



COUNTY OF HUMBOLDT

For the meeting of: 11/21/2024

File #: 24-1589

To: Zoning Administrator
From: Planning and Building Department
Agenda Section: Consent

SUBJECT:

Westhaven Community Services District Coastal Development Permit

Application Number: PLN-2023-18152

Assessor's Parcel Number: 513-181-014, 514-012-013, 514-015-007, 514-112-014, 514-113-006, 514-132-007, 514-132-008, 514-133-001, 514-211-034, 514-211-035, 514-221-008, 515-011-023, 515-011-063, 515-011-073, 515-041-014, and 515-041-020

Westhaven Area

RECOMMENDATION(S):

That the Zoning Administrator:

1. Adopt the resolution (Resolution 24-__), (Attachment 1) which does the following:
 - a. Finds that the Planning has considered the Lead Agency's environmental review and accepts the findings from the published Mitigated Negative Declaration and Notices of Exemption; and
 - b. Make all required findings for approval of the Coastal Development Permit and adopt the Resolution approving the Westhaven Community Services District Coastal Development Permit as recommended by staff subject to the recommended conditions; and

DISCUSSION:

Project Location: The project is located in the Westhaven area across 17 individual parcels and in the right-of-way of Westhaven Drive (County Road No.C4N030), Sixth Avenue (C4N050), Kay Avenue (4N060), Kahlstrom Avenue (C4N070), Driver Road (4N020), and South Westhaven Drive (C4N030).

Present Plan Land Use Designations:

Public Lands (P), Rural Residential (RR(c)) 513-181-014;

Rural Village (RV), Urban Reserve 514-012-013, 514-015-007, 514-112-014, 514-113-006, 514-132-007, 514-132-008, 514-133-001, 514-211-034, 514-211-035, 515-011-023, 515-011-063, 515-011-073 ;

Rural Residential (RR(e)) 515-041-014, 515-041-020;
Rural Residential (RR(d)) 515-121-018;
Coastal Commercial Timberland (TC) 514-221-008;
All - Urban Reserve Trinidad Area Local Coastal Plan; Density 0 to 1unit per acre; Slope Stability: Low
Instability (1)

Present Zoning:

Unclassified (U) - 513-181-014;
Residential Single Family, No Further Subdivision Allowed, Manufactured Home, Streams, and
Riparian Corridor Protection (RS-X-M/R) - 514-012-013, 514-015-007, 514-112-014, 514-113-006, 514-
132-007, 514-132-008, 514-133-001, 515-011-023, 515-011-063, 515-011-073;
Rural Residential Agriculture, Provision for Manufactured Homes, Riparian Corridor Protection (RA-5-
M-R) - 515-121-018;
Rural Residential Agriculture, Modified Building Standards Including Provision for Manufactured
Homes, Design Review (RA-SM/D) - 515-041-014, 515-041-020;
Residential Single Family, No Further Subdivision Allowed, Streams and Riparian Corridor Protection
(RS-X/R) - 514-211-034, 514-211-035;
Timber Production Zone, Streams, and Riparian Corridor Protection (TPZ/R) - 514-221-008.

Environmental Review: The project complies with the requirements of the California Environmental
Quality Act (CEQA). Acting as Lead Agency, the Westhaven Community Services District submitted a
Mitigated Negative Declaration and three Notices of Exemption encompassing most elements of this
project. The County of Humboldt is acting as a responsible agency per CEQA §15381. The County of
Humboldt reviewed and agrees with the findings of the MND and the NOEs. Westhaven CSD has not
yet submitted a Notice of Exemption for the Trinidad Emergency Intertie Project but the project is
exempt from environmental review under CEQA Section 15302, Replacement or Reconstruction, and
15303, New Construction or Conversion of Small Structures.

State Appeal Status: The proposed project is appealable to the California Coastal Commission.

Major Issues: Proximity to riparian corridors in the coastal zone and a setback reduction for
development.

Executive Summary: The five elements of the Westhaven Community Services District Coastal
Development permit are distinct because the lead agency identified each element as its own project
when preparing the CEQA documents. The project elements are the Disinfection Byproduct Reduction
Project, the Water Diversion Infrastructure Upgrades and Maintenance Project, the Wells and Water
Line Replacement Project, the Water Loss Reduction Project, and the Trinidad Emergency Intertie
Project. To facilitate the development modifications to two approved Coastal Development Permits
(CDP) are required, PLN-2020-16307 and PLN-2020-16808. A Conditional Use Permit is required for
the Disinfection Byproduct Reduction Project and the Water Diversion Infrastructure Upgrades and

Maintenance Project because they involve the Civic Use Type on an RS zoned parcel.

