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Filed: July 13, 2000  
49<sup>th</sup> Day: August 31, 2000  
Staff: Jim Baskin  
Staff Report: September 1, 2000  
Continued Hearing Date: September 13, 2000  
Commission Action:

**STAFF REPORT: APPEAL****SUBSTANTIAL ISSUE**

**LOCAL GOVERNMENT:** City of Crescent City

**DECISION:** Approval with Conditions

**APPEAL NO.:** A-1-CRC-00-33

**APPLICANT:** Del Norte Healthcare District

**AGENT:** Xiao Jin Yuan

**PROJECT LOCATION:** At the western terminus of Front Street at its intersection with "A" Street, on property known as 100 "A" Street (site of former Seaside Hospital), Crescent City, Del Norte County, APNs 118-020-28, 118-030-07, 118-040-33, & -34.

**PROJECT DESCRIPTION:** Development of the 50-room first phase of a 100-room destination resort hotel and restaurant comprising 39,985 sq.ft. of building coverage (57,000 sq.ft. at full build-out) and extending to a 35-ft.-height, and including parking lot, covered entry, walkway, signage, and landscaping improvements.

**APPELLANTS:** Commissioners Christina L. Desser & John Woolley

**SUBSTANTIVE FILE:  
DOCUMENTS** 1) City of Crescent City CDP/UP No. 66 (2000-61); and  
2) City of Crescent City Local Coastal Program

**SUMMARY OF STAFF RECOMMENDATION:**

**1. SUMMARY OF STAFF RECOMMENDATION: SUBSTANTIAL ISSUE**

The staff recommends that the Commission determine that a substantial issue exists with respect to the grounds on which the appeal has been filed, and that the Commission hold a *de novo* hearing, because the appellants have raised a substantial issue with the local government's action and its consistency with the certified LCP.

The City of Crescent City approved with conditions a coastal development use permit for the 50-room first phase of a 100-room destination resort hotel and restaurant complex. Commission staff recommends that the Commission find that the development, as approved by the City, raises substantial issues of conformance with both the policies of the Coastal Act and the City's LCP regarding public access and recreation, and the policies of the City's LCP concerning visual resources and geologic stability.

Specific inconsistencies raised by the appeal include:

- The project as approved does not provide public coastal access to offset the increased demand associated with the development of the 50-room first phase of a 100-room resort facility as directed by Coastal Act Sections 30210 and 30212, and LCP Recreation and Visitor-Serving Facilities Policy Recommendation No. 1. Further, the project as approved did not provide adequate protection against potential overuse of natural resource areas as required under Coastal Act Section 30210;
- The project as approved did not include consideration of the appropriateness of accepting an offer of dedication of the western edge of the project site for a substitute public access as directed by LCP Public Access Policy Recommendations 2;
- The project as approved does not adequately provide for the protection of all visual resources in the vicinity of the development site, including nearby public street and recreational area vantage points as directed by Coastal Act Section 30251, incorporated by quotation within the LCP's Coastal Visual Resources and Special Communities Chapter; and
- The project as approved does not: (1) fully assure the compatibility of the proposed use at the proposed site with respect to bluff retreat and site stability for the full economic life of the structures as directed within the City's Coastal Zoning Ordinance, and (2) incorporate a sand management program as a long-term mitigation measure as prioritized in LCP Diking, Dredging, Filling and Shoreline Structures Policy Recommendation No. 3.

Commission staff recommends that the Commission find that the development, as approved by the City, raises a substantial issue as to whether the development of the proposed resort hotel

without public access facilities would be consistent with the policies of the Coastal Act and the certified LCP regarding coastal access. A principal consequence of the approved project is that the facility will attract visitors and guests to the hotel who will utilize nearby coastal access and recreational areas. Without access facilities to offset this increased demand, overuse of nearby access and recreational facilities may result. In addition, by authorizing the closure of the segment of "A" Street in front of the hotel to allow for development of a portion of the hotel's parking lot in this area, landward relocation of the Harbor-City Bicycle Path will be required. This relocation would diminish the ocean views the path provides resulting in a diminishment of recreational amenities currently provided in the project area.

