

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95501  
(707) 445-7833 FAX (707) 445-7877

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

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# NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*For the*

## *November Meeting of the California Coastal Commission*

MEMORANDUM

Date: November 19, 2010

TO: Commissioners and Interested Parties  
FROM: Peter Douglas, 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 November 19, 2010 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.

***DE MINIMIS WAIVERS***

1. 1-07-031-W Humboldt State University, Dept. Of Oceanography, Attn: Dr. Greg Crawford (Trinidad, Humboldt County)

***EMERGENCY PERMITS***

1. 1-10-029-G Tim & Robert Miranda (, Humboldt County)

***TOTAL OF 2 ITEMS***

## **DETAIL OF ATTACHED MATERIALS**

### **REPORT OF DE MINIMIS WAIVERS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>1-07-031-W</b> Humboldt State University, Dept. Of Oceanography, Attn: Dr. Greg Crawford	Installation and operation of the CODAR ocean sensor system for a research grant for a Coastal Ocean Currents Monitoring Program. The proposed development involves erecting one 30-foot-tall, 3-inch-diameter antenna to transmit High Frequency Radar signals, one 20-foot-tall, 3-inch-diameter antenna to receive the reflected radar waves, and a small (2.5-ft-x-2.5-ft-x-3-ft-tall) shelter to house the associated electronics. The proposed enclosure will be sited on a wooden pallet near and connected to each antenna by above-ground electric cables enclosed in 3/4-inch housing and connected to an electric meter located at 732 Stagecoach Road by an above-ground, approximately 200-foot-long extension cord.	760 Stagecoach Road, Trinidad (Humboldt County)

### **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.

<i><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>1-10-029-G</b> Tim & Robert Miranda	Gravel extraction.	Riverbar, Ferndale, Humboldt County

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: November 17, 2010  
 TO: Humboldt State University, Dept. Of Oceanography, Attn: Dr. Greg Crawford  
 FROM: Peter M. Douglas, Executive Director  
 SUBJECT: Waiver of Coastal Development Permit Requirement:  
**Waiver De Minimis Number 1-07-031-W**

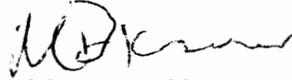
Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Humboldt State University, Dept. Of Oceanography, Attn: Dr. Greg Crawford  
 LOCATION: 760 Stagecoach Road, Trinidad (Humboldt County) (APN(s) 515-201-02, 515-201-04)  
 DESCRIPTION: Installation and operation of the CODAR ocean sensor system for a research grant for a Coastal Ocean Currents Monitoring Program. The proposed development involves erecting one 30-foot-tall, 3-inch-diameter antenna to transmit High Frequency Radar signals, one 20-foot-tall, 3-inch-diameter antenna to receive the reflected radar waves, and a small (2.5-ft-x-2.5-ft-x-3-ft-tall) shelter to house the associated electronics. The proposed enclosure will be sited on a wooden pallet near and connected to each antenna by above-ground electric cables enclosed in 3/4-inch housing and connected to an electric meter located at 732 Stagecoach Road by an above-ground, approximately 200-foot-long extension cord.  
 RATIONALE: The project site, though located on a bluff-top lot near the ocean, is not visible from any public roads or public vantage points and is not located in a designated highly scenic area. The relatively short height and narrowness of the proposed antennae will not impact public views to or along the coast and will not detract from the character of the surrounding area. Furthermore, the installation of the proposed project involves no grading or other landform alteration. Finally, the subject site is located well back from the bluff edge in a location where the development will not be affected by bluff retreat during the life of the project. Therefore, the proposed development involves no significant impacts on visual resources or public access to the shoreline and is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, November 19, 2010, in Santa Monica. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,  
 PETER M. DOUGLAS  
 Executive Director

  
 By: MELISSA KRAEMER  
 Coastal Program Analyst

cc: Local Planning Dept.

Humboldt State University, Department Of Oceanography, Attn: Shannon Stone

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## EMERGENCY PERMIT

Mr. Robert Miranda  
965 Waddington Road  
Ferndale, CA 95536

Date: October 21, 2010  
Emergency Permit No. 1-10-029-G

### LOCATION OF EMERGENCY WORK:

The proposed emergency work is located in Humboldt County, within an active secondary channel of the Eel River, below the ordinary high water mark, 1.7 miles northwest of Fortuna, approximately 1 mile upstream of Fernbridge, on an exposed (dry), mostly unvegetated gravel bar known as the South Worswick Bar, on County-owned property (APNs 106-031-038 and 106-041-011).

### WORK PROPOSED:

As described in detail in the revised project description received at the North Coast District office (via email) on October 19, 2010, the emergency development includes: (1) excavation of two salmon migration route trenches to connect two unpermitted gravel pits, which are the subject of Coastal Act Violation File No. V-1-04-025, to the main river channel, and (2) placement of the anticipated 350-475 cubic yards of material excavated from the trenches into the unpermitted upstream pit to expedite reclamation. The trenches will be excavated to the capillary fringe, equal to the lowest points in the unpermitted pits, the floor of each trench will be 8-9 feet in width, and the sides of the trenches will be sloped back 1:1 or to the natural angle of repose. Access to the site will be via an existing access road on the Miranda property, and no new access roads will be constructed. Equipment staging, fueling, and maintenance will be located in an existing developed area at the end of the access road adjacent to a riparian area.

