

## Jessie Waldman

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**From:** Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>  
**Sent:** Friday, April 12, 2024 11:13 AM  
**To:** Jessie Waldman  
**Cc:** Leavitt, Amber@Coastal; bente.jansen  
**Subject:** RE: CDP\_2022-0034 (Johnson) - Request for referral  
**Attachments:** follow up on water supply testing question

Mendocino County

APR 16 2024

Planning & Building Services

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I took a quick look and reiterate the exact same comment that we routinely make and have been making for years on CDP referrals, which is the that Coastal Act, the LCP, and the regulations for CDP application filing requirements require proposals for residential development to demonstrate that the site can support such development, including all necessary onsite services in areas outside of municipal services. In the same way that the County requires biological and geology information where needed to support a CDP application, proof of water and onsite soils capable of supporting an onsite septic system (preliminary septic system plans reviewed and approved by DEH) also are needed as application filing requirements. This is why the Commission granted the County a categorical exclusion order authorizing the drilling of test wells and to demonstrate adequate water as a category of development that can be easily streamlined (as well as various septic system development, which is also covered) – the Commission recognized that this these are commonly needed types of routine development for which streamline processing of such applications is appropriate in many areas. Where the Cat Ex Order doesn't apply, a CDP is required to authorize a test well to demonstrate proof of water, and this separate CDP needs to be processed PRIOR TO the CDP for the associated residential development. Although there are various other streamlining options available for the County other than the Cat Ex Order that the County could choose develop regulations for to authorize test wells rather than requiring owners who don't qualify for the test well exemption under the Categorical Exclusion Order to go through a regular CDP process, to date, the County has elected not to apply to the Commission to amend its LCP to allow streamlined application processing methods for test wells (though we've discussed and encouraged this for years/decades). Thus, at this point, on this property, because there is no demonstrated proof of water to date, it's necessary for a separate CDP to be processed for the test well development to demonstrate proof of water, and assuming those results are positive consistent with DEH requirements for minimum water supply needed to support a SFR, that evidence then can be used in support of a subsequent CDP application for the house and related development. Given this background, we strongly disagree with the preliminary Groundwater Resources analysis in the staff report, that states:

- 5. Groundwater Resources:** The site is designated as a Critical Water Resource Area, as shown on the *Ground Water Resources* map. The project was referred to the Mendocino County Division of Environmental Health (DEH), where DEH approved an on-site well permit (WW5391) and an on-site septic system permit (ST27618). The on-site well permit (WW5391) and on-site septic system (ST27618) has yet not issued, pending the issuance of this coastal development permit.

With the proposal of a single-family residence, a proof of adequate water test is required per Coastal Element Policies 3.8-1 and 3.9-1 and MCC Section 20.516.015(B) prior to issuance of a coastal development permit. This requirement is not reflected in the implementation of this Policy in MCC Section 20.516.015(B). If sufficient yield is not demonstrated, the single-family residence shall not be constructed.

Recommended conditions of approval 15 and 16 are inadequate to support findings for approval of a house. As noted in a recent communication with County staff (attached), Mendocino County is out of step on this issue compared to every other coastal jurisdiction up and down the state in its granting of residential entitlements without demonstration of adequacy of services to support such development.

We recommend reducing the scope of this CDP application to just the drilling of the two test wells as shown on the site plan. Assuming at least one of the wells supplies at least the minimum water supply needed to support residential development as required by County DEH, the applicant then could apply for a subsequent CDP for the remainder of the proposed development, including converting the positive test well to a production well.

Thanks  
Melissa

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**From:** Jessie Waldman <[waldmanj@mendocinocounty.gov](mailto:waldmanj@mendocinocounty.gov)>  
**Sent:** Friday, April 12, 2024 8:54 AM  
**To:** Kraemer, Melissa@Coastal <[Melissa.Kraemer@coastal.ca.gov](mailto:Melissa.Kraemer@coastal.ca.gov)>  
**Subject:** RE: CDP\_2022-0034 (Johnson) - Request for referral

Hi Melissa,

Not as of today's date. I have kept this project moving forward. The Staff Report and noticing should be posting by the end of day on our CPA website, [here](#).

Thank you and looking forward,

Jessie Waldman  
Planner II

*Due to work schedule, please anticipate a 5-10 business day response to your email. For immediate assistance, please call (707) 964-5379 and your call will be handled accordingly. Thank you for your patience.*

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**From:** Kraemer, Melissa@Coastal <[Melissa.Kraemer@coastal.ca.gov](mailto:Melissa.Kraemer@coastal.ca.gov)>  
**Sent:** Thursday, April 11, 2024 5:04 PM  
**To:** Jessie Waldman <[waldmanj@mendocinocounty.gov](mailto:waldmanj@mendocinocounty.gov)>  
**Subject:** RE: CDP\_2022-0034 (Johnson) - Request for referral

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Hi Jessie  
I'm catching up on emails. Have you heard back from Bente yet on this? I'll take a look if needed.

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**From:** Jessie Waldman <[waldmanj@mendocinocounty.gov](mailto:waldmanj@mendocinocounty.gov)>  
**Sent:** Thursday, April 4, 2024 2:58 PM  
**To:** Jansen, Bente@Coastal <[bente.jansen@coastal.ca.gov](mailto:bente.jansen@coastal.ca.gov)>  
**Cc:** Kraemer, Melissa@Coastal <[Melissa.Kraemer@coastal.ca.gov](mailto:Melissa.Kraemer@coastal.ca.gov)>; Leavitt, Amber@Coastal

<[amber.leavitt@coastal.ca.gov](mailto:amber.leavitt@coastal.ca.gov)>; Garrison, Jennifer@Wildlife <[jennifer.Garrison@wildlife.ca.gov](mailto:jennifer.Garrison@wildlife.ca.gov)>

**Subject:** CDP\_2022-0034 (Johnson) - Request for referral

Hello Bente,  
Hope all is well.

I am starting a new email as there has been lots of emails going back and forth regarding CDP\_2022-0034 (Johnson). I do not want to assume the CCC Staff does not have comments for this project.

I have received additional comments from CDFW which are all attached here for your reference. I have revised the Draft Staff Report based on CDFW comments. Attached you will find the Visual Resource and Habitats and Natural Resources Sections of the REVISED Draft Staff Report with Recommended Conditions of Approval.

If you would like to set up a time for us to discuss as soon as you are able.

Thank you and looking forward,

Jessie Waldman  
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Fort Bragg, CA 95437  
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*Due to work schedule, please anticipate a 5-10 business day response to your email. For immediate assistance, please call (707) 964-5379 and your call will be handled accordingly. Thank you for your patience.*