





Public Comments Received Prior to Director Decision

Cristin Kenyon

From: Brian Jensen <radernation4@gmail.com>
Sent: Sunday, November 12, 2023 4:43 PM
To: Raeleen Gannon
Subject: Lot line adjustment and permit for coastal development. At property of 4775 Broadway aka 4635 Broadway

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I oppose any change of permitting or lot line adjustments. Brian Jensen.

DATE: November 9, 2023
TO: The City of Eureka Development Services
FROM: Ryan Hill
SUBJECT: Carrington Company Lot Line Adjustment CDP-23-0003

My name is Ryan Hill. I live on View Ln within the 300-foot radius of the project site indicated in the Coastal Development Permit CDP-23-0003. This letter is a submitted written comment in opposition of the Carrington Company Lot Line Adjustment Coastal Development Permit CDP-23-0003. My opposition is due in part to the manipulative wording used in the Staff Report, city policy, as well as the basis of the LLA proposal.

The Staff Report states the LLA proposal is to create a more logistical legal separation between the Carole Sund Farm (Resultant Parcel A), the separately leased grazing land (Resultant Parcel B), and "the existing open space (e.g. wildlife habitat)" (Resultant Parcel C). The report also states that the LLA proposal does not change the existing land use pattern and mix of development and that it only changes the configuration of the three parcels. The report also states, both prolifically and repetitively, that the LLA proposal does not contemplate nor is it proposing any new development and that any new development would require additional review, authorization, and permitting.

The question then becomes, if the LLA is to be more logistical, for what purpose do the lot lines need to be logistical? Additionally, if the existing land use pattern and development is not to be changed, then why change the lot lines? The answers to those questions are actually in the staff report. The purpose of the LLA is to adjust the lot lines to convey resultant Parcel A, continue to lease resultant Parcel B, and *potentially* sell resultant Parcel C with the caveat that any future development of resultant Parcel C would require additional permitting. Since the current lots 1 and 2 are currently being used as they are intended to be after the proposed LLA, the remaining truth is that the Carrington Company intends to sell resultant Parcel C and the only reason why someone would purchase Parcel C, would be for development. Therefore, the intention of this LLA proposal is for the selling and development of Parcel C, despite the manipulative wording within the Staff Report.

The report outlines The California Department of Fish and Wildlife acknowledgement of the existence of extensive wetlands which represent the valuable habitat with restoration potential for coho and other sensitive fish and wildlife species. The proposed resultant parcels, specifically resultant Parcel C, are known habitats for osprey, deer, and a myriad of other mammals and, as of this year, was also used for cattle grazing. The City, pursuant to Policy 6.A.6

declares grazed wetlands, wetlands and estuaries, and other unique habitats, such as waterbird rookeries, and habitat for all rare or endangered species on state or federal lists, as environmentally sensitive habitat areas within the Coastal Zone. The osprey is protected by the U.S. Migratory Bird Treaty Act.

The LLA proposal supporting documentation included a Wetland Delineation of the Carrington Company Subdivision authored by Streamline Planning Consultants from July 26, 2012. Regardless of the contents of the Wetland Delineation, I believe it is irresponsible and reckless to base any LLA proposal or future development of ANY parcel on a study that was completed over a decade ago.

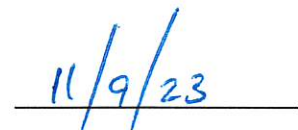
In closing, I am opposed to the Carrington Company Lot Line Adjustment CDP-23-0003. I believe, as I previously stated, the wording contained within the Staff Report is manipulative and disingenuous, intended to covert the LLA proposal's true intent of selling and developing resultant Parcel C. With the threat of future development, I believe the LLA proposal should be denied based on the city's Policy 6.A.6 regarding the environmentally sensitive habitat areas within the Coastal Zone. Lastly, I believe the LLA proposal should be denied due to the foundation of the proposal being laid on a survey that is over ten years old which cannot be relied on for current wetland presence and/or conditions within the project area.

Thank you for your time and consideration.

Respectfully,





Ryan Hill



Date

Cristin Kenyon

From: ken Canepa <ken_c_95503@yahoo.com>
Sent: Wednesday, November 8, 2023 2:54 PM
To: Planning
Subject: Carrington Company Lot Line Adjustment Coastal Development Permit
Attachments: Carrington lot line.docx

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Hello, I am attaching my written comments regarding the Carrington company lot line adjustment coastal development permit.

Thanks You

Ken Canepa
5036 view lane
Eureka, CA 95503

302-081-011-000

Carrington Company Lot Line Adjustment Coastal Development Permit

APN: 302-171-035

Project # CDP_23-0003

Notice of Appeal

Att. Caitlin Castellano, Senior Planner

I appeal this Lot Line Adjustment because:

I see no reason to change the parcels. Parcel 1 can be deeded to Butler Valley, Leave 2 and 3 as they are.

