



March 11, 2024

Re: Harbor District Permit 2024-01: Billboard Repair, Agenda Item 8e

Dear Commissioners and Staff,

I am writing on behalf of Humboldt Waterkeeper regarding Agenda Item 8e, “Consider Accepting Application for Filing for Harbor District Permit 2024-01: Billboard Repair” as described in the agenda packet for your Thursday, March 14 hearing. We urge you to reject this application for the following reasons:

1. The permit application included in the packet is incomplete.

The application fails to identify the Name, Address, phone# and email of Legal Owner required (1). The only information provided is the Assessor’s Parcel Number. No list of names and addresses of all adjoining property owners is provided (4). The list of other related Project Permits & Other Public Approvals required is incomplete (5). The proposed project involves ground-disturbing activities and would require a Coastal Development Permit from the Coastal Commission, and may require permits and/or approvals from other relevant agencies.

2. The permit application fails to disclose and accurately assess environmental impacts of the proposed activities.

The application describes the use of an excavator to pile-drive 6 x 12 foot uprights ten feet into the bay floor. Contrary to the claims on the application, this would result in “Substantial change to existing noise or vibration levels in the vicinity” during construction (#27A). It is unclear whether the applicant intends to use treated lumber, since no project plans are included as required (#12), but if so, this would include the use of potentially hazardous/toxic materials (#29).

The Environmental Setting is not described as required by the application (#34 and #35), and should include information on the flora and fauna, scenic aspects, and other necessary information, particularly the presence of eelgrass habitat.



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The pre-project checklist on page 3 of the application fails to accurately characterize the site and potential environmental impacts by responding “no” to all of the following:

- c) Is any portion of the project located in an area with depths ranging from -10 to +4 feet?
- i) Is project construction likely to increase turbidity? To what extent and for what duration?
- j) Will construction require the use of a barge or other vessel that may temporarily impact the bay floor (e.g. spud poles, anchoring, prop scarring, etc.) within known eelgrass habitat or within depths ranging from -10 to +4 feet?

The application also contains two questions that it says “MUST BE ANSWERED!”

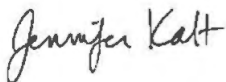
#35, “How will the proposed use or activity promote the public health, safety, comfort, and convenience?” The response is simply “yes” with no explanation.

#36, “How is the requested grant, permit, franchise, lease, right, or privilege required by the public convenience and necessity?” The vague response to this question is simply “ordinance” without clarifying which ordinance or how it might apply to the District’s Trust and Stewardship Responsibilities as described in Section 5.2 of the Humboldt Bay Management Plan.

The District’s Amendment No. 2 Ordinance No. 7, Section 4, states that “no permit may be issued authorizing an ongoing billboard or off- premise sign or structure use, or its maintenance, repair, or reconstruction, without the District first considering of the impact of the proposed use on the air, water, land, environment, and ecology of the District's lands, and thereafter finding that the proposed use is necessary to promote the safety, health, comfort and public convenience of the public, that the proposed use is required by the public convenience, and that the proposed use will not have an adverse environmental or ecological effect.”

Without this information, the application is incomplete. For these reasons, we urge you to reject this application as submitted with a request for this information. Thank you for your consideration.

Sincerely,



Jennifer Kalt, Executive Director

[jkalt@humboldtwaterkeeper.org](mailto:jkalt@humboldtwaterkeeper.org)

Cc: Melissa Kraemer - California Coastal Commission  
Mike Wilson, John Ford, Hank Seemann - Humboldt County  
Mike Van Hattem – CA Dept. of Fish & Wildlife

**BEAR RIVER BAND of the ROHNERVILLE RANCHERIA**  
266 KEISNER RD LOLETA, CA 95551-9707 PHONE 707-733-1900 FAX 707-733-1723



April 25, 2024

Rob Holmlund  
Development Director  
Humboldt Bay Harbor  
Recreation and Conversation District  
601 Startare Drive  
Eureka, CA 95501

**RE: Billboard repair permit application 2024-01.**

Dear Rob,

Please have Inadvertent Discovery Protocol in place before any work begins. If you have any comments or questions do not hesitate to contact the THPO office.

