

City of Eureka, California  
NOTICE OF APPEAL

- Planning Commission action
- Historic Preservation Commission action
- Administrative action on Coastal Development Permit

This appeal is being filed with the Honorable Mayor and City Council on action taken by the above indicated body at its regular **special** meeting held Dec 13, 2023.

The subject of this appeal is:

Applicant: The Carrington Company

Case No.: CDP-23-0003

Location of property: 4775 Broadway

Said decision was an **approval** / denial. (circle one)

Indicate specifically wherein it is claimed there was an error or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record (use additional sheets if necessary):

- I believe the CDP is in violation of city policy (6.A.6)
- The CDP is based on a wetland delineation study from 2012
- The CDP does not take into account watershed concerns, tribal cultural concerns, traffic concerns should resultant Parcel C be developed
- Please see the attached opposition letter incorporated for reference

**Appellant:**  Applicant  Interested person  
(If more than one, attach list, including addresses)

Name: Ryan Hill  
Address: 5024 View Ln  
City: Eureka  
Phone: 707-498-6566

Signature: H Ryan Hill  
Date: 12-20-2023  
Email: hryanhill@gmail.com

**For Office Use:**

Received by: \_\_\_\_\_ Check/Receipt No. \_\_\_\_\_

**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.

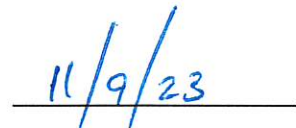
In closing, I am opposed to the Carrington Company Lot Line Adjustment CDP-23-0003. I believe, as I previously stated, the wording contained within the Staff Report is manipulative and disingenuous, intended to covert the LLA proposal's true intent of selling and developing resultant Parcel C. With the 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

City of Eureka, California  
NOTICE OF APPEAL

- Planning Commission action
- Historic Preservation Commission action
- Administrative action on Coastal Development Permit

This appeal is being filed with the Honorable Mayor and City Council on action taken by the above indicated body at its regular / special meeting held December 13, 2023.

The subject of this appeal is:

Applicant: Carrington company CPP for the LLA

Case No.: CDP-23-0003 (appeal) and LLA-23-0001

Location of property: 4775 Broadway (aka 4635 Broadway)  
APN: 302-171-035

Said decision was an approval / denial . (circle one)

Indicate specifically wherein it is claimed there was an error or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record (use additional sheets if necessary):

attached

---

---

---

---

---

---

---

---

---

---

**Appellant:**

(If more than one, attach list, including addresses)

- Applicant
- Interested person

Name: Cynthia LeDoux Bloom  
Address: 2084 Sunset Dr.  
City: Eureka  
Phone: 916-813-6731

Signature: Cynthia Bloom  
Date: 21 Dec 2023  
Email: clledouxbloom@gmail.com

**For Office Use:**

Received by: \_\_\_\_\_ Check/Receipt No. \_\_\_\_\_

**Indicate specifically wherein it is claimed there was an error or abuse or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record:**

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) is not in alignment with the City of Eureka Local Coastal Program's *City of Eureka Coastal Land Use Plan* (June 2023 Draft).

Under the Our Coastal Environment subheading, bullet #2 states: *"Reduce development pressure on agricultural, forest, and natural resource lands through well-planned, "infill first" development within City limits, building upon Eureka's historic development patterns by utilizing greater intensities and building heights than have been allowed in past LCPs"*. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 increases development pressure by pre-authorizing the development on agricultural, forest, and natural resource lands. This is in direct contradiction of the Local Coastal Program.

Under the Our Coastal Environment subheading, bullet #3 states: *"Assume a leadership role in water quality protection, resource conservation, and green practices"*. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 allows for reduced water quality, resource protection, and green practices by facilitating the develop of highly sensitive habitats (Parcel C upland habitat - Environmentally Sensitive Habitat Areas (ESHAs) as defined in the Carrington Wetland Delineations (2012) (Figure 1). Much of the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 proposed Parcel C property lines remains in the ESHAs (Figure 2). Yellow arrows indicate same location based upon GPS reference with maps of two different projections. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 increases development pressure by pre-authorizing reduced water quality, resource protection, and green practices on ESHAs. This is in direct contradiction of the Local Coastal Program.

