invasive plants were a problem. Once this area is cleared and opened up to sunlight, highly invasive plant species will certainly move into this area. Dormant seed banks from invasive species like Cotoneaster and Scotch broom will also be stimulated to sprout as a result of the ground disturbance. The irony is that this restoration project will likely exacerbate invasive plant infestations. I did not see in the permit documents that CSP has identified any solid funding streams to help it regularly monitor and control further invasive plant infestations. After the initial 8-month project, it appears, except for annual maintenance, no other follow-up work is planned over the proposed 5-year term of the permit.

Again, given the size and scope of this project and the fact that highly invasive plant species are such a problem in this Park and the surrounding area, it is highly unlikely that new infestations of invasive species can be controlled without frequent monitoring and removal efforts.

This permit also fails to discuss how turning a largely and densely vegetated area into a grassland environment will impact the visual appearance of the coastal bluff from afar. CSP must analyze the impacts that such an intensive and intrusive clearing would have on visual resources and demonstrate to the public how the coastal bluff would look, once cleared, when looking back towards the bluff from the beach, below, from Trinidad Head and from sea. Again, the restoration project that is proposed, while improving views for many private property owners, may actually ruin the natural look and feel of the Park and hiking trail for others. Views are 360 degrees, and so the impacts from all directions must be considered when claiming that this project is "preserving coastal viewsheds" as the proposed project could actually destroy viewsheds when such a large area is cleared of vegetation. In addition, CSP must analyze how the removal of so much vegetation in such a short time may impact sensitive habitat areas and wildlife. The statement on pages 4 and 5 of the Staff Report claim that this project is consistent with Articles 4 (Marine Environment) and 5 (Land Resources) of Chapter 3 of the Coastal Act in that it provides for "*removal of invasive species and other vegetation to restore environmentally sensitive habitat areas and preserve public access and coastal viewsheds.*" However, CSP has failed to analyze how such a large-scale clearing of both native and non-native vegetation may actually harm and damage those same resources it claims to be restoring.

I would like CSP to explain why so many native trees in the fourth area (described as the "Developed Area" in the permit) are being removed from the Park. I know that this area is heavily infested with non-native Cotoneaster, English ivy and other invasives, but I do not understand why CSP is not focusing its efforts on removing these highly invasive plant species instead of native trees.

In addition to the numerous concerns listed above, this permit application also fails to sufficiently analyze the impacts that such a clearing/restoration project could have on animals and birds. The permit merely states "*There are no known sensitive animal species using the habitat within the project area.*" However, just making this statement does not mean it is true. No wildlife studies have been performed for this proposed project. Under CEQA, proper wildlife studies need to be conducted to demonstrate how this proposed project may impact animals and birds that are currently using this densely vegetated area, which includes many varieties of native trees and shrubs.

Again, I am not opposed to the removal of exotic species or restoration of key public viewsheds, but what is being proposed, here, is a scorched earth approach to restoration that I feel is wholly inappropriate for a California State Park to undertake.

Trinidad City Council

July 29, 2014

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I am asking the Trinidad City Council to please consider the numerous concerns I have brought forward regarding this project and overturn the Trinidad Planning Commission's approval of this permit application. I would respectfully request the North Coast Redwoods District of California State Parks to please revise its permit application and address the legitimate concerns I have raised so that a more appropriate and reasonable restoration project can take place that does not threaten to do such extensive damage to the natural environment, to the wildlife habitat and to the visual resources of the Park.

Sincerely,

Kimberly A. Tays

P.O. Box 75

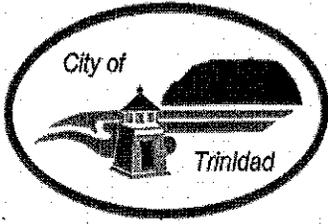
Trinidad, CA 95570

ktays@suddenlink.net

New email after 7/31/14: kimkat067@gmail.com

Cell: 707-832-9109

Cc: Trever Parker, Trinidad City Planner (Via Email)
Gabe Adams, Trinidad City Clerk (Via Email)
Jim Baskin, California Coastal Commission (Via Email)
Michelle Forsys, California State Parks (Via Email)
Pete Monahan, California State Parks (Via Email)
Dana Jones, California State Parks (Via Email)



Filed: June 24, 2014
Staff: Trever Parker
Staff Report: July 8, 2014
Commission Hearing Date: July 16, 2014
Commission Action: Approved

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 20140-1

APPLICANT (S): CA Dept. of Parks and Recreation (Trinidad State Beach)

AGENT: N/A

PROJECT LOCATION: Trinidad State Beach, extending from the paved driveway and parking lot off Stagecoach Road and adjacent to Trinidad Elementary School, to the southern boundary of the Park, near the HSU Marine Lab.