Sincerely,

Catherine Buchanan  
Director  
Environmental and Natural Resources/THPO

**From:** [Rian, Kathryn\(Katie\)@Wildlife](mailto:Rian,Kathryn(Katie)@Wildlife)  
**To:** [District Planner](#); [Ray, James@Wildlife](mailto:Ray,James@Wildlife); [Levine, Joshua@Coastal](mailto:Levine,Joshua@Coastal); [Kraemer, Melissa@Coastal](mailto:Kraemer,Melissa@Coastal)  
**Cc:** [Rob Holmlund](#); [Chris Mikkelsen](#)  
**Subject:** RE: Site visit for Permit 2024-01  
**Date:** Thursday, April 25, 2024 1:13:26 PM  
**Attachments:** [image001.png](#)

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Hi Vanessa,

Thank you for facilitating yesterday's site visit for the proposed billboard repair project. The California Department of Fish and Wildlife (CDFW) is the State's trustee for fish and wildlife resources, and as requested, I'd like to summarize our recommendations to avoid or minimize impacts to sensitive salt marsh and tidal mudflat habitat. The site location consists of remnant tidal salt marsh and intertidal mudflats, both sensitive and ecologically important wetland habitats. Although the salt marsh is invaded with dense-flowered cordgrass (*Spartina densiflora*), it still supports a native plant community, with Humboldt Bay owl's clover (*Castilleja ambigua* ssp. *humboldtensis*; CRPR 1B.2) located in nearby patches of marsh. In addition, the salt marsh along this margin of the bay gets significant use by roosting shorebirds. Placement of a billboard in this location is not consistent with the ecological functions and values of these habitats and can include short- and long-term impacts to native plants, shore bird roosting, and potentially increased erosion potential of the marsh. As the Harbor District is aware, this site is under consideration for a significant marsh restoration project associated with sea level rise (SLR) resiliency. While there is no guarantee such a project would be implemented, it's clear that installing a billboard within the footprint of a restored marsh would not be consistent with the goals of a nature based SRL resiliency project.

CDFW recommends the Harbor District take this opportunity to phase out a land use activity that is not consistent with ecosystem functions of the site and not permit the replacement/repair of the billboard. If the Harbor District chooses to permit the billboard replacement, CDFW recommends incorporating the following conditions of approval:

- Work below the mean high tide line shall only occur during low tide (i.e., no in-water work permitted)
- Uprights shall be installed with vibratory pile driving techniques rather than percussive pile driving during low tide or receding tides when water is at least 50ft from the site.
- New footings shall be installed within the footprint of existing uprights.
- Require the removal of the billboard with no option to replace it if a SLR resiliency marsh restoration project is implemented at the site.

Regardless of whether the structure is replaced, the existing failed billboard should be disassembled onsite and hauled off in pieces to minimize damage to salt marsh and tidal flat. Since the wood is pressure-treated, measures should be taken to minimize chips and sawdust from contaminating the area.

Please feel free to contact me if you have any questions.

Sincerely,  
Katie

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**From:** District Planner <districtplanner@humboldt看bay.org>

**Sent:** Monday, April 22, 2024 11:31 AM

**To:** Rian, Kathryn(Katie)@Wildlife <Kathryn.Rian@Wildlife.ca.gov>; Ray, James@Wildlife <James.Ray@wildlife.ca.gov>; Levine, Joshua@Coastal <Joshua.Levine@coastal.ca.gov>; Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>

**Cc:** Rob Holmlund <rholmlund@humboldt看bay.org>; Chris Mikkelsen <cmikkelsen@humboldt看bay.org>

**Subject:** RE: Site visit for Permit 2024-01

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Hi All,

The applicant (Geoff Wills) will meet us at the Billboard site on Wed. 4/24 at 9 a.m. He said it is best to park at Bracut and walk south down the rail corridor (10-15 minute walk). I can meet at Bracut at 8:45 and we can walk down as a group if that works for you.

Thanks.

Vanessa

