



COUNTY OF HUMBOLDT

For the meeting of: 6/5/2025

File #: 25-736

To: Zoning Administrator

From: Planning and Building Department

Agenda Section: Consent

SUBJECT:

PG&E Vegetation Management Bundle #6 Coastal Development Permit (CDP)
Record Number: PLN-2025-19185
Assessor Parcel Numbers (APN): Listed in **Attachment 1D**

Various locations in the Humboldt County, including the following areas: Orick, Big Lagoon, Sumeg State Park, Trinidad, Westhaven, Crannell, McKinleyville, Hookton, Table Bluff and Loleta.

A Coastal Development Permit (CDP) for routine vegetation management along several 12 kilovolt distribution lines within Humboldt County covering the Humboldt Bay area up to the Orick area. The proposed scope of work includes the removal of 50 trees at 50 locations, and the removal of seven brush units at seven locations for a total of 57 locations. These locations are subject to the requirements of PG&E's Multiple Region Habitat Conservation Plan (MRHCP). A Special Permit is required for Design Review where necessary.

RECOMMENDATION(S):

That the Zoning Administrator:

Adopt the Resolution, (Attachment 1) which does the following:

- a. Finds the project complies with the Eel River Area Plan, Humboldt Bay Area Plan, McKinleyville Area Plan, North Coast Area Plan, Trinidad Area Plan and the Zoning Ordinance; and
- b. Finds the project exempt from CEQA pursuant to Section 15301 *Existing Facilities* and Section 15304 *Minor Alterations to Land* of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and
- c. Approves the Coastal Development Permit subject to the conditions of approval (Attachment 1A).

DISCUSSION:

Project Location:

This project is in Humboldt County, along several 12 kilovolt distribution lines in the Orick, Big Lagoon, Sumeg State Park, Trinidad, Westhaven, Crannell, McKinleyville, Hookton, Table Bluff and Loleta areas.

Present General Plan Land Use Designation, Present Zoning, and Coastal Zone Jurisdiction:

See table in **Attachment 1E**.

Density: Various.

Environmental Review:

Project is exempt from environmental review per Section 15301 *Existing Facilities* and Section 15304 *Minor Alterations to Land* of the CEQA Guidelines.

State Appeal:

Project is appealable to the California Coastal Commission.

Major concerns: None.

Monitoring Required:

None Required.

Executive Summary: Pacific Gas and Electric seeks A Coastal Development Permit (CDP) and Special Permits (SP) for PG&E to perform vegetation management along several Pacific Gas and Electric (PG&E) 12Kv distribution lines. The purpose of the vegetation removal is to maintain safe and reliable electric service and mandated clearance to comply with federal and State regulatory requirements for public safety and fire prevention. PG&E proposes vegetation management activities under or adjacent to multiple distribution lines throughout Humboldt County. As indicated in **Attachment 1C** and **Attachment 1D**, the work would be performed on or directly adjacent to 32 individual Assessor's parcels. 15 work sites are in the appeal jurisdiction of the Coastal Zone; the remainder are in the local jurisdiction. The project does not obviously qualify as minor development due to the potential for impact to coastal resources due to the proximity of some work areas to wetlands and watercourses. For these reasons, the project is appealable to the Coastal Commission and a hearing is required. The project has 21 worksites in design review combining zones; the project includes the review of pertinent design review guidelines for the removal of these trees; however, the work is necessary to carry out activities authorized by an approved permit, the safe operation of electrical distribution infrastructure, therefore special permits are not required.

Tree crews will use existing roads to bring vehicles and equipment close to the work areas. Vehicles and equipment will remain on existing roads and trees will be accessed on foot. The equipment to be

utilized includes hand tools, bucket trucks, chippers, and chainsaws. All cut vegetation will be either lopped and scattered or dragged off-site and chipped if accessible. Herbicide use is not prescribed as part of project activities.

Based on **Attachment 2A**, Tree Data Table, trees, including: nine alder, one ash, three coast redwood, six Cypress, four Douglas fir, two Eucalyptus, a Grand fir, four Lodgepole pine, a Monterey cypress, eight Monterey pine, a Red alder, 10 spruce, and two Willow, are scheduled for removal. These trees range from 13 - 74 inches diameter at breast height (DBH) and are between 20 and 145 feet tall. The remaining work sites is a brush removal of Cascara, Willow and Acacia listed at 3" DBH or less.