The Disinfection Byproduct Reduction Project entails improvements to the Westhaven Community Services District's (District) water system that are required to improve the water treatment process, replace aging and undersized infrastructure, provide additional water storage, and improve fire flows to ensure a reliable water supply in the District's service area. Waterlines and electrical conduit would be installed from the 4th Avenue Well to the water treatment plant site. Fire hydrants would be installed on 4th Avenue. Existing water meters and meter boxes adjacent to 4th Avenue would be replaced. Improvements at the water treatment plant site include construction of a new water treatment building, installation of a septic tank and leach field, installation of two propane tanks, an emergency back-up generator, a Battery Energy Storage System, and a hydropneumatic tank, installation of drainage improvements, improvements to the existing access driveway, and installation of a ~200,000-gallon glass-fused bolted steel water tank with an aluminum domed roof. Sand and gravel media in both slow sand filters would be replaced. Appurtenant piping, drainage, and electrical improvements would be completed. Photovoltaic (PV) solar panels would be installed on the roof of the water treatment plant building. A Supervisory Control and Data Acquisition (SCADA) system would be installed. A "Humboldt crossing" on Two Creek would be removed. Improvements at the water treatment plant require conversion of a single-phase power alignment to 480V/3-phase as well as extension of powerline to the new water treatment plant facilities. This would involve replacing existing PG&E power poles, overhead powerlines, and appurtenant facilities, and extending an overhead electrical line to a new power pole at the water treatment plant.

The Water Diversion Infrastructure Upgrades and Maintenance Project includes the expansion of the WSCD public works facilities to accommodate existing, unserved need for water service within the Westhaven Village area caused by insufficient existing water treatment capacity. The WSCD plans to serve 200 homes, but is limited to 150, restricted by the condition of the current treatment system. The proposed improvements to the public services will enable the WSCD to be compliant with their service plan.

The Wells and Water Line Replacement Project involves drilling new wells to address a current compliance order from the California Department of Drinking Water to provide ground water which does not contain disinfection byproduct precursors, increase the available water supply which reliably meets safe drinking water standards, and to increase the amount of water available for fire protection services. Additionally, the project also includes the installation of a water line adjacent to the existing water lines along 1st, and Transit Avenues and replacement of an existing water line 4th Avenue. The waterline replacement result in replacing approximately 5,650 feet of existing waterlines located in roadways, where construction would be located within the footprint of the existing water lines, and the repair of water service laterals to a series of 31 parcels. Much of the service lateral repair takes place within County Maintained Right-of-Ways. The installation of fire hydrants/flush hydrants is also proposed.

The Water Loss Reduction Project will reduce the Westhaven Community Service District system's water losses by replacing approximately 5,500 feet of 2-inch polyethylene water mains that are more than 45 years old with modern, 4-inch PVC mains. Existing pipes will be replaced in place. This project is related to the Wells and Water Line Replacement Project.

The Trinidad Emergency Intertie Project provides for a more resilient water system and ensures that in the event the City of Trinidad or Westhaven Village experiences an emergency loss of water supply, the affected community service district would still be able to provide water to its service area by using the resources of the unaffected CSD. The project includes installation of pipe under South Westhaven Drive and the development of a pitiless booster pump station, an electrical enclosure, and a water quality sample station on APN 515-121-018.

Modifications: Modification one affects PLN-2020-16307 and proposes to make the two (2) approved temporary test wells at APNs 514-132-007, -008, and 514-133-001, permanent, to allow the construction of a 16-foot by 20-foot well control building, to install a 6-foot by 6-foot pump house at each well location, and to install two approximately parallel trenches, each 140 lineal feet in length, for a transmission pipe and electrical well control conduits. This modification enables the Disinfection Byproduct Reduction Project, the Wells and Water Line Replacement Project and the Water Loss Reduction Project.

Modification two affects PLN-2020-16808 and proposes connecting the new wells and the existing well located along 3rd Avenue to the existing water treatment plant at the terminus of 4th Avenue. The Disinfection Byproduct Reduction Project, the Water Diversion Infrastructure Upgrades and Maintenance Project, the Wells and Water Line Replacement Project require this modification.

Modification three proposes using the parking lot of the Westhaven Bible Church at 675 Railroad Avenue (APN 514-015-007) as a temporary lay-down location for pipe and other appurtenant materials to support the well and waterline construction detailed above.

Proximity to Riparian Corridors: The Water Treatment Plant and the wells providing water for the CSD are on APNs 514-132-007, -008, and 514-133-001, and are within 100 feet of an unnamed Class 2 coastal tributary. Considering that, the project requires the width of the riparian corridor be reduced on APN 514-132-007, -008 and APN 514-133-001-000 to enable to the development of the 16-foot by 20-foot well control building and to install two 6-foot by 6-foot pump houses. This reduction is permitted pursuant to HCC 313-33.1.6.3. The work on APN 515-121-018 is outside of the buffer area.

The width of the riparian corridor, as described in paragraph 33.1.6.1, may be reduced where:

1. Such a reduction would not result in the removal of the woody vegetation,
2. The County determines, based on specific factual findings, that a reduction of the corridor width will not result in a significant adverse impact to the habitat,

3. Is consistent with the adopted Local Coastal Plan

The proposed development will not result in the removal of woody vegetation besides the special situation described in **Condition of Approval 29**, which states if some alder trees ultimately need to be removed as hazard mitigation, the WCSD shall replant the area with locally appropriate riparian shrubs that are less likely to pose a threat to infrastructure in the future.

