

CALIFORNIA COASTAL COMMISSION

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F 4a

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Date: July 23, 1999

Permit Application No.: **1-99-036****ADMINISTRATIVE PERMIT****APPLICANT: CRESCENT CITY HARBOR DISTRICT**

PROJECT DESCRIPTION: Repair storm damage at three locations within the Harbor area by:
1) re-establishing foundations for a portion of a public parking lot;
2) adding crushed rock to the small boat launch ramp jetty to re-establish its original height and width; and 3) adding crushed rock to the Inner Harbor Breakwater to re-establish its original height and width.

PROJECT LOCATION: Crescent City Harbor, 101 Citizens Dock Road, Crescent City, Del Norte County, APN 117-020-16.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

Note: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Date: Friday August 13, 1999
Time: Meeting begins at 9 a.m. Item **F 4a**
Place: Wyndham Hotel at LAX, 6225 West Century Blvd.
Los Angeles (310) 670-9000

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, is in conformity with the provisions of the Del Norte County Local Coastal Program and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. This development, located between the first public road and the sea, is in conformity with the public access and public recreation policies of Chapter 3.

the cleaning of cement or concrete mixing or pouring equipment shall not be allowed to enter into marine waters. Special Condition No. 2 requires that any surplus materials and construction debris, including the construction forms, be removed from the site and disposed of at a licensed disposal facility. As conditioned, the Executive Director finds that the project will maintain the quality and biological productivity of coastal waters consistent with Section 30231 of the Coastal Act.

4. Public Access

Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or adequate access exist nearby. Section 30211 requires that development not interfere with the public's right to access gained by use or legislative authorization. In applying Section 30211 and 30212, the Executive Director is limited by the need to show that any denial of a permit application based on this section, or any decision to grant a permit subject to special conditions requiring public access is necessary to avoid or offset a project's adverse impact on existing or potential access.

The proposed project would result in temporary adverse impacts to public access and recreational opportunities during project construction. A public parking lot that can be used by public access users and navigable waters around the jetty and breakwater to be repaired will be temporarily closed to public use. However, the total period of time these facilities will be affected by construction activities will be relatively brief, approximately 4 weeks and construction activities will not adversely affect all public use of these facilities. In addition, the respective repair projects will ultimately make current public access and recreational opportunities safer by eliminating existing hazardous conditions which have resulted from the 1998-1999 winter storms. Repair of the boat launch jetty and the Inner Harbor Breakwater will promote recreational boating and provide safe and direct access to the waters of the Pacific Ocean. Therefore, the Executive Director finds that the proposed project is consistent with the public access policies of the Coastal Act.

5. California Environmental Quality Act (CEQA)

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of the CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Special Condition No. 1 is intended mitigate potential adverse water quality impacts of the project by requiring the use of construction forms to prevent cement grout from entering into the marine environment and by requiring that run-off from the cleaning of cement or concrete mixing or pouring equipment not be allowed to enter into marine waters. Furthermore, Special Condition No. 2 requires the

