

## RESOLUTION NO. 18-141

### **RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE PROCESSING OF A CONSOLIDATED COASTAL DEVELOPMENT PERMIT BY THE CALIFORNIA COASTAL COMMISSION FOR THE MENDOCINO COUNTY DEPARTMENT OF TRANSPORTATION USAL CREEK BRIDGE REPLACEMENT PROJECT ON USAL ROAD, COUNTY ROAD 431, MILEPOST 5.93 (ROCKPORT AREA)**

WHEREAS, the Coastal Act was amended by Senate Bill (SB) 1843 effective January 1, 2007, which allows for a consolidated permitting process for projects for which the Coastal Development Permit (CDP) authority is shared by a local government and the California Coastal Commission; and

WHEREAS, SB 1843 requires that the applicant, the local government and the California Coastal Commission agree to the consolidation; and

WHEREAS, this project is federally funded and is required to comply with federal National Environmental Policy Act requirements, which includes field exploration activities consisting of excavating multiple archaeological test pit areas to determine the extent of the presence of cultural resources and/or artifacts; and

WHEREAS, the archaeological test pits for the Usal Creek Bridge Replacement Project on Usal Road are under the coastal development authority of both Mendocino County and the California Coastal Commission and would otherwise require a coastal development permit from both Mendocino County and the California Coastal Commission; and

WHEREAS, pursuant to Public Resources Code Section 30601.3, added by SB 1843, consolidation may only proceed where public participation is not substantially impaired by the consolidation; and

WHEREAS, public participation will not be substantially impaired as the California Coastal Commission will hold a public hearing, which may be attended by all interested parties (by either being present during a properly noticed California Coastal Commission meeting or by timely submitting comments in advance of a meeting) and consolidation of the permit process will allow for this project, which involves replacing Usal Creek Bridge, to be evaluated in its entirety; and

WHEREAS, consolidating this permit will not surrender the County's Local Coastal Program permit jurisdiction on any other project located within the Coastal Zone, nor will it diminish the Board's discretion to agree or disagree to consolidate permits for similar "dual jurisdiction" projects in the future.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Authorizes the California Coastal Commission to accept and process a consolidated Coastal Development Permit application for the Usal Creek Bridge Replacement Project on Usal Road; and

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2. Authorizes and directs the Director of Transportation or his designated representative to check, review, approve, and sign any and all documents pertaining to the California Coastal Commission permit for the Usal Creek Bridge Replacement Project on Usal Road, on behalf of Mendocino County.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Croskey, and carried this 25<sup>th</sup> day of September, 2018, by the following vote:

AYES: Supervisors Brown, McCowen, Croskey, Gjerde, and Hamburg  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

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DAN HAMBURG, Chair  
Mendocino County Board of Supervisors

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Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

*APPROVED AS TO FORM:*  
KATHARINE L. ELLIOTT  
County Counsel

BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy