

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CALIFORNIA 95521-5967
(707) 826-8950 FAX (707) 826-8960
WWW.COASTAL.CA.GOV



Th7

Prepared September 05, 2019 (for the September 12, 2019 Hearing)

To: Commissioners and Interested Parties
From: Alison Dettmer, North Coast District Deputy Director
Subject: **North Coast District Deputy Director's Report for September 2019**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the North Coast District Office are being reported to the Commission on September 12, 2019. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's North Coast District Office in Arcata. Staff is asking for the Commission's concurrence on the items in the North Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on September 12th.

With respect to the September 12th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on September 12, 2019 (see attached)

Waivers

- 1-19-0645-W, Stornetta - Riparian Habitat Restoration (Along The Banks Of The Garcia River at 44500 Stornetta Drive, North Of Point Arena, Mendocino County)

Immaterial Amendments

- 1-87-098-A1, Ronchi - Woodshop Addition To Single-Family Residence (46301 Iverson Road, South Of Point Arena, Mendocino County)
- A-1-MEN-10-001-A2, U.S. Cellular – Collocate Additional Antennas On Existing Cell Tower (43600 Comptche-Ukiah Rd., East Of Town Of Mendocino, Mendocino County)

CALIFORNIA COASTAL COMMISSION

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



August 28, 2019

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: 1-19-0645-W

Applicant: Larry Stornetta

Location: Along the banks of the Garcia River at 44500 Stornetta Drive, Point Arena, Mendocino County (APN: 133-030-17)

Proposed Development: Restore the riparian habitat along a 200-foot-long portion of exposed river bank of the Garcia River where winter storms in 2018-2019 eroded the bank and washed away native willow trees and undermined previous riparian habitat restoration work along the river bank that had not fully rooted and established. The bank would be excavated back to a 2:1 slope (top to bottom) beginning approximately 4 feet above the water surface for a distance of approximately 8 feet. A living willow/brush “mattress” would be secured and established along the eroded river bank using willow stakes. If necessary to further secure the willow mattress, large woody debris (pieces of cut cypress logs) would be placed parallel to the stream to buttress the willow mattress and secured by bull rope and/or cables connected to “dead men” consisting of wooden or steel rails driven into the bank and protruding up to 1 foot above the ground surface. If bank erosion exposes any steel rail pieces or hard materials in the future, the landowner would remove the exposed steel rails and hard materials from the site. Project equipment includes the use of an excavator, back-hoe, and D6C tractor, which will operate on the north (right) bank and not disturb the wetted channel.

Rationale: The proposed project is consistent with a larger Garcia River estuary enhancement project planned by the Nature Conservancy in partnership with Bureau of Land Management that is currently in the final stages of planning. During the storms mentioned above, bank erosion in and around the project area caused riparian vegetation and sediment to deposit into the river. The project proposes to restore riparian vegetation to reduce the likelihood of further loss of riparian habitat and sediment deposition. The project will enhance wildlife and aquatic habitat in the area by providing shelter in the form of overhanging willow branches and root systems for juvenile salmonids known

Coastal Development Permit De Minimis Waiver

1-19-0645-W

to occur in the river. A temporary silt fence will be secured between the work area and the river before any ground disturbance occurs to protect water quality. The excavated soil spoils generated from the bank recontouring will be spread evenly on adjacent upland agricultural fields at least 100 feet away from the river and will be disked into the soil and seeded with pasture species for continued agricultural use. The landowner proposes to remove any project-related steel rails or hard materials from the site if they become exposed as a result of future erosion. 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 September 12, 2019 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
Executive Director



Destiny Preston
Coastal Program Analyst

Cc: Julia Acker Krog, County of Mendocino, Planning and Building Department

CALIFORNIA COASTAL COMMISSION

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



NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **1-87-098-A1**

August 28, 2019

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit Amendment No. **1-87-098-A1** requested by **Richard Ronchi** amending the original permit for the construction of a 384-square-foot workshop.

Project Site: 46301 Iverson Road, Point Arena, Mendocino County (APN: 142-022-22)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Construction of an 828-square-foot addition to an existing 384-square-foot hobby shop which is 14 ft. tall. The height of the new addition will be 21 feet above finished grade.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

The expanded area of the proposed addition would be located in a disturbed, graded, and graveled area of the parcel currently used for parking, in between the existing house and the existing hobby shop. An approximately four-foot-tall wooden fence separates the proposed development area from the existing landscaped portion of the property, which includes lawn grass and scattered pines and other conifer trees. The workshop addition will be located over 200 feet from delineated Bishop Pine Forest and wetland ESHA

Notice of Proposed Immaterial Permit Amendment

1-87-098-A1

located on a separate property to the north. Commission staff visited the site and confirmed that no ESHA would be impacted by the proposed addition.

The original permit included one special condition (Special Condition No. 1), which requires that: (1) any change in the use of the structure would require a separate CDP or amendment; (2) recordation of a deed restriction stating the workshop be without “kitchen or cooking facilities; clearly subordinate and incidental to the main house; on the same building site; and not separately rented, let or leased for residential use, whether compensation be direct or indirect.” Policies of the certified Land Use Plan (LUP) allow only one residential unit on the parcel to minimize cumulative adverse impacts on coastal resources. The deed restriction was properly executed and recorded, and the CDP was issued thereafter on July 17, 1987.

