

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



W11

NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

*for the
October 2016 Meeting of the California Coastal Commission*

Date: October 3, 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 October 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 |
|--|--|---|
| <p>1-16-0677-W Geoff Brandon</p> | <p>Authorize after-the-fact the following: (1) repair and improve an existing on-site individual sewage disposal system, and (2) convert an existing detached garage to a secondary dwelling unit (SDU).</p> | <p>3199 Mitchell Road, Eureka, Humboldt County (APN(s): 017-172-49)</p> |
| <p>1-16-0785-W Outfront Media, Attn: Jeff McCuen</p> | <p>Demolish and remove four outdoor advertising displays, including all supporting superstructure and framing that surrounds and supports the displays being removed, as well as all other infrastructure constructed for the purpose of accessing or maintaining the displays.</p> | <p>Along U.S. Highway 101 between Arcata and Eureka at Post Miles 84.27L, 84.48L, 84.74L, 84.78L, 84.90L (APN(s): 501-043-05, 501-043-10), Humboldt County.</p> |
| <p>1-16-0799-W CA Dept. of Transportation – District 1, Attn: Amanda Piscitelli</p> | <p>Remove, reconstruct, and extend existing metal beam guardrail along existing roadways at four separate locations within Humboldt County and improving the roadway shoulder at the U.S. 101/Tompkins Hill Road off-ramp by replacing in-kind without enlargement a damaged segment of roadway shoulder, and slightly widening by up to 2 feet some shoulder segments where feasible.</p> | <p>At four locations along Highway 101 in Humboldt County: (1) Post Mile (PM) 70.46/70.79 at the Tompkins Hill Road overhead approximately 6 miles south of Eureka; (2) PM 74.56/74.64 at Elk River in Eureka; (3) PM 114.53/114.73 at McDonald Creek just south of Stone Lagoon; and (4) along the southbound off-ramp to Tompkins Hill Road at PM 70.937.</p> |
| <p>1-16-0823-W Humboldt County Public Works Dept., Attn: Robert Vogt</p> | <p>Install a total of eight (8) temporary groundwater monitoring wells consisting in part of 1-inch diameter PVC pipes installed to a depth of 50 feet to 300 feet below ground surface to gather data on groundwater elevation and water quality for compliance with the state Sustainability Groundwater Management Act (SGMA).</p> | <p>Within County road right-of-ways adjacent to County roads at eight separate locations in the Ferndale and Fortuna areas of Humboldt County including (1) off of Substation Road near Fernbridge; (2) on the south side of East Ferry Road near the Eel River; (3) on the west side of Grizzly Bluff Road near Barber Creek; (4) at the south end of Sandy Prairie Road near the Highway 101 bridge over the Van Duzen River; (5) on the north side of Goble Lane north of Ferndale; (6) on the east side of Waddington Road south of Pleasant Point Road; (7) on the east side of Meridian Road south of the Reas Creek crossing; and (8) on the north side of Grizzly Bluff Road near Coffee Creek.</p> |

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 |
|---------------------------|--|--|
| G-1-16-0038 Kate Green | Relocate an existing approximately 500 square foot residential accessory structure back from a failing and geologically hazardous slope. | 1480 Stagecoach Road, Trinidad area, Humboldt County (APN 515-281-001) |

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September 28, 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: 1-16-0677-W

Applicant: Geoff Brandon

Agent: Sarah Atkins, Atkins Drafting

Location: 3199 Mitchell Road, approximately 2 miles east of Eureka, Humboldt County (APN: 017-172-049)

Proposed Development: Authorize after-the-fact the following: (1) repair and improve an existing on-site individual sewage disposal system, including installing seven 50-foot-long leach lines, and (2) convert an existing detached garage to a secondary dwelling unit (SDU).

Rationale: The existing septic system that was repaired and improved in the yard area between the main residence and the SDU without the benefit of a CDP in June of 2016 was constructed in the 1960s. The existing and enlarged septic system is located in a grassy yard area and necessitates no major vegetation removal or grading. The system repairs have been reviewed and approved as adequate by the County Department of Environmental Health to serve both the main residence and the proposed SDU. No new disturbance is associated with the conversion of the garage to the SDU. There are no wetlands or other known environmentally sensitive habitats that occur on the property. Ryan Slough is located across Mitchell Road from the subject property, approximately 30 feet lower in elevation than and over 100 feet away from the development footprint that is the subject of this de minimis waiver request. The subject development is not visible from Mitchell Road due to intervening redwood forest vegetation. 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 Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their October 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

1-16-0677-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.

Sincerely,

John Ainsworth
Acting Executive Director

A handwritten signature in black ink, appearing to read "Melissa Kraemer". The signature is fluid and cursive, with a large initial "M" and "K".

Melissa Kraemer
Supervising Analyst

cc: File

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September 22, 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: 1-16-0785-W

Applicant: Outfront Media

Location: At five locations along the west side of the Eureka-Arcata Highway 101 corridor at Post Miles 84.27L, 84.48L, 84.74L, 84.78L, and 84.90L, between South G Street in the City of Arcata and Bracut in Humboldt County.

