

**CALIFORNIA COASTAL COMMISSION**

1385 8<sup>TH</sup> STREET, SUITE 130  
ARCATA, CA 95521  
VOICE AND TDD (707) 826-8950  
FAX (707) 826-8960



# W12

**NORTH COAST DISTRICT**  
**DEPUTY DIRECTOR'S REPORT**  
**FOR THE**

**NOVEMBER 2013 MEETING OF THE CALIFORNIA COASTAL COMMISSION**

**TO: Commissioners and Interested Parties**

**FROM: Alison Dettmer**  
**North Coast District Deputy Director**

**EMERGENCY PERMIT**

APPLICANT	PROJECT	LOCATION
<b>G-1-13-0218</b> California Department of Transportation, Attn: David Morgan	Remove and replace part of a failed culvert, headwall, and tidegate, and place ½-ton rock slope protection at the ends of the new headwall and along the embankment below the highway shoulders.	Along Elk River, adjacent to the eastern shoulder of Highway 101, approximately one mile south of Eureka, Humboldt County.

**IMMATERIAL EXTENSION**

APPLICANT	PROJECT	LOCATION
<b>A-1-CRC-08-004-E3</b> CCPT, Inc.	Develop a two-story residential condominium complex of up to 41 dwelling units totaling ±70,612-sq.-ft. of floor area with a ground level parking lot providing 62 off-street parking spaces.	200 A Street, Crescent City, Del Norte County, APN 118- 020-34.



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## EMERGENCY PERMIT

Caltrans District 1  
Attn: David Morgan  
1656 Union Street  
Eureka, CA 95501

Date: September 20, 2013  
Emergency Permit No. G-1-13-0218

### LOCATION OF EMERGENCY WORK:

Within coastal waters associated with the Elk River, within the Caltrans right-of-way adjacent to the eastern shoulder of Highway 101 North at post mile 74.24, approximately 1 mile south of Eureka between the Herrick Avenue and Spruce Point exits.

### WORK PROPOSED:

Remove and replace part of a failed culvert (24-inch RCP), headwall, and tidegate, and place 1/2-ton rock slope protection at the ends of the new 17'-x-4' replacement headwall and along the embankment below the highway shoulder.

### 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 the outlet segment of the RCP, which has an attached concrete headwall and tidegate, has become separated from the rest of the RCP allowing tidewater at higher high tides to erode roadway embankment behind the headwall. In addition the tidegate has suffered a broken hinge, which prevents it from closing and allows tidewater to flow upstream to an area on the other side of the highway that is managed for freshwater habitat resources by the City of Eureka. Based on the condition of the eroded embankment, the high potential for collapse of the roadway shoulder during the on-coming rainy season, and the limited availability of work days remaining within the permissible work window recommended by the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and NOAA-Fisheries for sensitive fish protection purposes, there is an imminent erosion threat to the state highway road shoulder. Therefore, the situation requires immediate corrective action to prevent damage to the state highway.

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,  
CHARLES LESTER  
Executive Director

  
MELISSA 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 area listed above is authorized. The project shall be undertaken in accordance with the conditions of this emergency permit. Any additional work requires separate authorization from the Executive Director or the Commission.
3. Prior to commencement of emergency work, a qualified biologist shall erect temporary exclusion fencing around Lyngbye's sedge (*Carex lyngbyei*) plants in and adjacent to the work area, and plants shall be protected during emergency work activities.
4. Prior to commencement of emergency work in the channel, coffer dams or other temporary barriers shall be placed in the channel during periods of low tide. Dams and barriers shall be removed following completion of construction during periods of low tide.
5. Cofferdam construction, channel dewatering, and relocation of aquatic organisms shall be performed in consultation with staff from, as appropriate, NOAA-Fisheries, California Department of Fish and Wildlife, and U.S. Fish & Wildlife Service.
6. The permittee shall use relevant best management practices (BMPs) during construction as detailed in the California Storm Water Best Management Handbooks accessible at <http://www.ca.bmphandbooks.com>.
7. 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 and stockpiling areas and in-stream erosion and turbidity control measures.
8. Fuels, lubricants, and solvents shall not be allowed to enter the 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. Any accidental spill shall be rapidly contained and cleaned up.



9. Removal of vegetation adjacent to and overhanging coastal waters shall be minimized.
10. Upon completion of construction activities and prior to the onset of the rainy season, all bare soil areas shall be seeded with native species and/or with non-persistent nonnative species only (e.g., sterile, short-lived, non-persistent cereal grasses such as barley (*Hordeum vulgare*), buckwheat (*Fagopyron esculentum*), rye (*Secale cereale*), and wheat (*Triticum aestivum*) and mulched with weed-free rice straw.
11. All debris shall be recycled or disposed of lawfully at licensed disposal facilities.
12. 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.
13. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including the County of Humboldt, North Coast Regional Water Quality Control Board, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, State Lands Commission, and other applicable agencies.
14. The emergency work authorized by this permit must be completed within 60 days from the date of permit issuance.
15. A follow-up CDP application to make the reconstruction and replacement of the culvert, headwall, and tidegate and the placement of rock revetment and any other development performed under the emergency permit permanent 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, but not be limited to, conditions requiring mitigation for wetlands filled or impacted by the development.

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) 826-8950.

Encl.: Emergency Permit Acceptance Form

Cc: Brianna Ceglia, Caltrans, Eureka  
Vicki Frey, Dept. of Fish and Wildlife, Eureka  
Dean Pratt, North Coast Regional Water Quality Control Board, Santa Rosa  
Carol Heidsiek, U.S. Army Corps of Engineers, Eureka  
Ninette Lee, State Lands Commission, Sacramento





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November 8, 2012

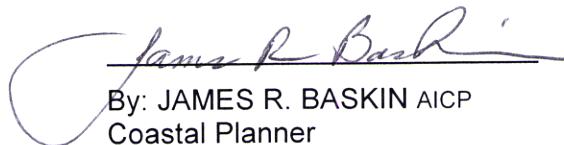
## NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: CCPT, Inc (formerly Randy Baugh DBA: DCI, Inc.)  
has applied for a third one year extension of: Coastal Development Permit No. A-1-CRC-08-004  
granted by the California Coastal Commission on: November 4, 2009  
for: Developing a two-story residential condominium complex of up to 41 dwelling units totaling ±70,612-sq.-ft. of floor area within a ±35,306-sq.ft. building envelope, and a ground level on-site parking lot providing 62 off-street parking spaces.  
at: 200 "A" Street, Crescent City, Del Norte County; APN 118-020-34.

Pursuant to Section 13169 of the Commission's Administrative Regulations (14 CCR §13000 *et seq.*), the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission's Regulations state that "the time for commencement of development shall be extended for one year from the expiration date of the permit if both of the following occur: (1) no written objection to the executive director's determination is received within 10 working days after mailing notice, and (2) three commissioners do not object to the executive director's determination." 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,  
CHARLES LESTER  
Executive Director

  
By: JAMES R. BASKIN AICP  
Coastal Planner

**CALIFORNIA COASTAL COMMISSION**