

**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  
April Meeting of the California Coastal Commission*

MEMORANDUM

Date: April 15, 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 April 15, 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. 1-10-011-W Elk County Water District, Attn: Charlie Acker (Elk, Mendocino County)

***EMERGENCY PERMITS***

1. 1-10-015-G Harper Motors, Attn: Trevor Harper (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>1-10-011-W</b> Elk County Water District, Attn: Charlie Acker	Drill two test water supply wells.	Parcel adjacent and easterly of the Caltrans Greenwood Creek Bridge, State Highway One, Elk (Mendocino 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>1-10-015-G</b> Harper Motors, Attn: Trevor Harper	Replace a corroding section of sewer line that spans an approximately 50-foot-wide section of slough that is tributary to Humboldt Bay by: (1) removing the existing line, excavating by hand approximately eight-foot-long and four-foot-deep trenches perpendicular to each side of the slough, (2) placing by crane a two-inch-in-diameter replacement pressure line within a six-inch-in-diameter stainless steel sleeve over the slough and within the trenches and connecting the new section of line to the existing sewer line on either side of the slough, and (3) backfilling by hand the trenches, and (4) restoring the native top soil over the trenches and reseeding with native grass.	Just east of the intersection of Jacobs Avenue, Airport Road, and Highway 101, Eureka, Humboldt County

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 13, 2010  
TO: Elk County Water District, Attn: Charlie Acker  
FROM: Peter M. Douglas, Executive Director  
SUBJECT: Waiver of Coastal Development Permit Requirement:  
**Waiver De Minimis Number 1-10-011-W**

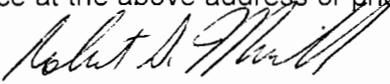
Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Elk County Water District, Attn: Charlie Acker  
LOCATION: Parcel adjacent and easterly of the Caltrans Greenwood Creek Bridge, State Highway One, Elk (Mendocino County) (APN(s) 127-250-04, 127-250-11)  
DESCRIPTION: Drill two test water supply wells.  
RATIONALE: The proposed test wells will be drilled in an upland area that is approximately 50 feet back from Greenwood Creek and separated from the creek by an existing access road. The well sites do not contain any environmentally sensitive habitat. A separate coastal permit would be required to convert the test wells if successful to production wells. The proposed project will not adversely impact coastal resources 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 Thursday, April 15, 2010, in Ventura. 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: ROBERT MERRILL  
District Manager

cc: Local Planning Dept.

Elk County Water District, Attn: Rosie Acker & Norman L. De Vall

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## EMERGENCY PERMIT

Trevor Harper  
Harper Motors  
4800 Highway 101 North  
Eureka, CA 95503

Date: April 14, 2010  
Emergency Permit No. 1-10-015-G

### LOCATION OF EMERGENCY WORK:

Just east of the intersection of Jacobs Avenue, Airport Road, and Highway 101, Eureka, Humboldt County.

### WORK PROPOSED:

Replace a corroding section of sewer line that spans an approximately 50-foot-wide section of slough that is tributary to Humboldt Bay by: (1) removing the existing line, excavating by hand approximately eight-foot-long and four-foot-deep trenches perpendicular to each side of the slough, (2) placing by crane a two-inch-in-diameter replacement pressure line within a six-inch-in-diameter stainless steel sleeve over the slough and within the trenches and connecting the new section of line to the existing sewer line on either side of the slough, and (3) backfilling by hand the trenches, and (4) restoring the native top soil over the trenches and reseeding with native grass.

### 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 inspection that an unexpected occurrence in the form of the discovery of previously undetected severe corrosion of a section of sewer line sleeve that crosses over a small slough and is submerged at high tide which threatens to fill the sleeve with tidal water and cause the sleeve to bow and break the sewer line, allowing uncontrolled releases of untreated effluent into the slough and ultimately Humboldt Bay. Therefore, the situation requires immediate action to prevent loss of marine life and/or damage to property and constitutes an emergency as defined by 14 Cal. Admin. Code 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;
- (b) Public comment on the proposed emergency action has been reviewed if time allows;

Emergency Permit Number: 1-10-015-G

Date: 4/14/10

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- (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.

Sincerely,

PETER M. DOUGLAS  
Executive Director



By: ROBERT MERRILL  
District Manager

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific property listed above is authorized. The project shall be undertaken 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 applicant shall retrieve and remove from the slough any demolition debris or project materials that enter the water.
4. All debris and other waste from the project shall be disposed of at appropriately licensed facilities for accepting such waste or recyclable material.
5. Catch basins and a septic holding truck shall be utilized to capture all discharges of sewage from the existing and proposed sections of sewer line in the project vicinity during the process of replacing the sewer line replacement. No sewage shall be allowed to discharge to the slough.
6. Trenches shall be excavated and backfilled by hand and all excavated material shall be temporarily removed with shovels, buckets, and wheelbarrows to a staging site for replacement during backfilling operations. Top soil shall be removed, stored and replaced separately from the rest of the fill dirt.
7. Backfilled trenches shall be restored by replacing the top spoil and seeding with native grasses. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California, shall be employed on the site. No plant species listed as a "noxious weed" by the governments of the State of California or the United States shall be utilized.

8. Any lighting used for performing the repair work at night shall be shielded and directionally cast downward so as not to shine beyond the construction site.
9. A complete follow-up regular application seeking authorization to have the emergency work become a permanent development shall be submitted within 60 days.
10. Any fueling and maintenance of construction equipment shall occur within upland areas outside of environmentally sensitive habitat areas or within designated staging areas.
11. Fuels, lubricants, and solvents shall not be allowed to enter coastal waters or wetlands. Hazardous materials management equipment including oil containment booms and absorbent pads shall be available immediately on-hand at the project site, and a registered first-response, professional hazardous materials clean-up/remediation service shall be locally available on call.
12. 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.
13. 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.
14. 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, or other applicable agencies.

The emergency work is considered to be temporary work done in an emergency situation. **If the permittee wishes to have the emergency work become a permanent development, a regular Coastal Development Permit or permit amendment must be obtained.** A regular permit or permit amendment 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: 1-10-015-G**

**Date: 4/14/10**

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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.

Encl.:               Emergency Permit Acceptance Form, Regular Application Form

cc w/out encl.:   Michelle Krebbs, Mad River Plumbing, Inc.  
                          David Ammerman, U.S. Army Corps of Engineers, Eureka  
                          Michael van Hattem, Department of Fish and Game, Eureka  
                          Dean Prat, Regional Water Quality Control Board, Santa Rosa