PROJECT DESCRIPTION: Coastal Development Permit and Conditional Use Permit to conduct vegetation removal activities (mostly exotic species) and ongoing maintenance within the southern portion of Trinidad State Beach to restore coastal scrub and grassland habitat, improve viewsheds and reduce fire hazards.

ASSESSOR'S PARCEL NUMBER: 042-021-01 & 042-031-01

ZONING: OS – Open Space

GENERAL PLAN DESIGNATION: OS – Open Space

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15304 exempting minor alterations to the condition of land and vegetation that do not involve removal of healthy, mature, scenic trees.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or, conditional use permit, or design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project X is ~~is not~~ appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act and the City's certified LCP.

SITE CHARACTERISTICS:

The project is located within the southern portion of Trinidad State Beach, a division of the North Coast Redwoods District of the State Parks system. The 4-acre project area consists of coastal scrub and grassland habitats, which has been broken down into four separate treatment areas. Much of the project area is located along existing trails near the top of the coastal bluff and the driveway and parking lot off Stagecoach Road. An archeological investigation and rare plant survey were completed that provide a more detailed description of the project area. The entire project area is designated in the City's Land Use Plan as "Open Space" (OS), implemented through an "Open Space" (OS) zoning designation.

STAFF COMMENTS:

The purpose of the project is to restore the native coastal scrub and grassland communities by removing invasive, non-native plants that have encroached on the project area. In addition, the trail that runs along the east side of the project area is heavily overgrown with invasive, non-native plants. Public coastal views from the Trinidad State Beach parking lot off Stagecoach Road and adjacent trails are being impacted by the growth of vegetation. Additionally, there is no fire break that exists between Trinidad State Beach and the residential development immediately east of the trail and south of the parking lot.

Outside the Coastal Zone, state property is not generally subject to local jurisdiction. However, because the City's land use regulations, in the form of a Local Coastal Plan (LCP), have been certified by the Coastal Commission as adequate to carry out the Coastal Act, they have the effect of State law. The southern portion of Trinidad State Beach is located within the City's certified LCP jurisdiction. Therefore, the CA Dept. of Parks and Recreation has applied to the City for approval of a Coastal Development Permit for the proposed activities. Similar activities are also proposed in the northern portion of the Park, outside the City's jurisdiction.

The definition of development contained in the Coastal Act and the City's LCP includes 'major vegetation removal,' which itself is not well defined. But generally more than 500 sq. ft. of vegetation removal or removal of trees over 12" in diameter is considered 'major.' Also, the project area is zoned OS, and the bluffs and the associated coastal grassland and scrub vegetation would qualify as an 'environmentally sensitive habitat area' (ESHA), which further restrict allowable activities. Generally, vegetation trimming and maintenance that has historically and regularly occurred could be exempt from permit requirements. But even though the project area has been periodically maintained, it has not been done consistently or recently.

Though the usual referrals were not applicable to this project (building, engineering and health), I did send special notices, in addition to the standard neighborhood notice, to stakeholders thought to have a particular interest in this project. Those parties included: Coastal Commission staff, Trinidad Rancheria, Yurok Tribe, Tsurai Ancestral Society and Friends of Trinidad Head.

PROJECT DESCRIPTION

The majority of the project description can be found in the project write-up included with the application, but additional details can be found in both the Sensitive Plant Survey and Cultural Review. The 4-acre project area has been broken down into four separate treatment areas, each with a somewhat different focus.

1. The first area is defined as the main viewshed area directly west of the parking lot. This area needs annual maintenance to protect this important public viewshed, but that has not occurred in some time. Therefore, some larger trees and shrubs (mostly non-native) have begun to encroach on the area and need to be removed.
2. Area 2 is defined as the trail area. The majority of vegetation in this area is also non-native and invasive. Removal of the vegetation in this area is intended to preserve trail access, restore habitat, and provide a fire break between the Park and the residences to the east.
3. Area 3 is the largest area, and it was historically grassland habitat. This is the primary restoration area, and both non-native vegetation and some small native trees will be removed in order to restore the environmentally sensitive and important grassland and scrub habitat.
4. The fourth and final area is the "developed area" along the north side of the parking lot and driveway. The intent of the activities in this area is to remove non-natives and to provide a fire break between the Park and the development to the south, which includes residences and Trinidad Elementary School.