The Planning and Building Department contacted CDFW, who provided insight into whether the reduction of the riparian corridor width would result in significant adverse impact to the habitat. They indicated that they did not have any major concerns about impacts to the biological resources. CDFW recommended, beyond the best practices suggested by the Qualified Biologist, several additional measures that would enable the project to be consistent with the County Code. These are encompassed in the Conditions of Approval 10-29.

Unfortunately, there is no specific pathway facilitating the reduction of riparian corridors is in the Trinidad Area Local Coastal Plan. Explicit minimums for riparian corridors are 100 feet measured from the stream transition line. This means the proposed work is not consistent with the adopted local coastal plan.

Trinidad Intertie Project Conditional Use Permit:

Civic Use Type in Residential Zones: A Conditional Use Permit is required for Modification 1 affecting PLN-2020-16307, which proposes to make the two (2) approved temporary test wells at APNs 514-132-007, -008, and 514-133-001 permanent, to allow the construction of a 16-foot by 20-foot well control building, to install a 6-foot by 6-foot pump house at each well location, and to install two approximately parallel trenches, each 140 lineal feet in length, for a transmission pipe and electrical well control conduits.

In all circumstances, the minor improvements to the water system are accessory to principal uses and are consistent with the purposes of the zone districts and access easements applied to parcels and rights-of-way where work will occur.

Access: County of Humboldt Public Works Department provided comment regarding work in the public right of way. The Department's review of this project was limited to what was shown on the submitted plot plan. If other facilities not shown on the plot plan will be constructed, the Westhaven Community Services District will contact the Department immediately for approval **before** construction. This Department included general statements in their referral response for facilities that may not be included on the plot plan.

Tribal Consultation: The project occurs in the aboriginal territories of the Yurok Tribe. No referral response was received from the Yurok Tribe. The inadvertent discovery protocol has been added as an information note to the Conditions of Approval.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval (Attachment 5).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Zoning Administrator could elect to continue the project to the California Coastal Commission and defer to their discretion in approving, denying, or modifying the project.
2. The Zoning Administrator could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff has concluded the required findings in support of the proposal can be made. Consequently, staff does not recommend further consideration of these alternatives. Denial of the project would be appealable to the California Coastal Commission.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. 18152 90% Project Plans
 - C. Trinidad-Westhaven Emergency Intertie Project 90%
 - D. Site Plan
2. Location Maps
3. CEQA Documents
 - A. Disinfection Byproduct Reduction Project Mitigated Negative Declaration
4. Applicant's Evidence in Support of the Required Findings
 - A. Biological Survey Results 20231106
 - B. 16307 Biological Assessment
 - C. Trinidad Emergency Intertie Project Bio Report Cover Letter
 - D. Trinidad Emergency Intertie Project Biological Survey Results
5. Referral Agency Comments and Recommendations

Applicant

Westhaven Community Services District
Paul Rosenblatt
P.O. Box 2015
Trinidad, CA 95570

Owners

513-181-014 Westhaven Community Services District Po Bx 2015 Trinidad, CA 95570	514-132-007 Westhaven Community Services District Po Box 2015 Trinidad, CA 95570	514-221-008 Westhaven Community Services District Po Box 2015 Trinidad, CA 95570	515-041-020 Kieselhorst Richard & Kieselhorst-Eckart Marjorie 673 Westhaven Dr Trinidad, CA 95570
514-012-013 ARBO STEVEN L & ANITA C CP BOX 2114 Trinidad, CA 95570	514-132-008 Westhaven Community Services District Po Box 2015 Trinidad, CA 95570	515-011-023 Swisher Richard J & Renshaw Robin L Tr 453 6Th Ave Trinidad, CA 95570	515-121-018 CITY OF TRINIDAD PO BOX 390 TRINIDAD CA 95570 Trinidad, CA 95570
514-015-007 Community Church Westhaven Po Bx 495 Trinidad, CA 95570	514-133-001 Westhaven Community Services District Po Box 2015 Trinidad, CA 95570	515-011-063 Harmon Christopher S & Casey Po Box 2103 Trinidad, CA 95570	
514-112-014 VERICK WILLIAM UM 844 3RD AV WESTHAVEN CA 95570	514-211-034 SCHEITHAUER HANS SM 55 HAVEN WAY TRINIDAD CA 95570	515-011-073 Chester Mark A & Lori S Tr 438 Seventh St Trinidad, CA 95570	
514-113-006 KNIGHT SARAH D & MALKUS MATTHEW S TR & CHANEY RONA ET AL PO BOX 5056 ARCATA CA 95518	514-211-035 SCHEITHAUER HANS SM 55 HAVEN WY TRINIDAD CA 95570	515-041-014 Barthman Randal W & Mary E 940 Kay Ave Trinidad, CA 95570	

Please contact Collin Slavey Planner, at cslavey@co.humboldt.ca.us or 707-268-3716 if you have questions about this item.