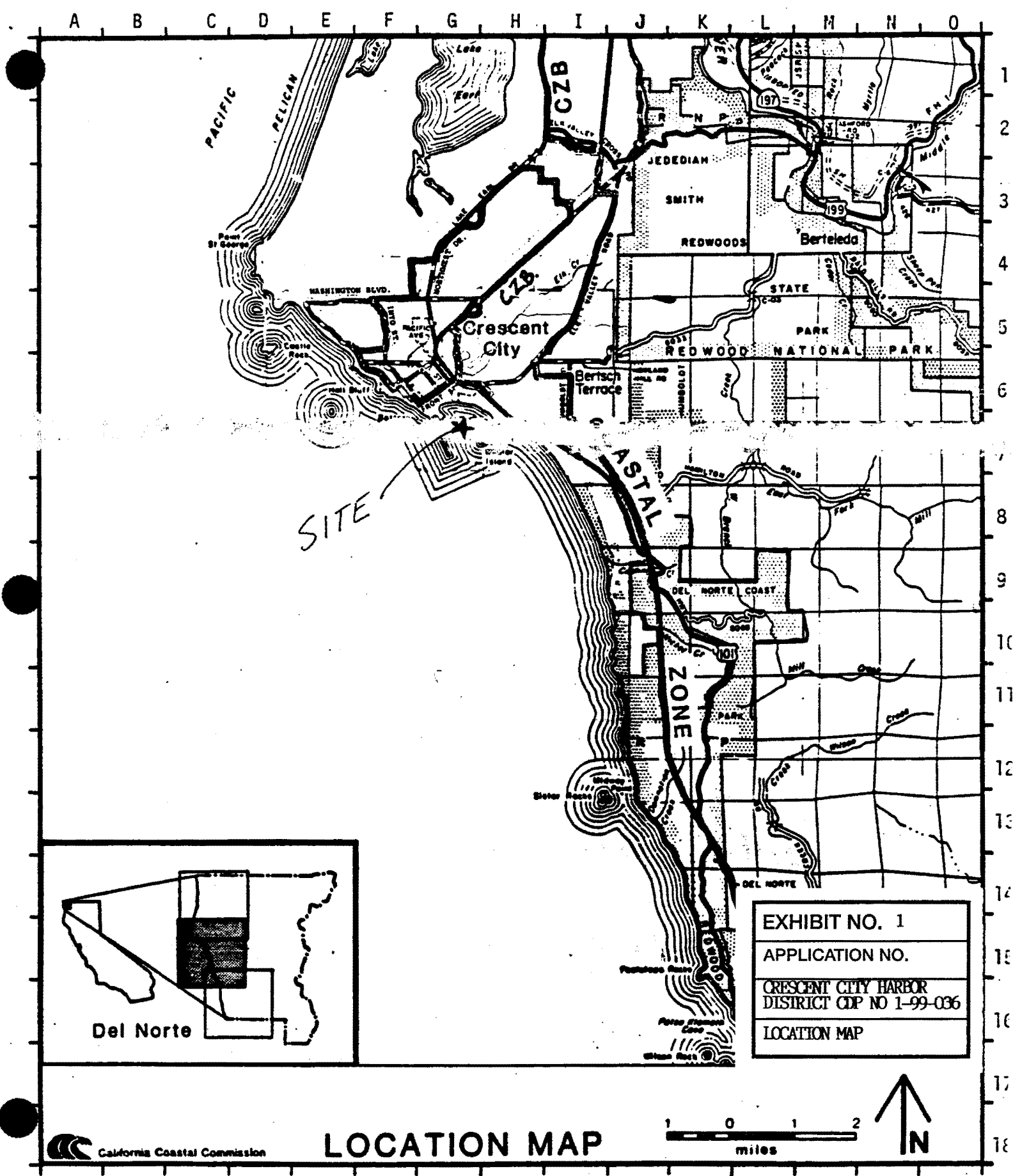
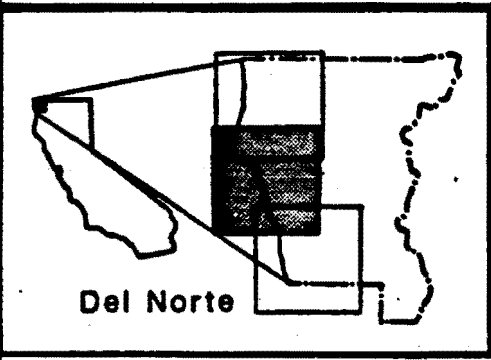
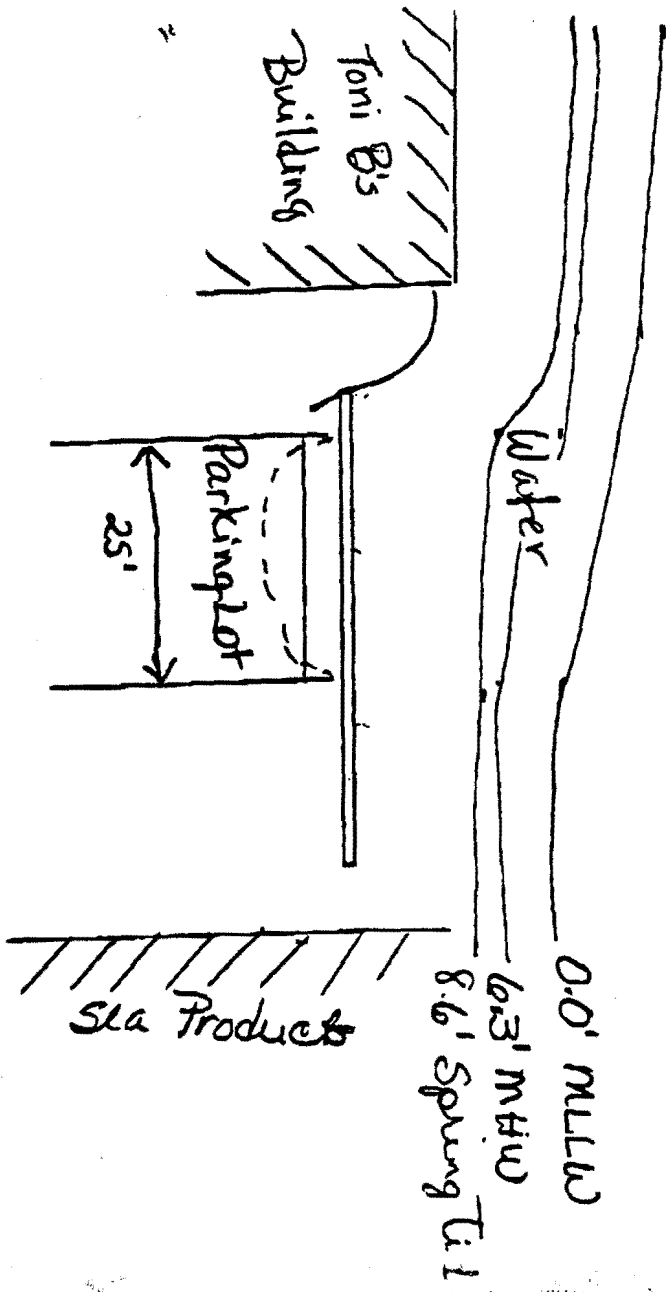