Vegetation removal activities will be conducted with hand tools. For smaller plants, the roots will be removed to a maximum of approximately 24 inches. For larger shrubs and trees, they will be removed at the base with chainsaws. Most of the trees being removed are less than 6 ft. tall, and nothing over 12" DBH will be removed. Most All of the removed vegetation will be taken off-site to an appropriate area for composting, chipping or burning. Some vegetation may be left within the project area as appropriate to protect habitat and viewsheds. Native plants will be flagged so they are not accidentally removed, and a resource supervisor will be onsite at all times during work. Annual maintenance will occur over the term of the permit (proposed 5 years) to keep more non-natives and trees from encroaching into the restored areas.

Measures have been included to minimize erosion and instability such as avoiding bluff faces, riparian areas, and installing erosion control as appropriate. Work is proposed to take place between August 1 and April 30 in order to avoid most nesting and breeding seasons. A rare plant survey was conducted, and no rare plants were found within the southern project area (Trinidad's jurisdiction). An archeological survey was also conducted for cultural and historic resources with appropriate consultations (though the Tsurai Ancestral Society was not included because they are not federally recognized). No resources were found. Measures have been included to halt work if previously unknown cultural resources are found. Please see Appendix A and C for additional information.

ZONING ORDINANCE/GENERAL PLAN CONSISTANCY:

The purpose of the Open Space (OS) Zone is to *“maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources...”* Principally permitted uses within the OS zoning district are limited primarily to habitat related and low-intensity recreational activities, such as wildlife habitat, public and private open space, beachcombing, hiking, fishing, and picnicking, with limited provisions for conditionally authorizing physical developments. Conditionally permitted uses include new and expanded pedestrian trails, vista points, shoreline revetments to protect and maintain existing scenic and cultural resources, and temporary structures related to wildlife habitat management and scientific research. In addition, “structures accessory to uses and buildings existing within the open space zone at the time this ordinance is adopted” are also allowed with the issuance of a conditional use permit.

Removal of vegetation in the OS zone posing a hazard to structures or people is a principally permitted use. Other removal of vegetation in the OS zone requires a use permit. Therefore, the required Use Permit findings will need to be made in approving this Coastal Development Permit. No new trails or other improvements are proposed as part of this project. Because the project does not involve any structural changes or grading, design review does not apply. In addition, because no new structures, access roads, trails or lots are proposed, the standards of the OS zone, and the resources protection standards of the SE zone that apply to structures in the OS zone, do not apply. Therefore, this staff report focuses on the consistency of the proposed vegetation removal and maintenance activities with the Coastal Act and its regulations, because they tend to be more restrictive and better defined than the City’s LCP in this case.

COASTAL ACT / REGULATIONS CONSISTANCY:

Chapter 3 of the Coastal Act contains the ‘Coastal Resources Planning and Management Policies’ against which development projects (and LCPs) are judged. This Chapter is divided into 7 Articles.

Section 30210, the lead-in to Article 2, regulating public access, states: *“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.”* Most of the policies of this article relate to new development, but maintenance of vegetation along trails and restoration of habitat are consistent with providing maximum public access and natural resources. The project also improves fire safety by providing a buffer between development and wildland. Public access will not be impeded by the project

The proposed project is consistent with Article 3 (Recreation) by protecting coastal, ocean front land for recreational purposes (§30221). The proposed vegetation

maintenance activities are also consistent with Articles 4 (Marine Environment) and 5 (Land Resources) by providing for removal of invasive species and other vegetation to restore environmentally sensitive habitat areas and preserve public access and coastal viewsheds. Erosion control measures have been included in the project description consistent with §30243. An archeological survey and consultation with local tribes were completed consistent with §30244. The project is consistent with Chapter 6 (Development), by providing public access and coastal viewing opportunities. There are established viewsheds along the trails and roadways where vegetation must be trimmed or removed to maintain existing coastal views of the offshore rocks, horizon and open water. Article 7 (Industrial Development) does not apply to this project.

SLOPE STABILITY:

Portions of the grassland treatment area (3) are within areas designated as unstable or questionable stability based on Plate 3 of the Trinidad General Plan. The project proposes to use hand tools to remove non-native species, including roots, to a depth not to exceed 24 inches. Larger plants and trees will be removed at the base using a chainsaw with no ground disturbance. Bluff faces will not receive treatment, and measures have been included to avoid sedimentation in Mill Creek or the ASBS (see Cultural Review project description for more details.)

