



# Mendocino County

## Legislation Text

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File #: 16-1099, Version: 1

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**To: Board of Supervisors**

**From:** Planning and Building Services

**Meeting Date:** November 1, 2016

**Department Contact:** Julia Acker

**Phone:** 707-234-6650

**Department Contact:** Steve Dunnicliff

**Phone:** 707-234-6650

**Item Type:** Consent Agenda

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

**Agenda Title:**

Acceptance of Informational Report Regarding the Issuance of Emergency Coastal Development Permit No. EM 2016-0005 (Seitz) to Remove Contaminated Soil from an Aboveground Storage Tank (AST) Leak in the Town of Caspar, Located at 16224 N. Highway 1; APN 017-400-09

**Recommended Action/Motion:**

Accept the informational report regarding the issuance of Emergency Coastal Development Permit No. EM 2016-0005 (Seitz) to remove contaminated soil from an aboveground storage tank (AST) leak in the town of Caspar, located at 16224 N. Highway 1; APN 017-400-09.

**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 emergency is attributed to a small leak from the former AST that provided heating oil for the single-family residence on the parcel. Actions to-date consist of removal of the AST, installation of a new heating oil AST at a different location to provide heat for the residence, advancement of hand-auger borings in the vicinity of the former AST to characterize the lateral and vertical extent of contamination and guide soil excavation activities. Proposed work includes excavation of approximately 65 cubic yards of impacted soil in the vicinity of the former AST for disposal at an approved off-site facility, to be replaced with clean overburden and/or clean fill imported directly from a local quarry. Failing to excavate fuel-impacted soils as proposed would leave a secondary source of contamination in place below ground surface and increases the risk of impacts to the health of site occupants, groundwater, and surface water resources. This emergency permit is effective immediately and shall become null and void at the end of sixty (60) days. Prior to expiration of this Emergency

Permit, the applicant shall submit a standard Coastal Development Permit application for the work authorized by this permit.

**Alternative Action/Motion:**

N/A

**Supplemental Information Available Online at:** N/A

**Fiscal Impact:**

**Source of Funding:** N/A

**Budgeted in Current F/Y:** N/A

**Current F/Y Cost:** N/A

**Annual Recurring Cost:** N/A

**Supervisory District:** District 4

**Vote Requirement:** Majority

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

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**CEO Liaison:** Christopher Shaver, Deputy CEO

**CEO Review:** Yes

**Comments:**