EXHIBIT NO. 1
APPLICATION NO.
CRESCENT CITY HARBOR
DISTRICT CDP NO 1-99-036
LOCATION MAP



Site 1



Plan View

1/4" = 5'

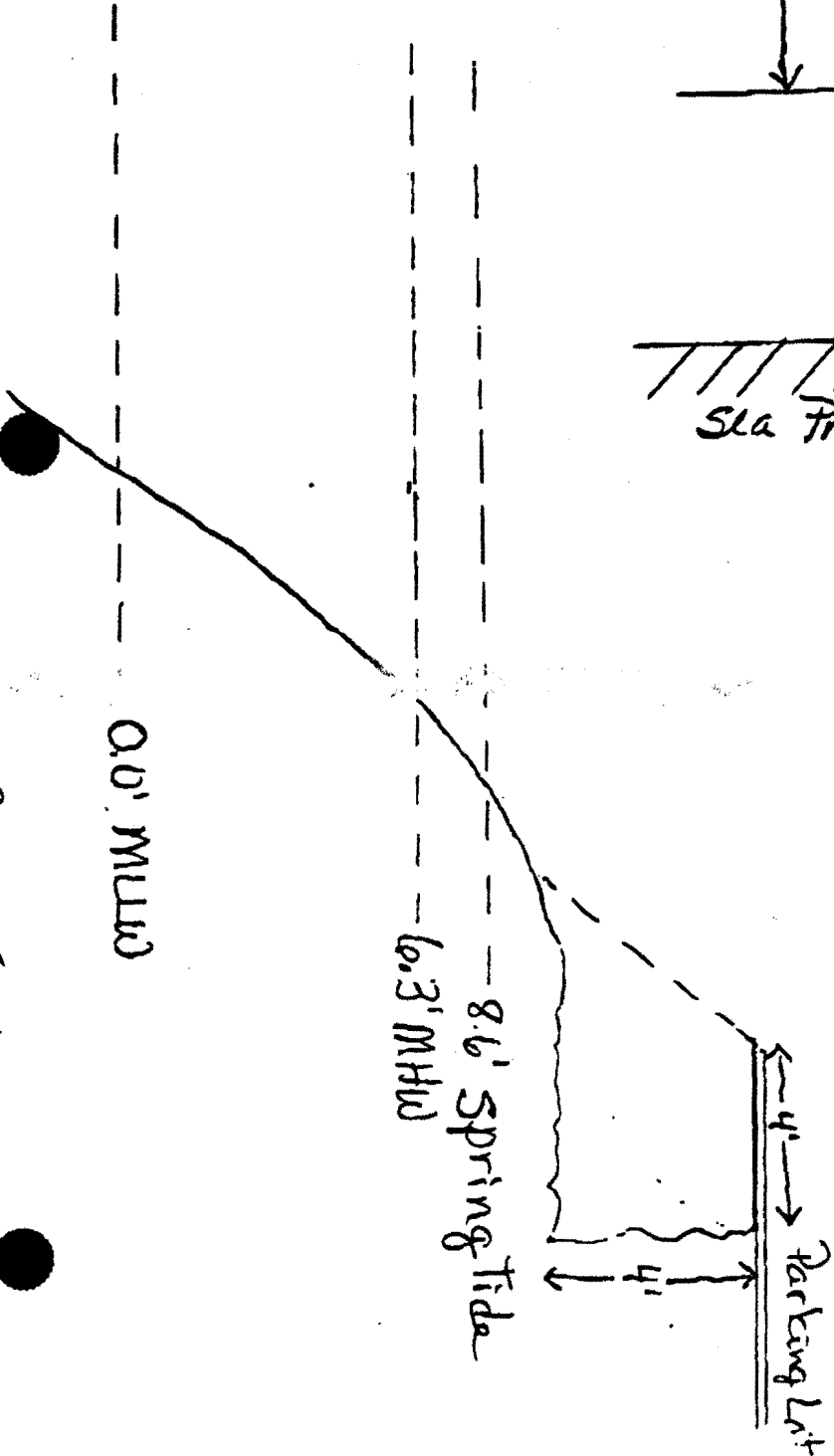
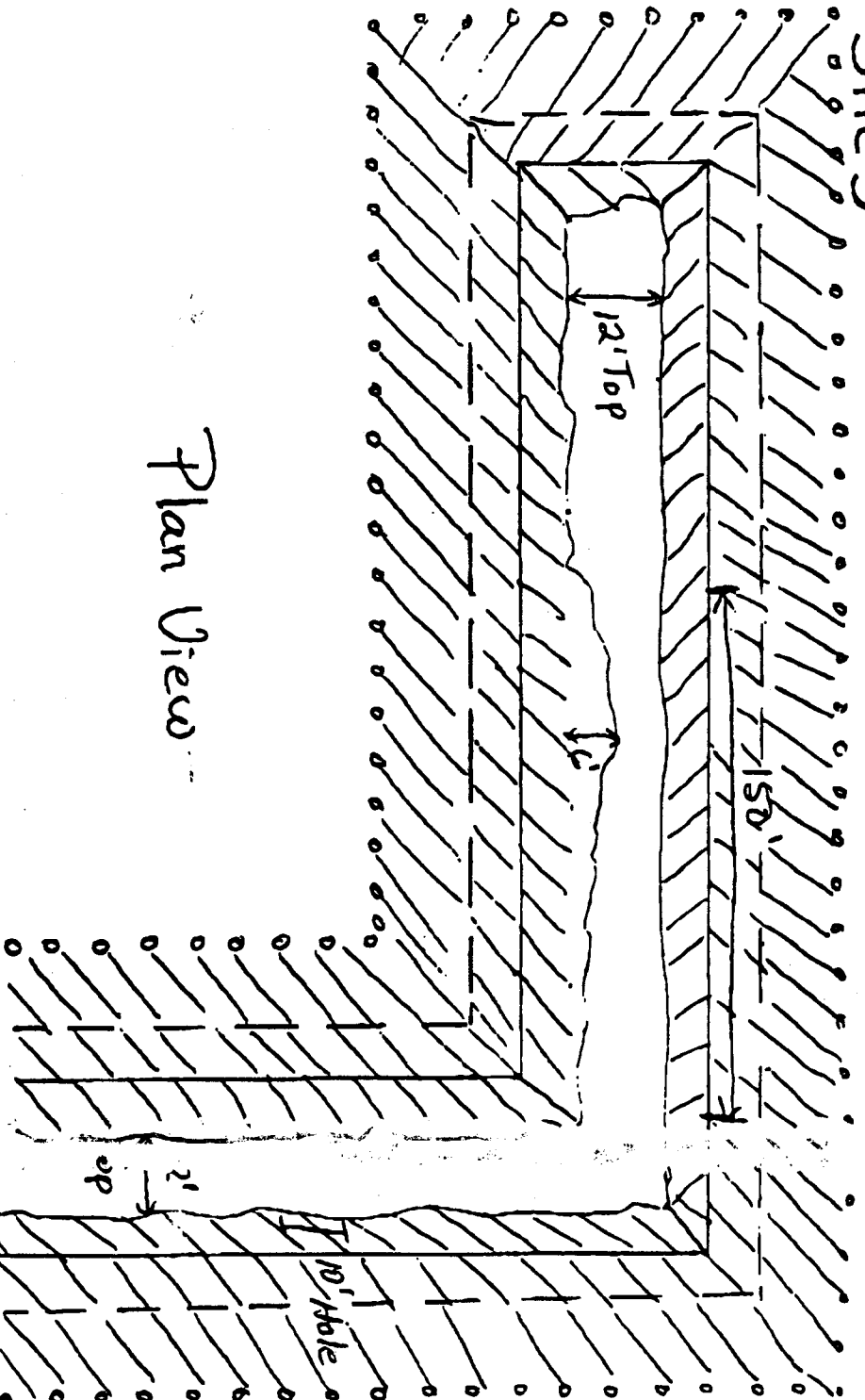