SEWAGE DISPOSAL:

There is no sewage disposal associated with this project.

USE PERMIT FINDINGS:

Section 17.72.040 requires written findings to be adopted in approval of a use permit. The findings and responses have been written in a manner to allow approval. However, if the public submits conflicting information, or if the Planning Commission feels that one or more findings can not be made, they should be reworded accordingly. The following findings can be made based on the responses provided:

- A. The proposed use at the site and intensity contemplated and the proposed location will provide a development that is necessary or desirable for and compatible with the neighborhood or the community. *Response: The project proposes to remove mostly non-native vegetation to restore grassland and coastal scrub habitat, maintain public coastal viewsheds and maintain an appropriate fire break between the State Park and adjacent development.*
- B. Such use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property improvements or potential development in the vicinity with respect to aspects including but not limited to the following:
 1. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures; *Response: The*

proposed vegetation removal and maintenance will restore habitat and preserve views from public roads and trails and reduce fire risk.

2. The accessibility of the traffic pattern for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading; *Response: The proposed vegetation removal will not affect vehicular traffic or roadways and will not affect pedestrian access to trails. There may be some temporary and partial blockage of trails during work, but the project will result in improved access, habitat and viewsheds.*
 3. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor; *Response: The proposed vegetation removal will not result in any offensive emissions, including noise, glare, dust and odor.*
 4. Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs; *Response: The proposed vegetation removal does not require landscaping or include, open space, parking, loading, service areas, lighting or signs. The vegetation removal and maintenance activities will restore historic habitat and are compatible with the open space nature of Trinidad State Beach.*
- C. That such use or feature as proposed will comply with the applicable provisions of this title, will be consistent with the policies and programs of the general plan and will assist in carrying out and be in conformity with the Trinidad coastal program. *Response: As described above in "Zoning Ordinance/General Plan Consistency," the proposed project is consistent with both the Zoning Ordinance and General Plan and will carry out policies, consistent with the Trinidad Coastal Program by maintaining environmentally sensitive habitat areas, public viewsheds and coastal recreational opportunities.*
- D. That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment. *Response: The proposed project does not have the potential for adverse environmental impacts; rare plant and archeological surveys were conducted for the project. The project is exempt from CEQA per CEQA Guidelines § 15304 allowing minor alterations to land vegetation. A Notice of Exemption was filed with the Governor's Office of Planning and Research on January 14, 2013 (SCH# 2013018085).*
- E. When the subject property is located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:

1. The development provides adequate physical access or public or private commercial use and does not interfere with such uses; *Response: The project will not impact existing access and will improve trails and public, coastal viewsheds.*
2. The development adequately protects public views from any public road or from a recreational area to, and along, the coast; *Response: The purpose of the proposed project is to preserve and restore habitat and public views from encroachment by growth of vegetation, with particular emphasis on invasive species.*
3. The development is compatible with the established physical scale of the area; *Response: Vegetation removal and maintenance is consistent with and necessary to preserve the conditions of the existing habitat and trail system.*
4. The development does not significantly alter existing natural landform; *Response: Vegetation removal activities will utilize handtools to remove invasive species to a maximum of 24" in depth; larger plants will be removed at the base with chainsaws. Measures have been included to protect bluff and soil stability.*
5. The development complies with shoreline erosion and geologic setback requirements. *Response: The project does not include any structural development or new trails. Vegetation removal activities will avoid bluff faces and minimize soil disturbance and erosion.*

PLANNING COMMISSION ACTION:

The project was found to be consistent with the City's Zoning Ordinance and General Plan as well as the Coastal Act, and the necessary findings for granting approval of the project were made. The Planning Commission agreed with staff's analysis and recommendation and found that the project is constant with all of the above provisions as described in this staff report. The Planning Commission approved the project with the following motion:

Based on application materials, information and findings included in this Staff Report, and based on public testimony, I find that the proposed project is consistent with the City's certified LCP and the provisions and regulations of the Coastal Act and I move to make the required Use Permit findings and approve the project as submitted and described herein, with the clarification that the project description will be changed to reflect that all vegetation removed will be taken offsite for appropriate disposal, for a term of 5 years, after which the permit can be renewed from time-to-time by the Planning Commission.