Proposed Development: Removal of four outdoor advertising displays and any remnants of a fifth display that was struck by a vehicle.

Rationale: The applicant proposes to remove five highway billboards in their entirety including supporting superstructure and framing as well as any other infrastructure constructed for the purpose of accessing or maintaining the displays. The applicant proposes best management practices (BMPs) to ensure demolition occurs without impact to coastal resources, including nearby wetlands and coastal waters of Humboldt Bay and its tributaries. Each of the signs will be dismantled using chainsaws, reciprocating saws, hammers, and crowbars; and tarps will be placed on the ground below any cutting of treated wood or stockpiles of construction debris. Demolition work will be conducted during dry weather only and, if precipitation is forecast after demolition work has begun, adequate erosion and sediment control devices will be installed prior to the onset of precipitation. Any and all debris resulting from construction will be carried by hand from the sign location to a dump trailer staged on the paved shoulder of Highway 101, removed from the project site immediately upon cessation of construction activities, and disposed of at an authorized upland disposal site. Disruption of the area around the signs and between the signs and the highway shoulder will be minimized. 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 Three policies of the Coastal Act.

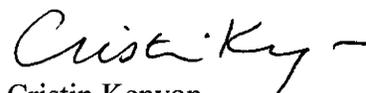
Coastal Development Permit De Minimis Waiver

1-16-0785-W

This waiver will not become effective until reported to the Commission at their October 2016 meeting in Ukiah, 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 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.

Sincerely,

John Ainsworth
Acting Executive Director


Cristin Kenyon
Coastal Analyst

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September 28, 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: 1-16-0799-W

Applicant: California Department of Transportation (Caltrans) - District 1

Location: At four locations along Highway 101 in Humboldt County: (1) Post Mile (PM) 70.46/70.79 at the Tompkins Hill Road overhead approximately 6 miles south of Eureka; (2) PM 74.56/74.64 at Elk River in Eureka; (3) PM 114.53/114.73 at McDonald Creek just south of Stone Lagoon; and (4) along the southbound off-ramp to Tompkins Hill Road at PM 70.937.

Proposed Development: (1) Tompkins Hill Road overhead: reconstruct 800 feet of existing metal beam guardrail (MBGR); remove a total of 187 feet of MBGR and replace with a total of 200 feet of Midwest Guardrail System (MGS) of the same height; install a total of two 4-foot-long anchor blocks; and raise 325 feet of existing guardrail to standard height (29 inches) on existing posts; (2) Elk River: remove a total of 375 feet of MBGR (in four different segments); install a total of 550 feet of MGS of the same height, a total of four 4-foot-long anchor blocks, and alternative flared, Double MGS, or CAT end treatments; (3) McDonald Creek: reconstruct a total of 650 feet of MBGR by raising the guardrail to the current standard height of 29 inches on existing posts and replacing alternative flared end treatments; (4) Tompkins Hill Road off-ramp: improve safety for pedestrians and cyclists by reconstructing 515 linear feet of MBGR, removing and replacing in-kind without enlargement a damaged segment of roadway shoulder, slightly widening by up to 2 feet some shoulder segments where feasible, removing a 420-foot-long section of gutter, restriping the pavement edge, and removing a portion of an existing deteriorated fencing. Staging for all work at all locations will occur within the Caltrans right-of-way in existing paved roadway areas. Minor vegetation removal may be needed within 5 feet of existing guardrail, but no trees or shrubs are proposed to be removed. Construction at each location is expected to take 2 to 5 days.

Rationale: All work and staging activities will occur within upland roadway shoulders and median areas outside of wetlands and other environmentally sensitive habitat areas (ESHA). The project footprint is limited to existing guardrail and shoulder areas and a 5-foot radius around the project work sites needed for access. Caltrans biologists investigated each work site for the presence of

Coastal Development Permit De Minimis Waiver

1-16-0799-W

wetland indicators and sensitive species and environmentally sensitive area fencing will be established by qualified biologist around adjacent ESHA to protect adjacent ESHA from construction activities. In addition, there will be no major vegetation removal but only minimal trimming of vegetation adjacent to work areas. Furthermore, areas of disturbed soil will be seeded with a regionally appropriate California native seed mix, and there will be no dispersal of soil and plant materials from any areas that support invasive species to areas that support stands dominated by native vegetation. The contractor will be required to implement appropriate water pollution control measures, and treated wood to be removed will be handled and disposed of appropriately. The project as proposed will have no adverse effects on visual resources, because (a) the guardrails to be replaced or reconstructed will be similar to and not significantly taller than existing guardrails, and (b) new guardrail extensions and anchor blocks will not be located in visually sensitive areas and will not block public views to and along the ocean or coastal scenic areas. 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 Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at its October 5, 2016 meeting in Ukiah 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 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.

