

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521  
(707) 826-8950 FAX (707) 826-8960

www.coastal.ca.gov



# W13

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

*For the  
January 2016 Meeting of the California Coastal Commission*

January 07, 2016

**To:** Commissioners and Interested Parties  
**From:** Alison Dettmer, North Coast District Deputy Director

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Coast District Office for the January 2016 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**

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.

Applicant	Project Description	Project Location
<b>1-15-2101-W</b> Dale & Lei Winget	After-the-fact authorization for the removal of approximately 27 Sitka Spruce trees on a vacant residential lot.	254 Roundhouse Creek Rd., Big Lagoon area of Humboldt County. (APN(s): 517-251-18)

**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.

Applicant	Project Description	Project Location
<b>G-1-15-0046</b> Wildlands Conservancy	(1) Remove, using a 25-ton excavator, sediment from the Western Drainage Ditch; and (2) place excavated material onto a historic berm located between (east of) the drainage ditch and adjacent pasture wetlands to prevent flooding. Proposed emergency work would occur within 24-48 hours after overwash/plugging events.	Eel River Estuary Preserve and adjacent Russ Ranch and Timber Co. LLC property, approximately four miles west of Ferndale, Humboldt County. APN(s): 100-143-01, 100-143-08

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January 7, 2016

## Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**Waiver:** 1-15-2101-W

**Applicant:** Dale & Lei Winget

**Location:** 254 Roundhouse Creek Rd, Big Lagoon area (Humboldt County) (APN(s): 51725118)

**Proposed Development:** After-the-fact authorization for the removal of approximately 27 Sitka spruce trees ranging in diameter-at-breast-height (dbh) from approximately 8 inches to 24 inches.

**Rationale:** The Commission previously approved Coastal Development Permit (CDP) 1-12-023 for the development of a new single-family residence and the removal of up to 22 (Sitka spruce) trees on the subject 0.33-acre vacant bluff-top residential lot. In July of 2015 the applicants removed the 22 trees authorized for removal and also removed, without authorization, approximately 27 additional trees on the property west (seaward) of the building footprint approved under CDP 1-12-023. A geologic assessment conducted on September 15, 2015 determined that the proposed after-the-fact tree removal will neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area, consistent with Section 30253 of the Coastal Act. In addition, the trees that were removed do not comprise an environmentally sensitive forest habitat and were not located within any wetlands or other environmentally sensitive habitat areas. Moreover, as additional Sitka spruce trees remain on the adjacent property west of the site, the proposed after-the-fact tree removal will not significantly affect the character of public views in the area will in fact slightly enhance public views to the ocean through the site. Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their January 2016 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at

**Coastal Development Permit De Minimis Waiver**

1-15-2101-W

the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,  
Executive Director

A handwritten signature in black ink, appearing to read "Melissa J. Kraemer". The signature is written in a cursive style with a large initial "M".

Melissa Kraemer  
Supervising Analyst

cc: File

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## EMERGENCY PERMIT

Emily Afriat-Hyman, Preserve Manager  
The Wildlands Conservancy  
Post Office Box 1172  
Ferndale, CA 95536

Date: December 21, 2015  
Emergency Permit No. G-1-15-0046

### LOCATION OF EMERGENCY WORK:

Eel River Estuary Preserve (APN 100-143-01) and adjacent Russ Ranch and Timber Co. LLC property (APNs 100-143-08), approximately 4 miles west of the City of Ferndale, Humboldt County (Lat. 40.5882°; Long. -124.3416 °).

### WORK PROPOSED:

(1) Remove, using a 25-ton excavator, 100 cubic yards or more of sediment from an approximately 80-square-foot area or greater of the Western Drainage Ditch; and (2) place excavated material onto a historic berm located between (east of) the drainage ditch and adjacent pasture wetlands. Proposed emergency work would occur within 24-48 hours after the next overwash/plugging event, which may occur during late December and subsequent winter King Tides.

### PERMIT RATIONALE:

This letter constitutes approval of the emergency work you have requested to be done at the location listed above. I understand from the information you submitted via email on December 16 and December 21, 2015 that due to the presence of an existing dune blowout located between the Centerville Dunes and the subject properties, ocean water has already washed over the dune blowout area and deposited hundreds of yards of sandy material into the Western Drainage Ditch. An overwash event that occurred on December 11, 2015 involving a 25-foot swell and an 8.5-foot tide forced ocean water over the dune blowout resulting in plugging of the drainage ditch and flooding of over 250 acres of agricultural pasturelands. Because overwash events are caused by high storm surge coupled with high tides, additional events are expected to occur in late December 2015 and subsequent winter King Tides if coupled with winter storm events and elevated (El Nino-related) ocean water levels. Overwash events resulting in sand deposits in the Western Drainage Ditch inhibit the drainage of floodwaters northward to Centerville Slough, resulting in saltwater flooding and inundation to prime agricultural lands and other low-lying portions of the properties. Therefore, the situation requires immediate corrective action to prevent damage to agricultural lands and agricultural accessory structures located on the properties.

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



Emergency Permit Number: G-1-15-0046

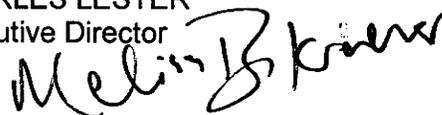
Date: December 21, 2015

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- 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  
Supervising 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. This permit authorizes only the temporary placement of the spoils material removed from the Western Drainage Ditch under emergency permit authorization on the elevated berm adjacent to the ditch. The temporary spoils disposal area shall be restricted to the minimum area needed to accommodate spoils dredged under this emergency permit authorization that cannot feasibly be removed from the site during wet weather conditions for upland disposal. The temporary spoils disposal area is restricted to areas atop the elevated berm adjacent to the Western Drainage Ditch only.
4. Prior to commencement of emergency work, the Applicant shall submit to the Commission's North Coast District Office a description (at a minimum photographs) of the biological characteristics (e.g., wetlands, sensitive species, vegetation types) of the affected work area and spoils disposal area to document baseline conditions in the area prior to placement of additional spoils material on the existing elevated berm adjacent to the ditch.
5. To the maximum extent feasible, the permittee shall use relevant best management practices (BMPs) (for example, as detailed in the California Storm Water Best Management Handbooks accessible at <http://www.ca.bmphandbooks.com>) during emergency work, including the use of effective sediment, runoff, and erosion control measures to minimize turbidity and to prevent the erosion of spoils deposits into adjacent pasture wetlands and coastal waters.



Emergency Permit Number: G-1-15-0046

Date: December 21, 2015

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6. 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.
7. 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.
8. The emergency work authorized by this permit must be completed within 90 days from the date of permit issuance.
9. A follow-up CDP application to make the spoils disposal area permanent 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