A *Biological Constraints Report* (Biological Report) was prepared by Sara Viemum with Stantec on January 1, 2025 (**Attachment 2B**). As noted in the Biological Report, desktop review of the project area indicated the associated vegetation management work proposed by the applicant has the potential to affect two special-status plant species, twelve special-status animal species, and nesting birds. Special Status is defined as Federally Endangered, Threatened, Proposed Endangered, Proposed Threatened or Candidate (FE, FT, FPE, FPT, FC); State Endangered, Threatened, Candidate, Rare or Species of Special Concern (SE, ST, SC, SR, SSC); Fully Protected (FP); species covered by the Bald and Golden Eagle Protection Act (BGEPA); California Rare Plant Ranks (CRPR) 1 or 2 (1B.x, 2B.x); and California Department of Fish and Wildlife Species of Special Concern (SSC). The work areas fall within the coverage area for the PG&E Multiple Region Operations and Maintenance Habitat Conservation Plan (MRHCP), under which the work activities are classified as E10a (Vegetation Management - Routine Maintenance). All work will adhere to the Best Management Practices (BMPs) established in the MRHCP. Additionally, several vegetation types and plant communities are located within work areas, Annual Grassland, Perennial Grassland, Oak Woodland, Mixed Conifer Forest, Chaparral, Riparian, Freshwater Wetland, Agricultural, Ruderal or Landscaped, and Urban Environment. The Biological Report notes that the project work areas may include suitable habitat for the Western lily (*Lilium occidentale*), and Beach layia (*Layia carnosa*). Although suitable habitat is present, the work plan includes no ground disturbance or overland vehicular access. With the implementation of the Vegetation Management Best Management Practices, impacts to these species are not expected. The implementation of BMPs will minimize potential impacts to these species; with the implementation of BMP impacts to special-status plants will be less than significant.

Steelhead, and other aquatic species: Work area 50 is in proximity of mapped wetlands on the south side of Crannell Road. Given significant lean towards power lines and the observed signs of termites on this tree, removal is necessary to ensure the safe and reliable operation of overhead electric transmission facilities. After reviewing Attachment 2A, Tree Data Table, staff has concluded that none of the proposed tree removals are within 100 feet of fish bearing waterbodies. There will be three brush removals that will occur about 100 feet away from the Little river, work areas 51-53, however the removal of the brush does not constitute major vegetation removal and can be conducted without impacts to aquatic habitat. Work areas 48 and 49 are approximately 100 feet away from an ephemeral watercourse. The PG&E Best Management Practices require trees within 250 feet of

aquatic habitat be felled directionally away from water courses or that the trees are brought down in pieces to minimize impacts. The implementation of PG&E's Multiple Region Operations and Maintenance Habitat Conservation Plan (MRHCP) will reduce impacts to aquatic resources and species to less than significant level for the proposed removal trees and brush.

Wildlife species: Work areas 46,47,48, and 49 occur in areas with mapped habitat for the Marbled Murrelet. These work areas are located between Partick's Point Drive and Highway 101, these areas are where existing noise conditions are considered "moderate" or "high". Between January 15 and July 31, work activities could disturb nesting individuals. There are aquatic resources including the Elk River and Martin Slough within 0.5 miles the work areas and Work Areas 11-19, 57 and 58 may provide nesting habitat. With implementation of the Multi-Region Habitat Conservation Plan and PG&E Best Management Practices for all Vegetation Management Activities (**Attachment 2D**), and the Avoidance and Minimization Measures (**MM1**) identified in the Biological Constraints Report (**Attachment 2B**), impacts to this species are not anticipated.

