

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 9550
VOICE (707) 445-7833
FACSIMILE (707) 445-7877



W20b

DATE: March 25, 2011

TO: Coastal Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director
Robert S. Merrill, North Coast District Manager
James R. Baskin AICP, Coastal Planner

SUBJECT: **County of Del Norte LCP Amendment No. DNC-MAJ-1-10, (Extension of Urban Services).** (Meeting of April 13, 2011, in Santa Barbara)

Amendment Description:

On November 17, 2010, the Commission received an LCP amendment transmitted by the County of Del Norte. As submitted, Del Norte LCP Amendment No. DNC-MAJ-1-10 (Extension of Urban Services) would add a fifth exception to the prohibition against the extension of water and wastewater infrastructure beyond the Urban Services Boundary which was originally certified in 1983.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment is deemed submitted (or "filed"), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days (Coastal Act Sections 30510, 30512, 30513, and 30514).

The LCP amendment application was determined to be adequately submitted as of January 18, 2011. This proposed LCP amendment would amend the Land Use Plan and thus the 90-day requirement applies. The 90th day after the date this LCP Amendment Application was determined to be adequately submitted is April 18, 2011. Therefore, unless the Commission extends the deadline, the LCP Amendment would need to be acted upon during the Commission's April 13-14, 2011 hearings, the last meeting before April 18, 2011.

The subject LCP amendment regards the extension of urban water supply and wastewater collection and treatment services to sovereign tribal lands, and lands proposed to be placed into trust for which review and preparation of related Coastal Zone Management Act consistency determinations is on-going. The Commission will be considering the related consistency determination at an upcoming Commission meeting. Thus, a time extension is necessary to allow the results of the Commission action on the related consistency determination to be taken into account as Commission staff analyzes the proposed LCP amendment for consistency with the Coastal Act and prepares an appropriate staff recommendation to the Commission.

Coastal Act Section 30517 states that the Commission may extend, for good cause, the 90-day time limit for Commission action on an LCP amendment for a period not to exceed one year. For all of the reasons explained above, the Commission staff requests that the Commission extend the deadline for review of Del Norte LCP Amendment No. DNC-MAJ-1-10 for a period not to exceed one year (through April 18, 2012).

Motion, Recommendation, and Resolution

Staff recommends that the Commission vote to extend the deadline for Commission action on Del Norte County LCP Amendment No. DNC-MAJ-1-10 for one year. The appropriate motion and resolution are as follows:

MOTION:

I move that the Commission extend the time limit to act on Del Norte County Local Coastal Program Amendment No. DNC-MAJ-1-10 for a period of one year.

STAFF RECOMMENDATION TO GRANT EXTENSION:

Staff recommends a YES vote. Passage of this motion will result in a one year extension of the period in which the Commission must act on the proposal, changing the deadline for Commission action from April 18, 2011 to April 18, 2012. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION:

The Commission hereby extends the time limit to act on Del Norte Local Coastal Program Amendment No. DNC-MAJ-1-10 for a period of one year to April 18, 2012.