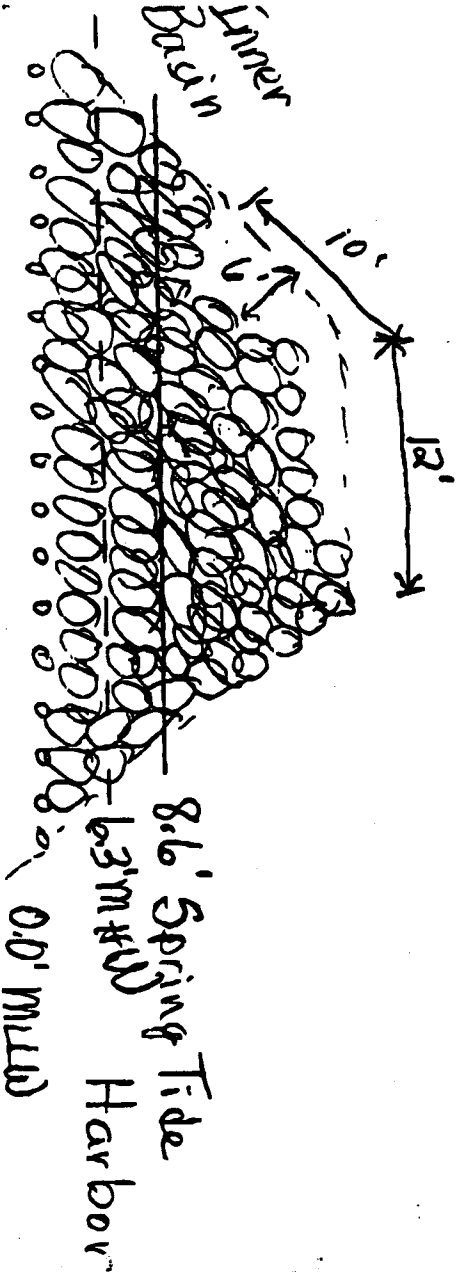
EXHIBIT NO. 3
APPLICATION NO.
CRESCENT CITY HARBOR DISTRICT CDP NO 1-99-036
PARKING LOT

Owner: Conklin

Site 3



Plan View



8.6' Spring Tide
6.3' m.t.w.
6.0' m.t.w.

EXHIBIT NO. 5
APPLICATION NO.
CRESCENT CITY HARBOR DISTRICT CDP NO 1-99-036
INNER HARBOR BREAKWATER