

**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)

**W18**

# **NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT**

*For the*

*April Meeting of the California Coastal Commission*

MEMORANDUM

Date: April 13, 2011

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 13, 2011 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. 1-11-008-G Humboldt Bay Harbor District, Attn: David Hull (, Humboldt County)
2. 1-11-013-G Humboldt State University, Attn: Dave Nakamura (, Humboldt County)

***EXTENSION - IMMATERIAL***

1. A-1-MEN-01-051-A1-E3 Loke K. Tan (Fort Bragg, Mendocino County)
2. A-1-HUM-05-041-E2 Ted Cooper (Manila, Humboldt County)

**TOTAL OF 4 ITEMS**

## **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.

<i><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>1-11-008-G</b> Humboldt Bay Harbor District, Attn: David Hull	Placement of approximately 300 cubic yards of rock along approximately 350 feet of shoreline. Work is to be conducted at low tide using an excavator stationed on the roadway.	Foot of Depot Road, Fieldslanding, CA, Humboldt County
<b>1-11-013-G</b> Humboldt State University, Attn: Dave Nakamura	Install 60 cubic yards of 1/4-ton rock slope protection along approximately 45 lineal feet of the face of an existing deteriorated buldhead and along an additional approximately 75 feet of existing concrete boardwalk immediately to the west of the bulkhead. Work is to be conducted at low tide using construction equipment stationed on land.	Along the shoreline of Humboldt Bay, at the Humboldt State University, Humboldt Bay Aquatic Center, between K and J Streets, Eureka, Humboldt County

### **REPORT OF EXTENSION - IMMATERIAL**

<i><b>Applicant</b></i>	<i><b>Project Description</b></i>	<i><b>Project Location</b></i>
<b>A-1-MEN-01-051-A1-</b> Loke K. Tan	Modify the design of the approved house resulting in a 6,933-square-foot, two-story, 26-foot-high residence with an 857-square-foot attached garage to be located entirely within the previously approved building envelope, driveway, water supply system from existing well, septic system and utility shed.	17230 Ocean Drive, Fort Bragg (Mendocino County)
<b>A-1-HUM-05-041-E2</b> Ted Cooper	(1) Shift the proposed residence approximately 40 feet westward and 10 feet northward and modify its design (including narrowing the width) to increase the buffer between the house and the wetland to a minimum of ~83-100 feet (originally it was ~60 feet); (2) narrow the driveway to increase the buffer between the driveway and the wetland to a minimum of ~15-60 feet (from the original design of ~15-25 feet); (3) dedicate a 10-foot-wide public access easement across the property that connects with an existing beach access trail on the adjacent parcel; and (4) plant a vegetation buffer comprised of native, regionally appropriate species between all development and the wetland.	1401 Peninsula Drive, Manila (Humboldt County)

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## EMERGENCY PERMIT

Date: March 14, 2011

Emergency Permit No. 1-11-008-G

Mr. David Hull, CEO  
Humboldt Bay Harbor, Recreation & Conservation District  
Post Office Box 1030  
Eureka, CA 95502

### LOCATION OF EMERGENCY WORK:

Foot of South Bay Depot Road, along the shoreline of Humboldt Bay, Fields Landing, Humboldt County, CA (APN 307-101-02).

### WORK PROPOSED:

Emergency placement of approximately 300 cubic yards of rock along approximately 350 feet of shoreline. Work is to be conducted at low tide using an excavator stationed on the roadway.

### 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 tsunami of March 11, 2011, shoreline erosion along this stretch of the bay has been accelerated, threatening public roadways, water lines, life, and health in the vicinity. Therefore, the situation requires immediate action to prevent public infrastructure damage. 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

A handwritten signature in black ink, appearing to read "P. Douglas", written over the printed name of Peter M. Douglas.



CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT 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 undertaken in accordance with the plans and other information submitted to the Coastal Commission and in accordance with the conditions of this emergency permit. Any additional work requires separate authorization from the Executive Director.
3. The emergency work authorized by this permit must be completed within 30 days from the date of permit issuance.
4. Debris removal work shall be conducted during periods of low tide only.
5. No construction materials, debris, or waste shall be stored where it may enter coastal waters or wetlands.
6. 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 emergency activities. Following construction, all trash and construction debris shall be removed from work areas and disposed of properly.
7. All construction debris shall be removed and disposed of in an upland location at an approved disposal facility within five days of project completion.
8. Effective erosion control measures shall be in place at all times during construction. Construction must not commence until all temporary erosion control devices are in place. A supply of erosion control materials shall be maintained on site to facilitate a quick response to unanticipated storm events or emergencies. If continued erosion is likely to occur after construction is completed, then appropriate erosion prevention measures shall be implemented and maintained until erosion has subsided. Erosion control devices are temporary structures and shall be removed after completion of construction.
9. Appropriate erosion controls shall be used to protect and stabilize stockpiles and exposed soils to prevent movement of materials.
10. Any fueling and maintenance of construction equipment shall occur within upland areas only and outside of environmentally sensitive habitat 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.



Emergency Permit Number: 1-11-008-G

Date: March 14, 2011

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12. The permittee shall use relevant best management practices (BMPs) as detailed in the "California Storm Water Best Management Handbooks" (see <http://www.cabmp.handbooks.com>).
13. After project completion, all exposed soils present in and around the project site which may deliver sediment to the bay or a coastal wetland shall be stabilized with mulch, (noninvasive) seeding, and/or placement of erosion control blankets. 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 or allowed to naturalize or persist 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 within the property.
14. Within 30 days of completion of the emergency work, or by May 15, 2011, whichever is earlier, the permittee shall submit to the Executive Director documentation describing the type and extent of wetland habitat filled or otherwise impacted by the authorized emergency activities. The permittee may be required to mitigate for the impacted wetland habitat in a follow-up CDP.
15. 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.
16. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including the Army Corps of Engineers, the Department of Fish and Game, the County of Humboldt, the North Coast Regional Water Quality Control Board, and/or other applicable agencies.
17. 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 CDP 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 mitigation for wetlands filled or impacted, a requirement that a deed restriction be placed on the property assuming liability for damages incurred from flood hazards, and/or other special conditions.

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.: Kirk Girard, Humboldt County Community Development Services, Eureka  
David Ammerman, Army Corps of Engineers, Eureka  
Dean Prat, Regional Water Quality Control Board, Santa Rosa  
Vicki Frey, Department of Fish and Game, Eureka



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## EMERGENCY PERMIT

Date: April 7, 2011

Emergency Permit No. 1-11-013-G

Mr. David Nakamura  
Humboldt State University  
1 Harpst Street  
Arcata, CA 95521

### LOCATION OF EMERGENCY WORK:

Along the shoreline of Humboldt Bay, at the Humboldt State University Humboldt Bay Aquatic Center, between K and J Streets, Eureka, Humboldt County, CA (APN 001-161-016).

### WORK PROPOSED:

Install 60 cubic yards of ¼-ton rock slope protection along approximately 45 lineal feet of the face of an existing deteriorated bulkhead and along an additional approximately 75 feet of existing concrete boardwalk immediately to the west of the bulkhead. Work is to be conducted at low tide using construction equipment stationed on land.

### 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 unexpectedly poor condition of the existing bulkhead which was exposed during construction work on a previously approved wharf removal and dock construction project, shoreline erosion along this stretch of the bay has been accelerated, threatening a public coastal accessway and other public infrastructure in the vicinity. Therefore, the situation requires immediate action to protect public infrastructure from shoreline erosion damage. 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

