



# COUNTY OF HUMBOLDT

For the meeting of: 2/1/2024

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File #: 24-160

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

**SUBJECT:**

Savage Creek Water Diversion System Improvements Project Coastal Development Permit  
Assessor Parcel Number: Caltrans Right-of-Way  
Record Number: PLN-2023-18281  
Trinidad area

A Coastal Development Permit (CDP) to upgrade an existing California Department of Transportation (Caltrans) water intake at Savage Creek and its associated infrastructure. The surface water diversion at Savage Creek supplies municipal water to both the Trinidad Southbound Safety Roadside Rest Area (SRRA) and the Seawood Estates Mutual Water Company (SEMWC). The purpose of the project is to upgrade the existing water supply intake system to be more reliable and require less maintenance. In addition, the project would improve influent water quality and incorporate design improvements for aquatic species. The project would require a temporary creek diversion approximately 80 feet upstream of the work area.

**RECOMMENDATION(S):**

That the Zoning Administrator:

1. Adopt the resolution (Attachment 1) which does the following:
2. Finds the proposed project complies with the Trinidad Area Plan; and
3. Finds the project exempt from further environmental review pursuant to Sections 15302(c) *Replacement or Reconstruction*, and 15304(f) *Minor Alterations of Land* of the California Environmental Quality Act (CEQA) Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and
4. Approves the Coastal Development Permit subject to the conditions of approval (Attachment 1A).

**DISCUSSION:**

**Project Location:**

Trinidad Area. The project includes work at two locations. The first location is at the surface water intake facility at Savage Creek on the east side of US 101, approximately 0.27 miles north of the intersection of US 101 and Seawood Drive, with the second location at the intersection of Seawood Drive and US 101. Both locations are within the Caltrans Right-Of-Way.

**Present Plan Land Use Designations:**

Coastal Commercial Timberland, Trinidad Area Plan (TAP). Slope Stability: Low and High Instability (1,3).

**Present Zoning:**

None.

**Environmental Review:**

Project is exempt from environmental review per Sections 15302(c) *Replacement or Reconstruction* and 15304(f) *Minor Alterations of Land* of the CEQA Guidelines.

**State Appeal Status:**

Project is located within both the Local and Appeals jurisdiction of the Coastal Zone and, therefore, is appealable to the California Coastal Commission.

**Major Issues:**

None.

**Executive Summary:** A Coastal Development Permit (CDP) for the Savage Creek Water Diversion System Improvements Project, located within the County's jurisdiction (Local and Appeal) of the Coastal Zone. The project would upgrade an existing water intake at Savage Creek and its associated infrastructure. The project is proposed in order to upgrade the existing water supply intake system to be more reliable and require less maintenance. The existing intake system currently requires frequent maintenance to meet demand primarily due to fine sediment accumulation in the existing diversion box that restricts flow. The surface water diversion at Savage Creek supplies municipal water to both the Trinidad Southbound Safety Roadside Rest Area (SRRA) and the Seawood Estates Mutual Water Company (SEMWC).

The California Department of Transportation (Caltrans) proposes the following retrofits/additions to the existing water diversion system:

- Retrofit the existing diversion structure by replacing the existing collection manifold, backfilling the diversion intake structure with graded media (sand, gravel, and rock), and installing a new fish friendly wedge-wire screen.
- Install a new well sump which includes new piping to connect to the intake, a new pump, and new conduit.
- Install a backwashing system to tie in with existing water and electrical infrastructure at the intersection of Seawood Drive and US 101 off-ramp. The backwash system would include the installation of additional pipe for water conveyance and conduit, construction of a concrete

control pad, bollards for protection, a security enclosure, and a utility box. The use of a backwash system would also require new piping to the intake structure, bypassing the intake sump.

The proposed work would result in less maintenance than currently required by the existing intake facility, improve influent water quality, and incorporate design improvements for aquatic species. Rehabilitation of the existing intake would require a temporary creek diversion, originating approximately 80 feet upstream of the work area.

To minimize disturbance to Savage Creek, all work in waters of the United States or the State would take place during the low-flow period (June 15-October 15). Existing access roads and trails would be utilized to the extent feasible in order to minimize potential impacts. Other existing diversion infrastructure used to convey water to the Trinidad SRRA and SEMWC would remain in place. See the *Project Description* included in Attachment 1B for additional project details.