Northern spotted owl

There may be nesting habitat for northern spotted owl within 165-330 feet of Work Areas 44-53, 55 - 59, 61-66, 72 and 73-79. Additionally, PG&E data indicates northern spotted owl habitat may be present in the project vicinity. Northern spotted owl suitable habitat includes older forest habitats that contain the structural characteristics required for nesting, roosting, and foraging. Specifically, forests with multistory canopies dominated by large trees, old-growth forests and mixed stands with old-growth and mature trees, and where there is a high level of structural complexity, and an abundance of large, downed woody debris. Northern spotted owls occur from 70 feet to 6,660 feet in elevation and typically nest March to June. Based on the Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California (U.S. Fish and Wildlife Service 2006), the existing ambient conditions would be considered 'moderate' for work areas near small roads, and residential homes and "high" near major highways such as Highway 101. Project work would be considered 'very high' due to the use of a chipper in addition to other equipment. According to the document, very high' action-generated activities occurring in 'moderate' ambient conditions can cause project attenuation to exceed established take thresholds within 330 feet of the project work areas. There may be nesting habitat for northern spotted owl within 330 feet of Work Areas 44-53, 55 -59, 61-66, 72 and 73-79. However, due to the amount of surrounding development and overwhelmingly negative survey occurrences per the Biological Report, work associated with the project falls within PG&E's *Multi Region Operations and Maintenance Habitat Conservation Plan* (MRHCP). All work locations fall under the MRHCP activity type E10a (Vegetation Management Routine Maintenance). The MRHCP provides PG&E with federal take authorization for all gas and electric operation and maintenance activities in the Plan Area during the 30-year permit term. In addition, PG&E proposes implementation of standard Vegetation Management best management practices (BMPs) and Avoidance and Mitigation Measures (AMMs) in accordance with the MRHCP. Implementation of AMM (**NSO-1**) in the Biological Constraints Report minimize impacts below a level of likely significance. Conditions of approval require implementation of these measures (

Condition of Approval A.2) and prohibit the use of herbicides under the project (**Condition of Approval A.4)** to ensure impacts associated with the project are minimized. The BMPs, AMM's and MRHCP applied for the northern spotted owl provide habitat and take protections for marbled murrelet, northern spotted owl and other nesting birds.

Tree removal on property utilized for residential and public use is an allowed accessory use of land. Due to the adjacency to critical public infrastructure and the habitat conservation conditions applied to the project the proposed tree removal is deemed consistent with the Streams and Riparian Corridor Protection, Flood Hazard Area, Coastal Wetlands, and Transitional Agricultural Lands combining zone criteria needed to make a finding of approval for the Coastal Development Permit in the combining zone. Where the tree removal is to involve a commercial species and generate a profit, the tree removal would constitute commercial timber production, and a use permit would be required. In the present case, the tree removal would not constitute commercial timber production because the removal will not result in a net profit after deducting the cost of permitting and tree removal. The project is conditioned to require the applicant to furnish documentation verifying that the activity at completion is not a for-profit operation. If the property owner requests it, the fallen trees will be left onsite.

A referral response from the Northwest Information Center indicated that cultural resources research had identified previously recorded cultural resources intersecting the area of potential effect, and the local Native American tribe(s) should be contacted regarding traditional, cultural, and religious heritage values. The Bear River Band of the Rohnerville Rancheria and the Wiyot Tribe replied to the project referral with a request that the inadvertent archaeological discovery protocols be in place for any ground-disturbing activities that will take place in the future. The project conditions require compliance with the Cultural Resources Summary submitted as an attachment to the project. The proposed vegetation management work requires standard Best Management Practices (BMPs) which include the Inadvertent Discovery and Human Remains protocols. With the implementation of Resource Protection Measures (RPM) identified in the Cultural Resources Summary, impact to cultural and historic resources will be less than significant.

Per comments received from the Department of Public Works, Land Use Division in March 2025, the Department issues Annual Encroachment Permits to utility companies. PG&E obtains an Annual Encroachment Permit yearly from this Department and is responsible for complying with the terms of the encroachment permit (see **Conditions of Approval 5-10**). Any work to occur within the State right-of-way would require an Encroachment Permit from the California Department of Transportation (Caltrans). The project was referred to Caltrans on 03/05/2025. No response was received from Caltrans. It appears that worksites 51-53 are accessed from Highway 101, and as such, a site-specific encroachment permit would be required to park and stage equipment within the Caltrans-controlled access right-of-way. A single permit could likely be issued which covers all locations within the State right-of-way where access to the trees would be needed. Conditions of approval require obtaining an Encroachment Permit from Caltrans, as necessary, for any work to be performed within the State right

-of-way (**Condition of Approval A.11**).