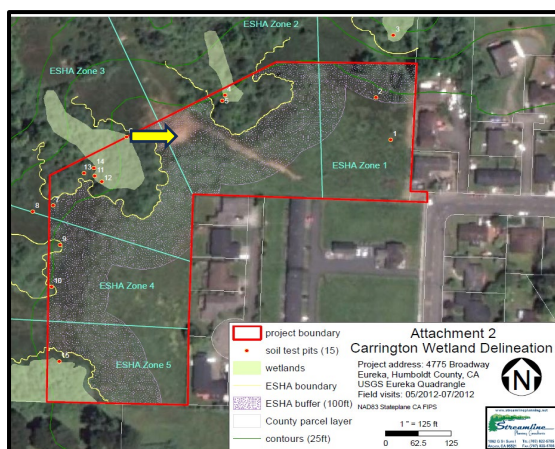


Figure 1. 2012 Carrington Wetland Delineation



Figure 2. Carrington Coastal Development Permit boundary

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) should require evaluation under the California Environmental Quality Act (CEQA) because the habitat is defined as Environmentally Sensitive Habitat Areas (ESHAs)

which removed 4.4 acres from the Wetland area to the upslope area planned for development. This change in habitat use falls under CEQA.

The environmental issues concerning separating the remaining 82 acres into Parcels B and C which are incompatible with City of Eureka's Elk River Estuary Enhancement Project (114 acres) which is hydrologically connected to the Carrington Property and just west of the west property line. This change in habitat use falls under CEQA.

Parcel B (61.3 acres) is a wetland - seasonal freshwater lagoon and provides breeding habitat for numerous aquatic organisms and development is prohibited by the State of California. The environmental issues are seasonal aquatic animal movement and migration from the upland habitat to the seasonal freshwater lagoon for breeding (e.g., red legged frogs (*Rana draytonii*); rough-skinned newt (*Taricha granulosa*)). This change in habitat use falls under CEQA.

The proposed Parcel C (20.2 acres) was described in the Carrington Wetland Delineations (2012) as: filled with riparian plant species providing excellent habitat for a wide variety of bird species; (= sensitive listed bird habitat); Environmentally Sensitive Habitat Areas (ESHAs); and when rainwater infiltrates the terrace, it hits the lower, compacted layers where it flows laterally to the west; and this water creates riparian/wetland habitat along the gullies (= hydrologically connected to Swain Slough, Elk River, Elk River Slough, and Humboldt Bay) – all ESA-listed salmonid and Pacific lamprey habitat are Tribal Trust Species. This change in habitat use falls under CEQA.

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) is not in alignment with the City of Eureka Local Coastal Program's *City of Eureka Coastal Land Use Plan* and should be evaluated under CEQA because there are several changes in ESHA use changes.

City of Eureka, California  
NOTICE OF APPEAL

- Planning Commission action
- Historic Preservation Commission action
- Administrative action on Coastal Development Permit

This appeal is being filed with the Honorable Mayor and City Council on action taken by the above indicated body at its regular / special meeting held December 13, 2023.

The subject of this appeal is:

Applicant: Carrington company CDP for the LLA

Case No.: CDP-23-0003 (appeal) and LLA-23-0001

Location of property: 4775 Broadway (aka 4635 Broadway)  
APN: 302-171-035

Said decision was an approval / denial . (circle one)

Indicate specifically wherein it is claimed there was an error or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record (use additional sheets if necessary):

attached:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Appellant:**

(If more than one, attach list, including addresses)

- Applicant
- Interested person

Name: ERIC R. BLOOM  
Address: 2084 SUNSET DR.  
City: EUREKA  
Phone: 707 813 7566

Signature: [Signature]  
Date: 21 Dec 2023  
Email: erbloom1962

**For Office Use:**

Received by: \_\_\_\_\_ Check/Receipt No. \_\_\_\_\_

**Indicate specifically wherein it is claimed there was an error or abuse or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record:**

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) is not in alignment with the City of Eureka Local Coastal Program's *City of Eureka Coastal Land Use Plan* (June 2023 Draft).

Under the Our Coastal Environment subheading, bullet #2 states: *"Reduce development pressure on agricultural, forest, and natural resource lands through well-planned, "infill first" development within City limits, building upon Eureka's historic development patterns by utilizing greater intensities and building heights than have been allowed in past LCPs"*. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 increases development pressure by pre-authorizing the development on agricultural, forest, and natural resource lands. This is in direct contradiction of the Local Coastal Program.

Under the Our Coastal Environment subheading, bullet #3 states: *"Assume a leadership role in water quality protection, resource conservation, and green practices"*. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 allows for reduced water quality, resource protection, and green practices by facilitating the develop of highly sensitive habitats (Parcel C upland habitat - Environmentally Sensitive Habitat Areas (ESHAs) as defined in the Carrington Wetland Delineations (2012) (Figure 1). Much of the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 proposed Parcel C property lines remains in the ESHAs (Figure 2). Yellow arrows indicate same location based upon GPS reference with maps of two different projections. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 increases development pressure by pre-authorizing reduced water quality, resource protection, and green practices on ESHAs. This is in direct contradiction of the Local Coastal Program.