#### Existing Appropriative Water Right

As described in the *Natural Environment Study*, prepared by Caltrans in November 2022 (Attachment 2A), Caltrans and SEMWC are co-owners of Water Right Permit No. 21166, issued by the State Water Resources Control Board (SWRCB) in 2004 (Attachment 2C). Water diverted under the subject water right is for domestic purposes and does not exceed 17.94 acre-feet (af) per year. Diversion and use records are noted to “fluctuate considerably throughout the year”, where peak water usage generally occurs annually between July through November. In accordance with Permit Term No.8, the water right is subject to the following bypass flow requirements for fish and wildlife purposes year-round:

- Bypass a minimum flow of 67 gallons per minute (GPM) in Savage Creek. The total flow shall be bypassed wherever it is less than 67 GPM.
- Instantaneous withdraw must not exceed 27 GPM.
- The maximum daily withdraw rate under the water right must not exceed 16,000 gallons per day (GPD).

Conditions of approval require continued adherence to the year-round bypass flow requirements and all permit requirements, which includes monitoring and reporting as required by the SWRCB.

#### Construction Schedule and Staging

Construction is anticipated to commence in summer 2024 and take approximately 180, 8-hour working days to complete. The Applicant estimates that all work will be completed within one to two construction seasons. Potential staging areas are proposed to be limited to the existing gravel turnout at the Savage Creek access road and within the mowed and maintained areas within the project limits. Staging areas have been surveyed for special status plant and wildlife species (described further below).

#### Erosion and Sediment Control

Implementation of erosion and sediment control Best Management Practices (BMPs) are proposed to

maintain high water quality in Savage Creek. Upon construction completion, all disturbed areas would be returned to normal contours, with erosion control BMPs, such as mulching and/or hydroseeding, to be applied to disturbed areas.

Biological Resources

According to the project’s *Natural Environment Study* and *Environmentally Sensitive Habitat Area (ESHA) Assessment*, both prepared by Caltrans in November 2022 (Attachments 2A and 2B, respectively), several biological surveys have been conducted for the project, as summarized in the table below:

*Table 1 - Summary of Biological Studies Conducted for Project*

Survey	Date	Location	Personnel
Early-Season Botanical Survey	April 12, 2021	Savage Creek	Jennifer Brown – Caltrans Biologist Hilary Hodson – Caltrans Biologist
Mid-Season Botanical Survey	May 10, 2021	Savage Creek	Jennifer Brown – Caltrans Biologist Hilary Hodson – Caltrans Biologist
Aquatic Resource Assessment	May 11, 2021 and August 9, 2021	Savage Creek	Jennifer Brown – Caltrans Biologist Ben Lardiere – Caltrans Biologist
Late Season Botanical Survey	August 9, 2021	Backwash System (Seawood Drive)	Jennifer Brown – Caltrans Biologist Ben Lardiere – Caltrans Biologist Alexandre Balcerzak – Caltrans Environmental Coordinator
Humboldt Mountain Beaver surveys, PLOC discussion for NSO, MAMU and Pacific (Humboldt) Marten	December 29, 2021	Savage Creek	Greg Schmidt – USFWS Liaison Jennifer Brown – Caltrans Biologist Ben Lardiere – Caltrans Biologist

As detailed in the Reports, the Savage Creek and Seawood Drive locations include ruderal (annual grassland/non-native shrublands) and upland forest habitat, comprising redwood forest, Douglas-fir, forest, and red alder forest types (all identified as Sensitive Natural Communities). However, no temporary or permanent impacts would be anticipated. No trees would be removed under the project, although minimal trimming of non-riparian tree branches and trimming or clearing of shrubs or herbaceous vegetation would occur. This would either be replanted as needed and/or would be expected to revegetate naturally within a year. To ensure the resources are adequately protected, appropriate BMPs, such as stormwater control, temporary high visibility fencing (THVF), and/or flagging around identified ESHA would be installed. Conditions of approval require implementation and compliance with these measures and BMPs.

No special status plant species were observed within the project area during the seasonally appropriate botanical surveys.

Regarding special status wildlife species, no special status species were observed within the project area; however, it is noted that special status species, including amphibians, marbled murrelet (MAMU), northern spotted owl (NSO), fisher, coastal cutthroat trout, western brook lamprey, and

migratory birds, have the potential to occur within or in the vicinity of the project area. As described in the *Natural Environment Study*, numerous standard measures and BMPs are proposed to be implemented under the project, related to the protection of animal species, invasive species, plant species, sensitive natural communities, wetlands and other waters, and water quality and stormwater runoff. Such measures include but are not limited to conducting instream work and water diversion in one season and during the dry season (June 15-October 15) when Savage Creek flow is low and conducting pre-construction surveys if species are anticipated and/or vegetation removal is proposed to occur during the breeding season. Conditions of approval require implementation and compliance with these measures and BMPs.