1. Archaeological Areas not defined.
2. Parcel C slope
3. Ecological Balance – no mention at all of active osprey nest near boundary of B&C, Red Tail hawk nest (which delayed waste water pipe installment), Bald Eagle sightings, nesting owl's, Black Shouldered Kites , turkeys, along with a variety of mammals.
4. The land use plan policy 1.A.4 is not being implemented with this proposed lot line adjustment on the upper C parcel.
5. The proposed lot line adjustment will be injurious to private property and upset the ecological balance of this coastal zone.

I saw no mention of the dynamite "bunker" EW Pierce used on the lower part of parcel. Has that been tested for pollution?

I fully support the Butler Valley split A , but the upper east portion (C) is of concern for the above-mentioned points.

I wish to be a good neighbor, but I oppose this action

Thank You

Ken Canepa

Parcel #302-081-011-000

Cristin Kenyon

From: Planning
Sent: Wednesday, November 8, 2023 11:05 AM
To: Cristin Kenyon
Subject: FW: CDP-23-0003 Public Meeting; 13 NOV ZOOM Only; Excludes disabled public; Cancel Mtg

Raeleen Gannon
Administrative Technician II
Planning Department | City of Eureka
rgannon@eurekaca.gov (707) 441-4160



From: Cynthia LeDoux-Bloom <cledoux bloom@gmail.com>
Sent: Wednesday, November 8, 2023 10:56 AM
To: Miles Slattery <msslattery@ci.eureka.ca.gov>; narroyo@co.humboldt.ca.us; Bohn, Rex <RBohn@co.humboldt.ca.us>; Shannon Fazio <sfazio@ci.eureka.ca.gov>; Planning <planning@eurekaca.gov>
Cc: Cynthia LeDoux-Bloom <cledoux bloom@gmail.com>; Eric Bloom <erbloom1962@gmail.com>
Subject: CDP-23-0003 Public Meeting; 13 NOV ZOOM Only; Excludes disabled public; Cancel Mtg

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Mr. Slattery, Ms. Arroyo, Ms. Keyon, Ms. Fazio, and Mr. Bohn:
Today, I received a notice inviting me to a **PUBLIC HEARING NOTICE for CDP-23-003 scheduled over ZOOM ONLY** on 13 Nov 2023 at 10:00.

This is not a PUBLIC MEETING as it excludes anyone who is sight impaired, hearing impaired, lacks access to a computer / mobile device or access to the internet.

When planning public meetings, agencies must ensure that the meetings are accessible to members of the public who have a disability. Accessible public meetings require not only physical access to the meeting facility, but access to the information communicated through the meeting. The ZOOM only meeting limits access to information communication through this meeting platform.

This non-Public Meeting should be cancelled immediately and rescheduled to be a legally-defined Public Meeting where ALL OF THE PUBLIC can be included, and not those of the public who can both hear and see, and are fortunate enough to have a computer capable and able to connect to the internet. I am disappointed in the City of Eureka for authorizing Ms. Kenyon to schedule such an exclusive event.



-Cynthia Le Doux-Bloom
APN: 302-031-002-000

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Dr. Cynthia Le Doux-Bloom
Mobile: 916.813.6731

Cristin Kenyon

From: Cynthia LeDoux-Bloom <cledouxbloom@gmail.com>
Sent: Thursday, November 9, 2023 8:58 AM
To: Miles Slattery
Cc: Arroyo, Natalie; Miles Slattery; Bohn, Rex; Shannon Fazio; Planning; Cristin Kenyon; Ford, John; Eric Bloom
Subject: Re: CDP-23-0003 Public Meeting; 13 NOV ZOOM Only; Excludes disabled public; Cancel Mtg

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All:
 Mr. Slattery, I returned your call this morning at 08:48 and left you a voicemail. I am available on my cell phone until ~ noon today and potentially between 16:15- 17:00.

Again, I want the so-called Public Meeting that Mr. Slattery authorized Ms. Keyon to hold on Monday, November 2023 at 10:00 using Zoom only to be rescheduled to a date, time, and location where ALL OF THE PUBLIC can attend. The current "Public Meeting" excludes the sight impaired, hearing impaired, and the public without access to a computer or mobile device and access to the internet. THIS IS NOT A PUBLIC MEETING per the State of California.