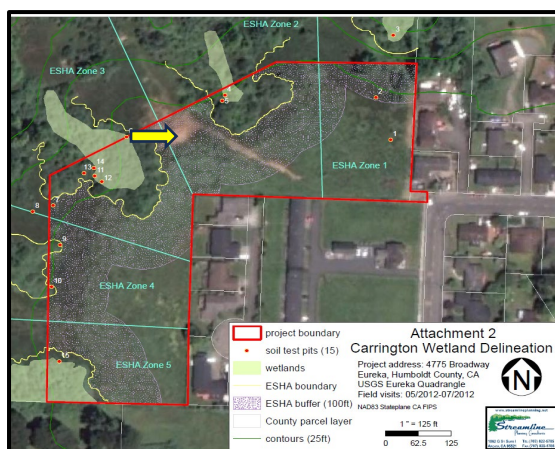


Figure 1. 2012 Carrington Wetland Delineation



Figure 2. Carrington Coastal Development Permit boundary

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) should require evaluation under the California Environmental Quality Act (CEQA) because the habitat is defined as Environmentally Sensitive Habitat Areas (ESHAs)



which removed 4.4 acres from the Wetland area to the upslope area planned for development. This change in habitat use falls under CEQA.

The environmental issues concerning separating the remaining 82 acres into Parcels B and C which are incompatible with City of Eureka's Elk River Estuary Enhancement Project (114 acres) which is hydrologically connected to the Carrington Property and just west of the west property line. This change in habitat use falls under CEQA.

Parcel B (61.3 acres) is a wetland - seasonal freshwater lagoon and provides breeding habitat for numerous aquatic organisms and development is prohibited by the State of California. The environmental issues are seasonal aquatic animal movement and migration from the upland habitat to the seasonal freshwater lagoon for breeding (e.g., red legged frogs (*Rana draytonii*); rough-skinned newt (*Taricha granulosa*)). This change in habitat use falls under CEQA.

The proposed Parcel C (20.2 acres) was described in the Carrington Wetland Delineations (2012) as: filled with riparian plant species providing excellent habitat for a wide variety of bird species; (= sensitive listed bird habitat); Environmentally Sensitive Habitat Areas (ESHAs); and when rainwater infiltrates the terrace, it hits the lower, compacted layers where it flows laterally to the west; and this water creates riparian/wetland habitat along the gullies (= hydrologically connected to Swain Slough, Elk River, Elk River Slough, and Humboldt Bay) – all ESA-listed salmonid and Pacific lamprey habitat are Tribal Trust Species. This change in habitat use falls under CEQA.

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) is not in alignment with the City of Eureka Local Coastal Program's *City of Eureka Coastal Land Use Plan* and should be evaluated under CEQA because there are several changes in ESHA use changes.

City of Eureka, California  
NOTICE OF APPEAL

- Planning Commission action
- Historic Preservation Commission action
- Administrative action on Coastal Development Permit

This appeal is being filed with the Honorable Mayor and City Council on action taken by the above indicated body at its regular / special meeting held 12-13, 2023.

The subject of this appeal is:

Applicant: CARRINGTON COMPANY CDP for the Lot Line ADJUSTMENT

Case No.: CDP-23-003 (APPEAL) + LLA-23-001

Location of property: 4775 Broadway / 4635 Broadway - APN 302-171-035

Said decision was an approval / denial. (circle one)

Indicate specifically wherein it is claimed there was an error or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record (use additional sheets if necessary):

see Attached

**Appellant:**  Applicant  Interested person  
(If more than one, attach list, including addresses)

Name: Ken CANEPA  
Address: 5036 VIEW Lane  
City: EUREKA, CA 95503  
Phone: 707-496-4871

Signature: Ken Canepa  
Date: 12-  
Email: Ken\_C-95503@yahoo.com

For Office Use: \_\_\_\_\_

Received by: \_\_\_\_\_ Check/Receipt No. \_\_\_\_\_

**Indicate specifically wherein it is claimed there was an error or abuse or abuse of discretion by the Commission or Board; or herein its decision is not supported by the evidence in the record:**

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) is not in alignment with the City of Eureka Local Coastal Program's *City of Eureka Coastal Land Use Plan* (June 2023 Draft).

Under the Our Coastal Environment subheading, bullet #2 states: *"Reduce development pressure on agricultural, forest, and natural resource lands through well-planned, "infill first" development within City limits, building upon Eureka's historic development patterns by utilizing greater intensities and building heights than have been allowed in past LCPs"*. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 increases development pressure by pre-authorizing the development on agricultural, forest, and natural resource lands. This is in direct contradiction of the Local Coastal Program.