The project is expected to result in small-scale, temporary impacts to approximately 42 square feet of Waters of the U.S. and State, which includes impacts to 20 square feet of a perennial stream (Savage Creek) and 22 square feet of impacts to a single isolated palustrine emergent nonpersistent wetland identified within the project area. No wetlands were identified within the Seawood Drive location. No permanent impacts to wetlands or Waters of the U.S. and State would occur as a result of the project, since installation of the new intake system and water line would be replaced in-kind and comprise the same dimensions as the features to be replaced.

Caltrans will seek authorization from the North Coast Regional Water Quality Control Board (NCRWQCB) and U.S. Army Corps of Engineer (USACE) under Sections 401 and 404 of the Clean Water Act for the associated temporary impacts, as well as a Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW) for the infrastructure improvements within Savage Creek. Conditions of approval require obtaining and providing evidence of issued permits, in addition to adherence to all requirements of each respective permit.

#### Air Quality/GHG and Noise

The *Air Quality and GHG Analyses for the Savage Creek Intake Project*, prepared by Caltrans in October 2022 (Attachment 2D), indicates there would not be an increase in operational emissions, although short-term degradation of air quality and generation of short-term construction related greenhouse gas (GHG) emissions would be anticipated. However, several minimization measures are proposed in order to reduce potential impacts and are included as conditions of approval.

A *Noise Analysis for the Savage Creek Intake Project* was prepared by Caltrans in October 2022 (Attachment 2E). No long-term noise increases are anticipated under the project, although construction-related noise would occur, primarily resulting from the operation of heavy construction equipment and arrival and departure of heavy-duty trucks. Noise associated with the project would be controlled by 2022 Caltrans Standard Specification Standard 14-8.02 (Noise Control). Adherence to these measures is included as a condition of approval.

In summary, the proposed project to upgrade the existing Caltrans water intake at Savage Creek and its associated infrastructure would occur in the Caltrans right-of-way. The project is expected to result in small-scale, temporary impacts to approximately 42 square feet of Waters of the U.S. and State, which includes impacts to 20 square feet of a perennial stream (Savage Creek) and 22 square feet of impacts to a single isolated palustrine emergent nonpersistent wetland identified within the project area. The

upgrade is required to improve water quality, infrastructure design improvements and decrease maintenance requirements. The current use of use and quantity of the water diversion will remain and will adhere to the requirements of Water Right Permit No. 21166, issued by the SWRCB as described above. The California Department of Fish and Wildlife (CDFW) is working directly with the Applicant on a Lake and Streambed Alteration Agreement (LSAA) and the Water Board and did not provide any additional comments on the project referral. The applicant is required to obtain authorization and adhere to requirements of both the SWRCB and CDFW who both have regulatory authority to protect public trust resources, such as Savage Creek and the adjacent wetlands. If the upgrade to the diversion infrastructure was not allowed, improvements to water quality and protection for aquatic species would not occur. Considering the project would improve influent water quality, incorporate design improvements for aquatic species and no increases in surface water diversions are anticipated, impacts from the project on any public trust resources associated with surface waters are not anticipated.

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 3)

RECOMMENDATIONS:

Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Coastal Development Permit. Staff recommends that the Zoning Administrator find the project exempt from further environmental review pursuant to Section 15302(c) *Replacement or Reconstruction* and Section 15304(f) *Minor Alterations to Land* of the CEQA Guidelines, as there is no substantial evidence that the project will have a significant effect on the environment.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Zoning Administrator could elect to add or delete conditions of approval. The Zoning Administrator could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, and additional CEQA analysis and findings may be required. These alternatives could be implemented if the Zoning Administrator is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

ATTACHMENTS:

1. Draft Resolution
  - A. Conditions of Approval
  - B. Project Description
  - C. Project Design
2. Applicant's Evidence in Support of the Required Findings
  - A. Natural Environment Study
  - B. Environmentally Sensitive Habitat Area Assessment
  - C. Water Right

D. Air Quality and GHG Analyses for the Savage Creek Intake Project

E. Noise Analysis for the Savage Creek Intake Project

3. Referral Agency Comments and Recommendations

Applicant

California Department of Transportation (Caltrans) - District 1

1656 Union Street

Eureka, CA 95501

Owner

Same as Applicant.

Agent

Same as Applicant.

Please contact Megan Marruffo, Contract Planner, at 707-443-5054 or by email at [marruffom@lacoassociates.com](mailto:marruffom@lacoassociates.com), if you have any questions about the scheduled item.