There would be no significant change to visual resources resulting from the proposed project. The project would result in the removal of 50 trees adjacent to or under electrical distribution lines. Tree removal for the maintenance and protection of public infrastructure is an allowed accessory use to the residential, agricultural, timberland, and public uses of the sites. There are four trees proposed to be removed in Coastal Scenic areas with this project. Tree numbers 69, 70, and 71 are on the inland side of Patricks Point Drive 200-300 feet northwest of the intersection of Patricks Point Drive and Westgate Drive. This area is subject to the Trinidad Area Plan (TAP) Local Coastal Program. The trees are described in Attachment 2A, Tree Data Table, as spruce that are dead or dying and are a hazard to the continued operation of the 12KV electrical distribution line that runs along the inland side of Patricks Point Drive. Above-ground power lines less than 30KV are allowed under TAP Coastal Scenic Area Section 3.a.(2). The removal of these trees is necessary for the continued safe operation of the 12KV distribution line and will not have significant negative impacts on the area's viewshed. The other tree proposed for removal in a designated Coastal Scenic area is tree number 73. Tree number 73 is 1,020 feet east of Old State Highway 101, due east of Freshwater Lagoon. The tree is in the area governed by the North Coast Area Local Coastal Plan (NCAP). Above-ground power lines less than 30KV are allowed under the Coastal Scenic Areas section C. 1. a. (2) of the NCAP. The removal of this tree is necessary for the continued safe operation of the 12KV distribution line and will not have significant negative impacts on the area's view, given the distance from any road or sensitive receptor. It will be difficult for anyone to notice this tree is gone because it is one tree in a forested area of over 250 acres. As such the removal of these trees will not have a significant impact on coastal scenic resources.

The project will not pose detrimental threats to properties in the vicinity nor pose any kind of public health hazard. The applicant provided Attachment 2A - Tree Data Table that describes the reasons for the removal of each tree. 22 of the trees slated for removal are dead or dying. Dead or Dying trees can fall down, damaging powerlines and potentially starting vegetation fires. Falling trees are dangerous to people or animals that find themselves under a falling tree. Fires are dangerous to people and wildlife due to heat and smoke. The remaining 28 trees to be removed have been deemed incompatible with the safe reliable operation of the 12KV distribution lines; trees often fall or shed branches during winter storm events. It is easier and safer for workers to address tree hazards in periods of good weather than to have to address trees and electrical infrastructure damage after winter storm or wind events. The interruption of electrical service can be dangerous for certain people suffering from medical conditions; performing routine vegetation management preemptively reduces the likelihood of outages and their duration which may save some lives among the physically infirm.

On March 19, 2025, the Planning Department received referral comments from the California Coastal Commission. Commission staff requested more information on the justification for the removals and more details on the methods and practices for tree removals. In response the applicant provided a

revised tree data table (**Attachment 2A**) that included a column for the observed hazard for each tree. Regarding requirements and standard practices for leaving woody materials on property, PG&E stated that tree branches and limbs that are less than four inches in diameter are either chipped and hauled away or cut into smaller pieces and spread on site. Larger wood remains in a safe position on site as this wood legally belongs to the property owner.

OTHER AGENCY INVOLVEMENT:

The project was referred to responsible agencies and all responding agencies have recommended approval or conditional approval. (Attachment 3)

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Zoning Administrator could elect to add, modify or delete conditions of approval. Staff has concluded the required findings in support of the proposal can be made.

ATTACHMENTS:

1. Draft Resolution
 - A. Conditions of Approval
 - B. Project Description
 - C. Project Locations
 - D. List of Project Parcels and Landowners
 - E. Present General Plan Land Use Designation, Community Plan, and Present Zoning
2. Applicant's Evidence in Support of the Required Findings
 - A. Tree Data Table
 - B. Biological Constraints Report
 - C. Vegetation Management - Best Management Practices
 - D. Multi-Region HCP Measures - General Field Protocols
 - E. Response to CA Coastal Commission referral comments
3. Referral Agency Comments and Recommendations
 - A. Humboldt County Department of Public Works, Land Use Division
 - B. CA Coastal Commission referral comments

APPLICANT, OWNER, AGENT AND PLANNER INFORMATION:

Applicant

Pacific Gas & Electric Company, 850 Stillwater Road, Sacramento, CA 95605

File #: 25-736

Owners

See Attachment 1D

Agent

None

Please contact Andrew Whitney, Associate Planner, at 707-268-3735 or by email at awhitney2@co.humboldt.ca.us <<mailto:awhitney2@co.humboldt.ca.us>>, if you have any questions about the scheduled item.