Under the Our Coastal Environment subheading, bullet #3 states: *"Assume a leadership role in water quality protection, resource conservation, and green practices"*. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 allows for reduced water quality, resource protection, and green practices by facilitating the develop of highly sensitive habitats (Parcel C upland habitat - Environmentally Sensitive Habitat Areas (ESHAs) as defined in the Carrington Wetland Delineations (2012) (Figure 1). Much of the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 proposed Parcel C property lines remains in the ESHAs (Figure 2). Yellow arrows indicate same location based upon GPS reference with maps of two different projections. Approving the City of Eureka - Carrington Company Lot Line Adjustment and the Coastal Development Permit CDP-23-005 increases development pressure by pre-authorizing reduced water quality, resource protection, and green practices on ESHAs. This is in direct contradiction of the Local Coastal Program.

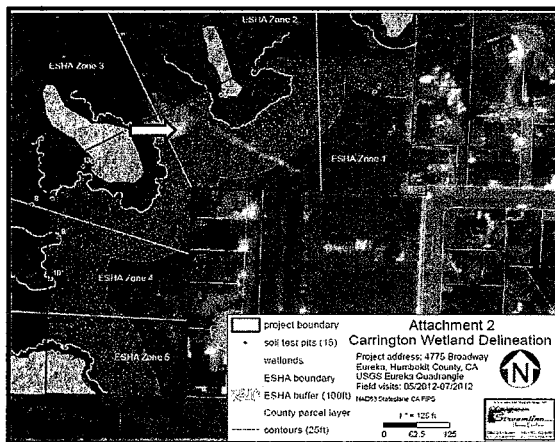


Figure 1. 2012 Carrington Wetland Delineation

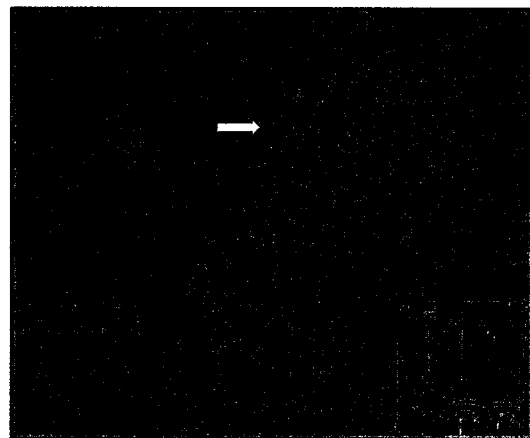


Figure 2. Carrington Coastal Development Permit boundary

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) should require evaluation under the California Environmental Quality Act (CEQA) because the habitat is defined as Environmentally Sensitive Habitat Areas (ESHAs)

which removed 4.4 acres from the Wetland area to the upslope area planned for development. This change in habitat use falls under CEQA.

The environmental issues concerning separating the remaining 82 acres into Parcels B and C which are incompatible with City of Eureka's Elk River Estuary Enhancement Project (114 acres) which is hydrologically connected to the Carrington Property and just west of the west property line. This change in habitat use falls under CEQA.

Parcel B (61.3 acres) is a wetland - seasonal freshwater lagoon and provides breeding habitat for numerous aquatic organisms and development is prohibited by the State of California. The environmental issues are seasonal aquatic animal movement and migration from the upland habitat to the seasonal freshwater lagoon for breeding (e.g., red legged frogs (*Rana draytonii*); rough-skinned newt (*Taricha granulosa*)). This change in habitat use falls under CEQA.

The proposed Parcel C (20.2 acres) was described in the Carrington Wetland Delineations (2012) as: filled with riparian plant species providing excellent habitat for a wide variety of bird species; (= sensitive listed bird habitat); Environmentally Sensitive Habitat Areas (ESHAs); and when rainwater infiltrates the terrace, it hits the lower, compacted layers where it flows laterally to the west; and this water creates riparian/wetland habitat along the gullies (= hydrologically connected to Swain Slough, Elk River, Elk River Slough, and Humboldt Bay) – all ESA-listed salmonid and Pacific lamprey habitat are Tribal Trust Species. This change in habitat use falls under CEQA.

The approval of the Carrington Company Coastal Development Permit and lot line adjustments failed to address the sensitive wildlife habitat that will be affected by this first step in development. Neighbors property values will decrease, and the view of Humboldt bay will be obstructed by the development of parcel C which is the goal of Carrington Company coastal development permit and lot line adjustment.

The approval of the Carrington Company Coastal Development Permit by two Planning Commissioners (Lazar and Maier; Benson denied approval) is not in alignment with the City of Eureka Local Coastal Program's *City of Eureka Coastal Land Use Plan* and should be evaluated under CEQA because there are several changes in ESHA use changes.