  
ROBERT S. MERRILL

North Coast District Manager

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT 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 undertaken in accordance with the plans and other information submitted to the Coastal Commission and in accordance with the conditions of this emergency permit. Any additional work requires separate authorization from the Executive Director.
3. The emergency work authorized by this permit must be completed within 30 days from the date of permit issuance.
4. Debris removal work shall be conducted during periods of low tide only.
5. No construction materials, debris, or waste shall be stored where it may enter coastal waters or wetlands.
6. 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 emergency activities. Following construction, all trash and construction debris shall be removed from work areas and disposed of properly.
7. All construction debris shall be removed and disposed of in an upland location at an approved disposal facility within five days of project completion.
8. Effective erosion control measures shall be in place at all times during construction. Construction must not commence until all temporary erosion control devices are in place. A supply of erosion control materials shall be maintained on site to facilitate a quick response to unanticipated storm events or emergencies. If continued erosion is likely to occur after construction is completed, then appropriate erosion prevention measures shall be implemented and maintained until erosion has subsided. Erosion control devices are temporary structures and shall be removed after completion of construction.
9. Appropriate erosion controls shall be used to protect and stabilize stockpiles and exposed soils to prevent movement of materials.



10. Any fueling and maintenance of construction equipment shall occur within upland areas only and outside of environmentally sensitive habitat 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. The permittee shall use relevant best management practices (BMPs) as detailed in the "California Storm Water Best Management Handbooks" (see <http://www.cabmp.handbooks.com>).
13. After project completion, all exposed soils present in and around the project site which may deliver sediment to the bay or a coastal wetland shall be stabilized with mulch, (noninvasive) seeding, and/or placement of erosion control blankets. 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 or allowed to naturalize or persist 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 within the property.
14. Within 30 days of completion of the emergency work, or by May 15, 2011, whichever is earlier, the permittee shall submit to the Executive Director documentation describing the type and extent of wetland habitat filled or otherwise impacted by the authorized emergency activities. The permittee may be required to mitigate for the impacted wetland habitat in a follow-up CDP.
15. 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.
16. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including the Army Corps of Engineers, the Department of Fish and Game, the County of Humboldt, the North Coast Regional Water Quality Control Board, and/or other applicable agencies.
17. 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 CDP 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 mitigation for wetlands filled or impacted, a requirement that a deed restriction be placed on the property assuming liability for damages incurred from flood hazards, and/or other special conditions.



Emergency Permit Number: 1-11-013-G

Date: April 7, 2011

Page 4 of 4

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

Encl.: Emergency Permit Acceptance Form, Regular Application Form

cc w/ encl.: Marty Lay, PE, SHN Consulting Engineers & Geologists, Inc.  
cc w/out encl.: Lisa Shikany, City of Eureka Community Development Department  
David Ammerman, Army Corps of Engineers, Eureka  
Dean Prat, Regional Water Quality Control Board, Santa Rosa  
Vicki Frey, Department of Fish and Game, Eureka



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April 12, 2011

## NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Loke K. Tan**

has applied for a one year extension of Permit No: **A-1-MEN-01-051-A1-E3**

granted by the California Coastal Commission on: November 15, 2006

for **Modify the design of the approved house resulting in a 6,933-square-foot, two-story, 26-foot-high residence with an 857-square-foot attached garage to be located entirely within the previously approved building envelope, driveway, water supply system from existing well, septic system and utility shed.**

at **17230 Ocean Drive, Fort Bragg (Mendocino County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,  
PETER M. DOUGLAS  
Executive Director

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

By: ROBERT MERRILL  
District Manager

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April 7, 2011

## NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Ted Cooper**

has applied for a one year extension of Permit No: **A-1-HUM-05-041-E2**

granted by the California Coastal Commission on: **March 7, 2008**

for **(1) Shift the proposed residence approximately 40 feet westward and 10 feet northward and modify its design (including narrowing the width) to increase the buffer between the house and the wetland to a minimum of ~83-100 feet (originally it was ~60 feet); (2) narrow the driveway to increase the buffer between the driveway and the wetland to a minimum of ~15-60 feet (from the original design of ~15-25 feet); (3) dedicate a 10-foot-wide public access easement across the property that connects with an existing beach access trail on the adjacent parcel; and (4) plant a vegetation buffer comprised of native, regionally appropriate species between all development and the wetland.**

at **1401 Peninsula Drive, Manila (Humboldt County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,  
PETER M. DOUGLAS  
Executive Director

A handwritten signature in black ink, appearing to read "Melissa Kraemer".

By: MELISSA KRAEMER  
Coastal Program Analyst