### PERMIT RATIONALE:

This letter constitutes approval of the emergency work you have requested to be done at the location listed above. I understand from your information that due to the existence of two gravel pits at the site, which were developed through the unpermitted extraction of approximately 7,900 cubic yards of gravel and are the subject of Coastal Act Violation File No. V-1-04-025, there is an imminent threat to federally- and state-listed endangered salmonids, which become trapped in the pits as river levels recede below 10 feet. The two pits were developed last year without the benefit of a coastal development permit during the low-flow season (when the subject site was exposed), and during the high-flow season last winter and spring, salmonids, Pacific lamprey, and other fish species could access the pits and become stranded in them as the river level receded. The stranded fish then were killed as a result of predation or the inability to access suitable habitat, as the isolated pits eventually dried up completely during the summer months. The situation requires immediate corrective action. To prevent another occurrence of fish stranding and mortality next spring when river levels recede, the salmonid migration routes must be excavated prior to the upcoming rainy season before river flows elevate and before the potential for sediment discharge to the river becomes too severe.



Emergency Permit Number: 1-10-029-G

Date: October 21, 2010

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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 below and on the attached pages.

Sincerely,

PETER M. DOUGLAS  
Executive Director

  
MELISSA B. KRAEMER  
Coastal Planner

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned within 10 days.
2. Only work specifically described in this permit and for the specific property listed above is authorized. The project shall be undertaken in accordance with the revised plans submitted to the Coastal Commission's North Coast District office on October 19, 2010 and in accordance with the conditions of this emergency permit. Any additional work requires separate authorization from the Executive Director or the Commission.
3. All emergency work shall be conducted in cooperation with and under the direct supervision of staff from the Humboldt County Public Works Department.
4. The emergency work authorized by this permit must be completed before November 15, 2010. A Coastal Development Permit (CDP) must be obtained prior to implementation of any future maintenance work (e.g., removal of sediment blockages from migration route trenches) or other development associated with the emergency implementation measures authorized by this emergency permit.
5. No riparian vegetation shall be removed during the course of the authorized emergency development.



6. Heavy equipment shall not enter the wetted channel.
7. Any fueling and maintenance of construction equipment shall occur within upland areas only and outside of environmentally sensitive habitat areas. Fuels, lubricants, and solvents shall not be allowed to enter coastal waters, wetlands, or riparian areas.
8. Equipment shall be cleaned and inspected for leaks off-site prior to use on-site.
9. This permit does not authorize any development to occur during the period of March 1 through September 15<sup>th</sup> (western snowy plover breeding season). Vehicles should not access the gravel bar during this period to avoid potential disturbance to breeding plovers. Hazing of plovers shall not occur at any time of year.
10. The permittee shall use relevant best management practices (BMPs) as detailed in the California Storm Water Best Management Handbooks accessible at <http://www.ca.bmphandbooks.com>.
11. Effective runoff and erosion control measures shall be in place at all times during construction, including installation of appropriate runoff and erosion control devices in upland staging areas.
12. All work shall cease upon the onset of precipitation at the project site and shall not recommence until the predicted chance of rain is less than 50 percent for the Ferndale area portion of the National Weather Service's forecast for Northwestern California.
13. During construction, all trash shall be properly contained, removed from the work site, and disposed of on a regular basis to avoid contamination of habitat during restoration activities. Following construction, all trash and construction debris shall be removed from work areas and disposed of properly.
14. Within 30 days of completion of the emergency work authorized by this permit, or by December 15, 2010 (whichever is earlier), the permittee shall submit to the Executive Director at the letterhead address documentation that the authorized emergency work has been executed according to the approved plans.
15. Within 60 days of completion of the emergency work authorized by this permit, or by January 15, 2011 (whichever is earlier), the permittee shall submit to the Executive Director at the letterhead address a monitoring and maintenance plan for the site that includes provisions for monitoring the continued effectiveness of the trenches over time and provisions for effectively maintaining the salmonid migration trenches until such time as the unpermitted pits have been successfully reclaimed. The proposed monitoring and maintenance plan shall be processed as a regular coastal development permit (CDP) application (CDP application form enclosed).
16. 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 authorized emergency work.



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17. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including the U.S. Army Corps of Engineers, the California Department of Fish and Game, the County of Humboldt, the North Coast Regional Water Quality Control Board, and other applicable agencies.
18. Failure to comply with the special conditions of this permit may result in the institution of an action to enforce those conditions under the provisions of Chapter 9 of the Coastal Act.

If you have any questions about the provisions of this emergency permit, please call Melissa Kraemer at the Commission's North Coast District Office at (707) 445-7833.

Encl.: Emergency Permit Acceptance Form, Regular Application Form

cc w/out encl.: Nancy Cave, CCC Statewide Enforcement Program  
Doug Dinsmore, Humboldt County Public Works Dept.  
Scott Bauer, Department of Fish and Game  
Kelley Reid, U.S. Army Corps of Engineers  
Dan Free, NOAA-Fisheries  
Jim Watkins, U.S. Fish & Wildlife Service  
Meghan Ryan, Humboldt County Planning Division  
Dean Prat, North Coast Regional Water Quality Control Board