Sincerely,
 Cynthia Le Doux-Bloom

On Wed, Nov 8, 2023 at 9:12 PM Miles Slattery <msslattery@eureka.gov> wrote:
 Its us. I've left a message for Cynthia

Sent from my Verizon, Samsung Galaxy smartphone
 Get [Outlook for Android](#)

From: Cynthia LeDoux-Bloom <cledouxbloom@gmail.com>
Sent: Wednesday, November 8, 2023 1:14:32 PM
To: Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Cc: Miles Slattery <msslattery@ci.eureka.ca.gov>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Shannon Fazio <sfazio@ci.eureka.ca.gov>; Planning <planning@eureka.gov>; Cristin Kenyon <ckenyon@eureka.gov>; Ford, John <JFord@co.humboldt.ca.us>; Eric Bloom <erbloom1962@gmail.com>
Subject: Re: CDP-23-0003 Public Meeting; 13 NOV ZOOM Only; Excludes disabled public; Cancel Mtg

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City of Eureka.

On Wed, Nov 8, 2023 at 12:06 PM Arroyo, Natalie <narroyo@co.humboldt.ca.us> wrote:

Hello Cynthia,

I'm not clear about whether this matter is being heard by the City of Eureka, the County of Humboldt, or the Coastal Commission, given that it's a CDP. I'm including the planning directors of the County and the City of Eureka, respectively. Both of those agencies have Planning Commission meetings and Board/ Council meetings in hybrid formats, so anyone could come in person to the accessible facilities for each respective jurisdiction or use the video option from a location of their choosing. If this matter is being heard by the Coastal Commission, their next meeting is in Sonoma County and the meetings rotate amongst statewide locations, so if they were conducting noticing it would likely be a courtesy to provide a Zoom option for Humboldt County residents. I'm sure staff can help you out, as I don't have immediate access to a list of all permits coming up for public hearing.

Sincerely,

Natalie Arroyo

Humboldt County Supervisor, District 4 (Eureka, Myrtle town, Samoa, and Fairhaven)

narroyo@co.humboldt.ca.us

From: Cynthia LeDoux-Bloom <cledoux bloom@gmail.com>

Sent: Wednesday, November 8, 2023 10:55 AM

To: m slattery@ci.eureka.ca.gov <m slattery@ci.eureka.ca.gov>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; sfazio@ci.eureka.ca.gov <sfazio@ci.eureka.ca.gov>; planning@eurekaca.gov <planning@eurekaca.gov>

Cc: Cynthia LeDoux-Bloom <cledoux bloom@gmail.com>; Eric Bloom <erbloom1962@gmail.com>

Subject: CDP-23-0003 Public Meeting; 13 NOV ZOOM Only; Excludes disabled public; Cancel Mtg

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Mr. Slattery, Ms. Arroyo, Ms. Keyon, Ms. Fazio, and Mr. Bohn:

Today, I received a notice inviting me to a **PUBLIC HEARING NOTICE for CDP-23-003 scheduled over ZOOM ONLY** on 13 Nov 2023 at 10:00.

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-Cynthia Le Doux-Bloom
APN: 302-031-002-000

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Dr. Cynthia Le Doux-Bloom
Mobile: 916.813.6731

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Dr. Cynthia Le Doux-Bloom
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Please note that email correspondence with the City of Eureka, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure unless otherwise exempt. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

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Dr. Cynthia Le Doux-Bloom
Mobile: 916.813.6731

Cristin Kenyon

From: Cristin Kenyon
Sent: Thursday, November 9, 2023 12:17 PM
To: Miles Slattery; Cynthia LeDoux-Bloom
Cc: Arroyo, Natalie; Planning
Subject: RE: CDP-23-003 Public Hearing
Attachments: Appeal Form.pdf

Hi Cynthia,

I'm sorry you don't feel heard. I am happy to talk with you whenever you would like about the project. The Coastal Development Permit is a discretionary action triggering CEQA, and the project qualifies for a CEQA categorical exemption – CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations. It's described in the staff report which is available here: [Today 01, 1234 \(eurekaca.gov\)](#)

Once I take action on the Coastal Development Permit (CDP) on Monday, you'll have an opportunity to appeal my decision to the Planning Commission, and there will be another noticed hearing of the Planning Commission. You already have standing for appeal because you have let us know you are concerned about the project. The decision of the Planning Commission is then appealable to the City Council, and if the project is ultimately approved locally and all local appeals are exhausted, the CDP is appealable to the Coastal Commission. There is no fee to appeal the CDP. The appeal application is attached – you can either mail to Development Services – Planning, 531 K Street, Eureka, CA 95501 or email planning@eurekaca.gov. Or you can contact Senior Administrative Assistant Raeleen Gannon at planning@eurekaca.gov or 707-441-4160 to make an appointment to drop it off at the City Hall lobby Monday through Friday between 9 a.m. and 4 p.m.

