



# CITY OF FORT BRAGG

*Incorporated August 5, 1889*

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www.FortBragg.com

## NOTICE OF FINAL ACTION COASTAL DEVELOPMENT PERMIT EXEMPTION

On August 21, 2024, the City determined that the following project is exempt from the requirement to obtain a Coastal Development Permit:

**PERMIT TYPE & NO.:** Coastal Development Permit Exemption

**APPLICANT:** City of Fort Bragg

**AGENT:** Chantell O'Neal

**LOCATION:** Various, see attached maps

**APN:** Not applicable

**DESCRIPTION: Trash Capture Devices**

The City of Fort Bragg will install trash capture devices in select locations to comply with State Water Resources Control Board requirements for municipal separate storm sewer systems (MS4s). The project includes the installation of twelve (12) high-flow capacity (HFC) trash capture devices inside of existing City storm drain infrastructure. The HFC devices will capture and prevent trash from traveling via the storm drains to receiving water bodies. Trash in local watersheds poses a serious threat to surface water quality and aquatic species if transported to local creeks, rivers, or the Pacific Ocean. These Trash Capture devices will be located entirely within existing storm drains and will not expand the footprint or the intensity of use of the existing storm drains. Additionally the trash capture devices will be installed within the storm drain and located more than 200 feet from any wetland.

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**DATE OF ACTION:**

**ACTION BY:** Community Development Department

**ACTION TAKEN:**  Approval of CDP Exemption (See Analysis)  
 Denied (See attached Findings)

**THIS PROJECT IS:** Appealable to California Coastal Commission

DocuSigned by:

*John Smith*

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John Smith  
Acting Community Development Director

8/27/2024

Date

## COASTAL DEVELOPMENT PERMIT EXEMPTIONS

The proposed project complies with the following Coastal Development Permit Exemption:

- Improvements to existing single-family residences.
- Improvements to any structure other than a single-family residence.
- Repair and Maintenance Activities.
- Other Improvements.
- Categorically Excluded Development.
- Utility Connections.
- Structures Destroyed by Natural Disaster.
- Repair, Maintenance and Utility Hook-Up Exclusions.
- Temporary Events Criteria for Exclusion from Permit Requirements.
- Activity does not meet the definition of Development.

**Analysis:** Per Coastal Land Use and Development Code (CLUDC) Section 17.71.040B(2)a, "Repair and Maintenance Activities" are exempt from requiring a Coastal Development Permit.

### 17.71.040 - Coastal Development Permit Exemptions

**A. Purpose.** The purpose and intent of this Chapter is to establish types of development within the coastal zone of the City of Fort Bragg that do not require a coastal development permit to ensure consistency with the provisions of the City of Fort Bragg Local Coastal Program, the California Coastal Act, and the California Code of Regulations Title 14 Division 5.5.

**B. Exempt projects.** The following projects shall not require a Coastal Development Permit.

Repair and Maintenance Activities.

- a. Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities.