The proposed amendment would not lessen or avoid the intent of the original permit as conditioned as (1) the proposed 828-square-foot 21-foot-tall shop addition (which will amount to a total shop size of 1,212-square feet) will remain subordinate and incidental to the existing 1,700-square-foot, 25-foot-tall main residence; and (2) the enlarged structure will include no kitchen or cooking facilities and will not be converted to a residential use. To ensure that the restrictions on the use of the expanded shop are recorded against the property similarly to how the restrictions on the use of the original shop building were recorded, Special Condition No. 1 is being replaced with new Special Condition Nos. 2 and 3 (see Attachment A). As the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

See Attachment A for proposed changes to the permit’s special conditions.

If you have any questions about the proposal or wish to register an objection, please contact Destiny Preston at the phone number provided above.

Enclosed:

Attachment A: Amendment to Special Condition of CDP No. 1-87-098

CALIFORNIA COASTAL COMMISSION

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

**Attachment A****AMENDMENT TO SPECIAL CONDITION OF
CDP No. 1-87-098
(CDP Amendment No. 1-87-098-A1)**

Text to be deleted is show in ~~strikethrough~~, and text to be added appears in **bold underline**.

1. ~~Second Structures.~~

~~Prior to transmittal of the Coastal Development Permit, the permittee shall submit for review and approval of the Executive Director and shall subsequently record a deed restriction stating that the workshop shall be without kitchen or cooking facilities; clearly subordinate and incidental to the main house; on the same building site; and, not be separately rented, let or leased for residential use, whether compensation be direct or indirect.~~

~~This deed restriction shall be recorded with the deed to the parcel (APN: 142 022 22) and shall bind all successors and assigns of the permittee. Any change in the use of the structure shall require a separate coastal permit, or amendment to Commission permit 1-87-98.~~

2. **Shop Limitations. The following restrictions shall apply to the 1,212-square-foot workshop as amended through Coastal Development Permit Amendment No. 1-87-098-A1:**

- a. **The shop shall be without kitchen or cooking facilities.**
- b. **The shop shall be clearly subordinate and incidental to the main house and on the same building site.**
- c. **The shop shall not be separately rented, let or leased for residential use, whether compensation be direct or indirect.**

3. **PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT AMENDMENT (1-87-098-A1), the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit amendment a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit amendment, the California Coastal Commission has authorized development on the subject property, subject to terms**

Attachment A: Amendment to Special Condition of CDP No. 1-98-098

1-87-098-A1

and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit amendment, as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit amendment. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit amendment, shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property. This deed restriction shall supersede and replace the deed restriction recorded pursuant to Special Condition No. 1 of Coastal Development Permit No. 1-87-098, approved on July 8, 1987, which deed restriction is recorded as Instrument No. 1987-12278 (Book 1634, Page 716) in the official records of Mendocino County.

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CALIFORNIA 95521-5967
PH (707) 826-8950 FAX (707) 826-8960
WWW.COASTAL.CA.GOV



NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **A-1-MEN-10-001-A2**

August 28, 2019

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit No. **A-1-MEN-10-001-A2** requested by **California Rural Service Area #1, Inc (U.S. Cellular)** amending the original permit for a wireless communication facility including a 160-foot-tall tower and accessory structures within a 1,500-square-foot fenced lease area.

Project Site: 43600 Comptche-Ukiah Rd, Mendocino (APN: 119-410-17)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Collocate new antennas and a mount on the approved tower and construct a new six-foot by eight-foot concrete slab within the 1,500-square-foot fenced lease area to accommodate two equipment cabinets, an ice bridge (metal lattice to hold cables), service rack, and manually operated down-shielded light. Electric and fiber optic services will be extended from the existing vaults at the site to the new equipment slab. Coaxial cables will be extended from the radio cabinets to the tower antennas.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

The proposed development will be located on an existing tower and within a 120-square-foot sub-lease area within the larger fenced perimeter of the previously approved telecommunications facility. . No trees or vegetation will be removed, and no impacts to Environmentally Sensitive Habitat Areas (ESHA) or ESHA buffer will occur as a result of the proposed development. The project will not increase the tower height, and the proposed antennas and mount will result in new impacts to visual resources, as the project will not

Notice of Proposed Immaterial Permit Amendment

A-1-MEN-10-001-A2

substantially change the physical dimension of the tower. The proposed amended development is an “eligible facility request that must be permitted under the federal Telecommunications Act as amended, because the development involves the collocation of new transmission equipment, removal and replacement of transmission equipment, and does not substantially change the dimensions of the tower or base station, as specified in 47 U.S.C. Section 1455(a); 47 C.F.R. Section 1.4001. All conditions of the permit will remain in full force and effect, including conditions requiring all future improvements to obtain a coastal development permit, protection of ESHA, and maintenance of existing screening trees. As the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

If you have any questions about the proposal or wish to register an objection, please contact Destiny Preston at the phone number provided above.

Cc: U.S. Cellular (applicant)
Cellco Partnership d/b/a Verizon Wireless (superior property interest)
American Tower (superior property interest)
Philip and Grace Sharples (property owner)
Julia Acker Krog, County of Mendocino, Planning and Building Department