

## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95501  
(707) 445-7833

[www.coastal.ca.gov](http://www.coastal.ca.gov)

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# NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the*

## *June Meeting of the California Coastal Commission*

MEMORANDUM

Date: June 8, 2005

TO: Commissioners and Interested Parties  
FROM: Chuck Damm, North Coast District Deputy Director  
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Coast District Office for the June 8, 2005 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Coast District.

***EMERGENCY PERMITS***

1-05-025-G Roger & Johanna Rodoni (, Humboldt County)

**TOTAL OF 1 ITEM**

## DETAIL OF ATTACHED MATERIALS

### REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<p><b>1-05-025-G</b> Roger &amp; Johanna Rodoni</p>	<p>Repair eroded portions of an existing earthen levee and protect the existing tidegate by (1) placing dry earthen fill material as needed to restore the former footprint and slope of the levee as it existed prior to erosion, and (2) placing a total of approximately 100 cubic yards of half-ton quarry rock revetment materials over a total length of approximately 70 lineal feet of levee and bank extending north and south of the tidegate.</p>	<p>Adjacent To An Existing Tidegate At The Mouth Of Rocky Gulch, West Of Highway 101, Between Eureka And Arcata, Humboldt County</p>
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## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE      MAILING ADDRESS:  
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EUREKA, CA 95501-1865      EUREKA, CA 95502-4908  
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## EMERGENCY PERMIT

Roger & Johanna Rodoni  
P.O. Box 43  
Scotia, CA 95565

Date: June 3, 2005  
Emergency Permit No.: 1-05-025-G

**LOCATION OF EMERGENCY WORK:**

Adjacent to an existing tidegate at the mouth of Rocky Gulch, west of Highway 101, between Eureka and Arcata, Humboldt County (APN 501-091-002)

**WORK PROPOSED:**

Repair eroded portions of an existing earthen levee and protect the existing tidegate by (1) placing dry earthen fill material as needed to restore the former footprint and slope of the levee as it existed prior to erosion, and (2) placing a total of approximately 100 cubic yards of half-ton quarry rock revetment materials over a total length of approximately 70 lineal feet of levee and bank extending north and south of the tidegate.

**PERMIT RATIONALE:**

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information and our site visit that an unexpected occurrence in the form of severe erosion of the levee and banks in the vicinity of the tidegate threatens to breach the levee or cause the collapse of the tidegate structure, either of which would allow seawater to inundate adjoining pasture lands. The situation requires immediate action to prevent damage to life, property, or essential public services.

Pursuant to Title 14 of the California Code of Regulations, Section 13009, the Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit; and
- (b) Public comment on the proposed emergency action has been reviewed as time allows; and
- (c) As conditioned, the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the conditions listed on the attached page.

If you have any questions about the provisions of this Emergency Permit, please contact the Commission's North Coast District Office.

Sincerely,

PETER M. DOUGLAS  
Executive Director

A handwritten signature in black ink, appearing to read "Robert S. Merrill".

By: Robert S. Merrill  
North Coast District Manager

cc: Kelley Reid – U.S. Army Corps of Engineers  
Dean Prat, California Regional Water Quality Control Board, North Coast Region  
Vicki Frey, California Department of Fish and Game  
Mike Long, U.S Fish and Wildlife Service  
Darren Mierau, McBain and Trush, Inc.

Encl: Emergency Permit Acceptance Form; Regular Permit Application Form

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER and returned within 15 days.
2. Only work specifically described in this permit and for the specific property listed above is authorized. The project shall be constructed in accordance with the plans and other information submitted to the Coastal Commission. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 60 days of the date of this permit (i.e., by August 3, 2005).
4. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless of any liabilities for damage to public or private properties or personal injury that may result from the project.
5. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies.
6. Heavy synthetic mats or gravel shall be placed on wet or soft soils within areas where movement of equipment to and from the project site will occur. All such material shall be immediately removed following construction.
7. Heavy equipment shall be operated from the top of the levee and bank and no such equipment shall be operated within tidal waters.
8. No construction materials, debris, or waste shall be placed or stored where it may be allowed to enter tidal waters or other wetlands and all construction debris and waste shall be removed from the project site and disposed of at a lawful disposal site outside of the coastal zone.
9. None of the heavy equipment shall be refueled at the project site.
10. The revetment materials shall only be placed within the areas depicted in the photographs submitted by Darren Mierau in an email to Commission staff dated May 25, 2005.

The emergency work is considered to be TEMPORARY work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.

**Emergency Permit Number: 1-05-025G**

**June 3, 2005**

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If you have any questions about the provisions of this emergency permit, please call the Commission's North Coast District Office at the address and telephone number list on the first page.