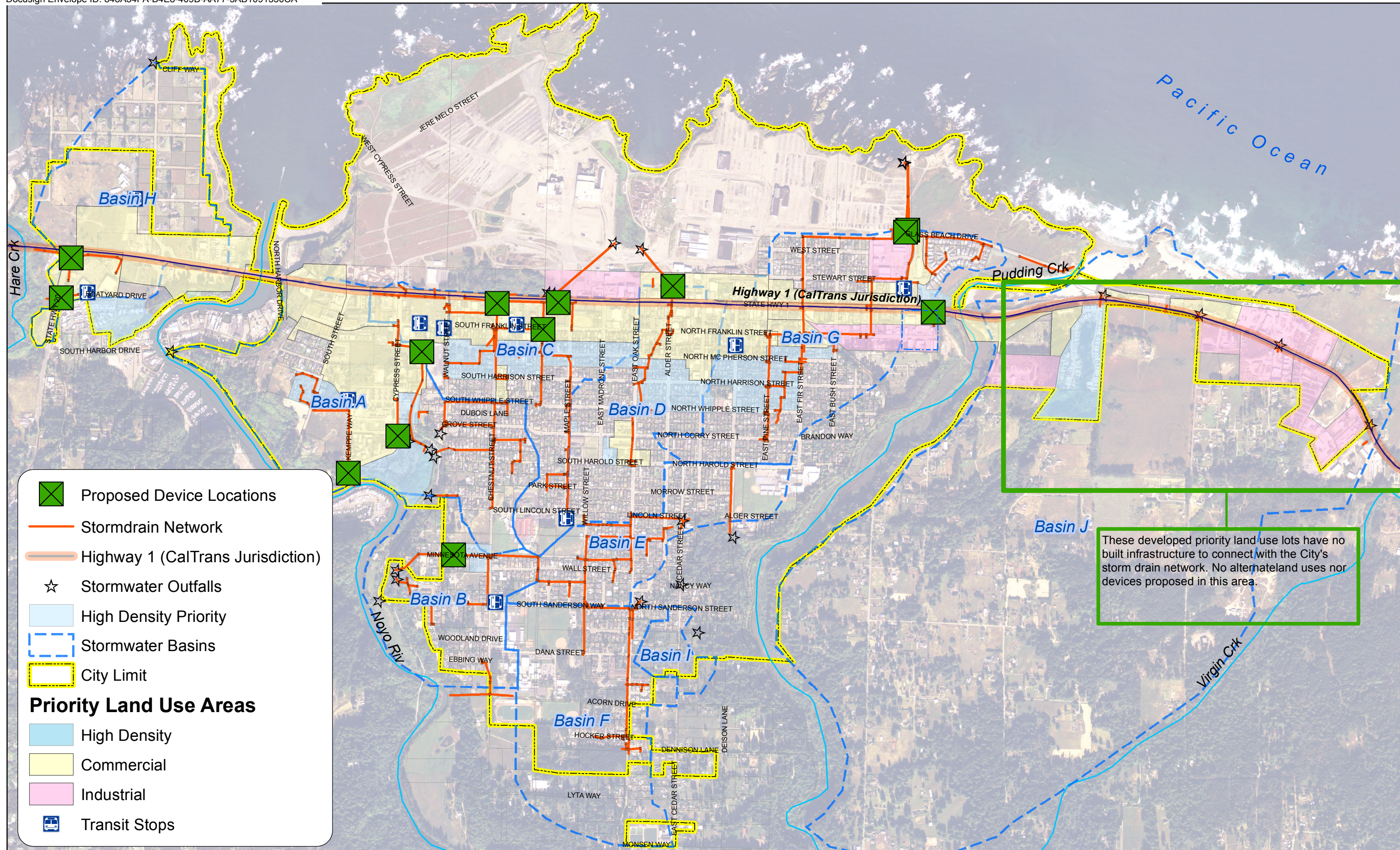
The proposed project would consist of repairing the existing storm drain system so that it does not release trash into waterways and the environment. The CLUDC includes the exceptions (noted below) to the above exemption and none of the exceptions apply to this project because the project does not include:

1. Placement of any materials on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective works;
2. Replacement of 20 percent or more of the materials of the existing stormwater structure with materials of a different kind;
3. The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams;
4. Dredging;
5. Repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.
6. The replacement of 50 percent or more of the storm drain system.

- b. The exemption in Section 2(a) shall not apply to the following extraordinary methods of repair

and maintenance which require a coastal development permit because they involve a risk of adverse environmental impact:

- i) Any method of repair or maintenance of a seawall, revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
  - a) Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;
  - b) The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective works;
  - c) The replacement of 20 percent or more of the materials of an existing structure with materials of a different kind; or
  - d) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams.
- ii) Any method of routine maintenance dredging that involves:
  - a) The dredging of 100,000 cubic yards or more within a twelve (12) month period;
  - b) The placement of dredged spoils of any quantity within an environmentally sensitive habitat area, on any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams; or
  - c) The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the City or the Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.
- iii) Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include:
  - a) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials;
  - b) The presence, whether temporary or permanent, of mechanized equipment or construction materials.
  - c) All repair and maintenance activities governed by Section 17.71.040(B)(2) shall be subject to the LCP permit regulations, including but not limited to the regulations governing administrative and emergency permits. The provisions of Section 17.71.040(B)(2) shall not be applicable to those activities specifically described in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission on September 5, 1978 unless a proposed activity will have a risk of substantial adverse impact on public access, environmentally sensitive habitat area, wetlands, or public views to the ocean.
  - d) Unless destroyed by natural disaster, the replacement of 50 percent or more of a single-family residence, (as measured by 50% of the exterior walls), seawall, revetment, bluff retaining wall, breakwater, groin or any other structure is not repair and maintenance but instead constitutes a replacement structure requiring a coastal development permit.

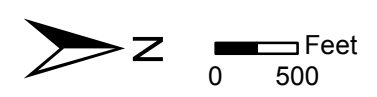


- Proposed Device Locations
- Stormdrain Network
- Highway 1 (CalTrans Jurisdiction)
- Stormwater Outfalls
- High Density Priority
- Stormwater Basins
- City Limit

**Priority Land Use Areas**

- High Density
- Commercial
- Industrial
- Transit Stops

These developed priority land use lots have no built infrastructure to connect with the City's storm drain network. No alternate land uses nor devices proposed in this area.



City of Fort Bragg  
**Proposed Full Capture Device Locations**