The post card notice states, “Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. If you have questions regarding the project or this notice, or would like to make an appointment to review the project file, please contact Development Services - Planning at planning@eurekaca.gov or (707) 441-4160.” Are you in need of accommodations? Again, I'm happy to discuss the project with you and hear your concerns.

Thanks!

Cristin

Cristin Kenyon, AICP
 Development Services Director | City of Eureka
ckenyon@eurekaca.gov (707) 441-4165

From: Miles Slattery <msslattery@eurekaca.gov>
Sent: Thursday, November 9, 2023 11:02 AM
To: Cynthia LeDoux-Bloom <cleldoux bloom@gmail.com>; Cristin Kenyon <ckenyon@eurekaca.gov>
Cc: Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: RE: CDP-23-003 Public Hearing

Hello Cynthia,

Thank you for including me as I did not say there were no plans to develop. As a matter of fact I said this has been in the works for a very long time. What I said was is that when there is development we will be consulting with the relevant

tribal representatives. I then spoke with Cristin and she informed me that they have already been referred this lot line adjustment.

Thank you for your input,



Miles



Miles Slattery (He/Him)

City Manager, City Administration
 (707) 441-4184 (Office) | (707) 599-2053 (Cell)
 City Hall, 531 K Street, Eureka CA 95501

From: Cynthia LeDoux-Bloom <cledoux bloom@gmail.com>
Sent: Thursday, November 9, 2023 10:58 AM
To: Cristin Kenyon <ckenyon@eurekaca.gov>
Cc: Miles Slattery <msslattery@ci.eureka.ca.gov>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: CDP-23-003 Public Hearing

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Cristin,

I received the notification on Monday, November 6, 4 business days between receipt of the notification and the so-called public hearing. No where on the postcard does it state that ADA accommodations will be made for the hearing impaired, visually impaired, or those without access to the internet which Mr. Slattery just stated are available during our phone conversation. How would anyone sight impaired be notified of these options even if it was written on the postcard?

Additionally, he stated that he would contact you so you can tell me what exempt was issued to void CEQA. He also stated that you would be providing me with the appeal process and links. Please do both. He also stated that there were no plans to develop the property after the lot line adjustment was made. I have documented conversations with Carrington staff outlining the plans for an 80 house development, complete with a retirement community required by the City of Eureka.

I think the meeting via ZOOM only and scheduled a day after a holiday was intended to eliminate public participation. Again, I think it's in the best interest of the Public for whom you serve to reschedule the meeting to make it fulfil the requirements outlined by the State of California. Handling of this so-called public meeting is an embarrassment by the City of Eureka. During our phone conversation, Mr. Slattery's connection with his ability to use ZOOM only due to the COVID-19 pandemic is ridiculous.

Cristin, thank you for your voicemail. I think it best that all of our discussion remains written.

Sincerely,
Cynthia

--

Dr. Cynthia Le Doux-Bloom
Mobile: 916.813.6731

Cristin Kenyon

From: Cristin Kenyon
Sent: Thursday, November 9, 2023 2:32 PM
To: Cynthia LeDoux-Bloom; Planning
Cc: Miles Slattery; Arroyo, Natalie
Subject: RE: CDP-23-003 Public Hearing Notice -



Hi Cynthia,

You are welcome to appeal the Direct action based on your process concerns. In my last email I forgot to mention it's a 10 calendar day appeal period after the Director takes action.

Thanks,
 Cristin

Cristin Kenyon, AICP
 Development Services Director | City of Eureka
ckenyon@eurekaca.gov (707) 441-4165

From: Cynthia LeDoux-Bloom <cledoux bloom@gmail.com>
Sent: Thursday, November 9, 2023 1:45 PM
To: Planning <planning@eurekaca.gov>
Cc: Miles Slattery <msslattery@ci.eureka.ca.gov>; Cristin Kenyon <ckenyon@eurekaca.gov>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: CDP-23-003 Public Hearing Notice -

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The Notice was postmarked on Thursday, 2 November. It arrived in my mailbox on Monday, November 6. Friday, 10 November is a Holiday. The meeting is on Monday, 13 November. That does not allow for the 5 business days advance notice for ADA accommodation requested by the City of Eureka.

The Public Hearing using the ZOOM only platform does not accommodate the sight impaired, hearing impaired, or provide access to those without a computer or internet service. Not enough time was provided between the notice being mailed and its receipt due to the weekends and holiday.

The meeting should be cancelled and rescheduled allowing 5 days for ADA requests due to using the ZOOM only platform, but should be rescheduled to an in-person meeting and accommodate the hearing and vision impaired individuals - eliminating the need for access to computers and internet.

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Dr. Cynthia Le Doux-Bloom
Mobile: 916.813.6731