



# Mendocino County

## Legislation Details (With Text)

**File #:** 21-0881      **Version:** 1      **Name:**  
**Type:** Approval      **Status:** Consent Agenda  
**File created:** 7/20/2021      **In control:** Planning and Building Services  
**On agenda:** 8/3/2021      **Final action:**  
**Title:** Acceptance of Informational Report Regarding the Issuance of Emergency Coastal Development Permit EM\_2021-0003 (Brennan) to Drill Three (3) Test Wells, Located at 29020 N Hwy 1, Fort Bragg, (APN 015-350-50)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 02. EM\_2021-0003 (Brennan) Fully Signed Permit, 2. 03. EM\_2021-0003 (Brennan) Application, 3. 04. EM\_2021-0003 (Brennan) Vicinity, 4. 05. EM\_2021-0003 (Brennan) Site Plan

Date	Ver.	Action By	Action	Result
8/3/2021	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** Planning and Building Services

**Meeting Date:** August 3, 2021

**Department Contact:** Jessie Waldman

**Phone:** 964-5379

**Department Contact:** Ignacio Gonzalez

**Phone:** 234-6650

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Acceptance of Informational Report Regarding the Issuance of Emergency Coastal Development Permit EM\_2021-0003 (Brennan) to Drill Three (3) Test Wells, Located at 29020 N Hwy 1, Fort Bragg, (APN 015-350-50)

**Recommended Action/Motion:**

Accept informational report regarding the issuance of emergency coastal development permit EM\_2021-0003 (Brennan) to drill three (3) test wells, located at 29020 N Hwy 1, Fort Bragg, (APN 015-350-50).

**Previous Board/Board Committee Actions:**

In 1991 the Board adopted Division II of Title 20 of Mendocino County Code through Ordinance No. 3785. Included in Division II is Section 20.536.055 which allows Permits for Approval of Emergency Work. In cases of a verified emergency, temporary emergency authorization to proceed with remedial measures may be given by the Director or his or her designee until such time as a Coastal Development Permit application is filed. The Director shall report in writing to the Board of Supervisors at each meeting the emergency permits applied for or issued since the last report, with a description of the nature of the emergency and the work involved. The report of the Director shall be informational only. The decision to issue an emergency permit is solely at the

discretion of the Director. Notice of emergency permits shall be provided by phone or letter to the California Coastal Commission within three (3) days, following issuance of the emergency permit.

**Summary of Request:**

The current land owners submitted a request to “Drill Three (3) Test Wells” to the Planning Division of Mendocino County Planning and Building Services. The current owners requested to drill three (3) test wells in preparation for a future request for the first test well location to be converted to production well to serve the existing single family residence, provided it produces sufficient water. Planning Staff determined the parcel is located on a bluff top, therefore, per Mendocino County Code Chapter 20.532, the proposed well replacement requires the issuance of a Standard Coastal Development Permit. Planning Staff also determined the parcel is under the jurisdictional authority of the California Coastal Commission (CCC). CCC granted Mendocino County Planning and Building Services jurisdictional authority for the request for three (3) test wells, contingent that any preproduction well is pending issuance of California Coastal Commission (CCC) Amendment to Coastal Development Permit (CDP) number 1-90-113. The current owners request is to conduct investigative research for the future replacement of the existing hand dug well. The existing hand dug well has gone dry, leaving the existing residence without a source of potable water to continue the existing use of the single family residence and as to not cause risk to both the property and the health of the occupants. The request for the test wells is to mitigate impacts of the current drought and to determine the appropriate location for a production well, its output and limitations required to support the continued use of the single family residence. The emergency state of the failing well was approached with respects to the residence not being habitable, causing hazards to both the property and the health of the occupants. Given the location of the property on a bluff top, the fact of the existing well has failed in its current condition it will be dangerous to both the property and the health of the occupants. *Prior to expiration of this Emergency Permit, the applicant shall submit a standard Coastal Development Permit application for the work authorized by the permit.*

**Alternative Action/Motion:**

None, informational item.

**How Does This Item Support the General Plan?** Yes, Emergency Coastal Development Permits for test wells is consistent with the Local Coastal Plan (LCP) Chapter 3: Resources and Development Issues and Policies and Chapter 3.8: Transportation, Utilities and Public Services.

**Supervisory District:** District 4

**vote requirement:** Majority

**Supplemental Information Available Online At:** n/a

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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**CEO Liaison:** Steve Dunicliff, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Deputy Clerk I

Final Status: **Approved**

Date: August 4, 2021