Sincerely,

John Ainsworth
Acting Executive Director



Melissa Kraemer
Supervising Analyst

cc: File

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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: 1-16-0823-W

Applicant: Humboldt County Public Works Department

Location: Within County road right-of-ways adjacent to County roads at eight separate locations in the Ferndale and Fortuna areas of Humboldt County including (1) off of Substation Road near Fernbridge; (2) on the south side of East Ferry Road near the Eel River; (3) on the west side of Grizzly Bluff Road near Barber Creek; (4) at the south end of Sandy Prairie Road near the Highway 101 bridge over the Van Duzen River; (5) on the north side of Goble Lane north of Ferndale; (6) on the east side of Waddington Road south of Pleasant Point Road; (7) on the east side of Meridian Road south of the Reas Creek crossing; and (8) on the north side of Grizzly Bluff Road near Coffee Creek.

Proposed Development: Install a total of eight (8) temporary groundwater monitoring wells consisting in part of 1-inch diameter PVC pipes installed to a depth of 50 feet to 300 feet below ground surface to gather data on groundwater elevation and water quality for compliance with the state Sustainability Groundwater Management Act (SGMA). Three of the wells will be installed to relatively shallow (e.g., 50-foot) depths using a small Geoprobe drilling rig, and five of the wells will be installed to deeper depths (up to 300 feet) using a larger drill rig.

Rationale: The proposed wells are essentially piezometers used only to monitor and not to pump groundwater for the purpose of nature study/data collection required by the SGMA. Drill rig access to all well sites will be via existing paved County roads with drilling equipment staged on, or immediately adjacent to, existing paved roadways. The bore holes will be no more than 4 inches in diameter and will involve minimal ground disturbance and no major vegetation removal. All well locations are immediately adjacent to County roads within disturbed right-of-way areas. Most wells will be flush mounted with the existing ground surface with a 6-inch well box set in small concrete or mounted with a small box raised at most a couple of feet above ground level. Use of the wells for groundwater monitoring will occur for approximately two years, after which point the wells will be abandoned in place.

Coastal Development Permit De Minimis Waiver

1-16-0823-W

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 Three policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their October 5, 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 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.

Sincerely,

John Ainsworth
Acting Executive Director

A handwritten signature in black ink, appearing to read 'MKraemer', written in a cursive style.

Melissa Kraemer
Supervising Analyst

cc: File

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**EMERGENCY PERMIT**

Issue Date: September 20, 2016
Emergency Permit No. G-1-16-0038

APPLICANT: Kate Green
1480 Stagecoach Road
Trinidad, CA 95570

LOCATION OF EMERGENCY:
1480 Stagecoach Road, Trinidad area (APN 515-281-001)

EMERGENCY WORK:

Relocate an existing approximately 500-square-foot residential accessory structure back from a failing and geologically hazardous slope. The structure to be relocated, a detached dining room/living room with no plumbing, is integral and secondary to and detached from the main approximately 700-square-foot residence on the property. A letter from a certified engineering geologist submitted with the emergency permit application documents recent slumping and loss of ground seaward of and adjacent to the structure, and states that any additional failure of bluff edge adjacent to the structure will begin to undermine the structure's foundation support. A bluff retreat rate and slope stability report submitted in September of 2016 documents the suitability of the proposed relocation site for the proposed relocated residential structure.

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 that an unexpected occurrence in the form of slope failure posing a threat to a structures at the above location requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

The emergency work is hereby **approved** subject to the conditions listed on the attached pages.

September 20, 2016

Emergency Permit No.: G-1-16-0038

Sincerely,

John Ainsworth
Acting Executive Director


By: Alison Dettmer, Deputy Director

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

September 20, 2016

Emergency Permit No.: G-1-16-0038

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER 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. Work is further limited to the relocation of the residential structure and associated foundation work, necessary vegetation removal, and shed relocation if needed. Any additional work requires separate authorization from the Executive Director.
3. All work shall take place in a time and manner to minimize any potential damages to any resources. The relocated structure shall be relocated to conform to the minimum bluff and slope setback recommendations contained in the report prepared by SHN Engineers and Geologists Geosciences Director Gary D. Simpson dated September 7, 2016.
4. The work authorized by this permit must be completed within 60 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
5. The applicant recognizes that the emergency work is considered temporary and subject to removal unless and until a regular coastal development permit permanently authorizing the work is approved. 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 provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
6. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
7. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
8. Within ninety (90) days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall either: (a) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with California Coastal Commission staff, and consistent with the Coastal Act [In some instances, a permit may be needed for removal]; or (b) submit a complete

follow-up Coastal Development Permit (CDP) application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 180 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

9. Failure to (a) submit a complete follow-up CDP application that complies with Condition 8 above, or (b) remove the emergency development and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit ¹, or (c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or (d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP ² will constitute a knowing and intentional violation of the Coastal Act ³ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.