Therefore, since the hotel as approved did not include provisions for new access facilities to offset these effects, a substantial issue is raised as to whether the project as approved is consistent with the provisions of Coastal Act Sections 30210, 30212, and LCP Recreation and Visitor-Serving Facilities Policy Recommendation Nos. 1 and 2 that require that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, acceptance of the dedication of additional accessways be considered, and protection be afforded against overuse of coastal access and impacts to recreational facilities.

Commission staff also recommends that the Commission find that the project as approved raises a substantial issue of conformance with the policies of the certified LCP regarding requirements for geologic investigations. The project site is located on an oceanfront parcel where bluff retreat risks to future development have been previously identified within the LCP. In addition, the City's coastal zoning regulations require that the long-term compatibility of a commercial use at a particular site be assured in the issuance of use permits, including threats from and impacts on geologic hazards.

Although the City required the applicant to prepare a geo-technical analysis for the project site and abide by its recommendations, submit annual assessments of conditions within high and moderate risk areas adjacent to project improvements, and provide recommendations for site stability, structural integrity and controlling erosion, no assurance of site stability for the full economic life of the site improvements was required in the review of the approved resort hotel. Therefore, the project as approved by the City raises a substantial issue of conformance with the LCP provisions requiring that a site be suitable and adequate for a proposed use.

Staff recommends that the other contentions raised in the appeals regarding providing adequate protection of visual resources do not raise a substantial issue of conformance of the project as approved with the LCP. The local record indicates that a satisfactory visual resource impact investigation has, in fact, been conducted for the development.

Staff also recommends that the Commission continue the *de novo* portion of the appeal hearing to a subsequent meeting because the local record does not contain sufficient information from the applicant to determine if the project can be found consistent with the coastal access and recreation, and geologic hazard policies of the Coastal Act and certified LCP. First, information submitted by City staff suggests that use patterns at nearby coastal access and recreational

facilities could accommodate increased demand associated with the hotel development. A quantitative impact analysis of these areas based on projected use levels associated with the presence of the resort hotel is needed to determine if overcrowding of nearby facilities would warrant provision of additional access opportunities consistent with Coastal Act and LCP policies that protect coastal access resources. In addition, information regarding an offer of dedication and improvement of an accessway along the Second Street side of the project site, negotiated by the City's Redevelopment Agency after the coastal development permit approval, will be needed in order to review the adequacy of the accessway. Finally, additional geologic information regarding the rate of bluff retreat, liquefaction hazard, and tsunami exposure is needed to determine if site stability is assured for the full economic life of the resort structures.

The Motion to adopt the Staff Recommendation of Substantial Issue is found on Page 5.

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#### **STAFF NOTES:**

1. Appeal Process.

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits (Coastal Act Section 30603.)

Section 30603 states that an action taken by a local government on a coastal development permit application may be appealed to the Commission for certain kinds of developments, including developments located within certain geographic appeal areas, such as those located between the sea and the first public road paralleling the sea or within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff, or those located in a sensitive coastal resource area.

Furthermore, developments approved by counties may be appealed if they are not designated the "principal permitted use" under the certified LCP. Finally, developments that constitute major public works or major energy facilities may be appealed, whether approved or denied by the city or county. The grounds for an appeal are limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access and public recreation policies set forth in the Coastal Act.

The subject development is appealable to the Commission because the proposed development: (1) is located between the sea and the first public road paralleling the sea; and (2) is within three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue is raised by the appeal. If the Commission

decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. Unless it is determined that there is no substantial issue, the Commission would continue with a full public hearing on the merits of the project, which may occur at a subsequent meeting. If the Commission were to conduct a *de novo* hearing on the appeal, because the proposed development is between the first road and the sea, the applicable test for the Commission to consider would be whether the development is in conformity with the certified Local Coastal Program and with the public access and public recreation policies of the Coastal Act.

The only persons qualified to testify before the Commission on the substantial issue question are the applicants, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing.

2. Filing of Appeal.

The appellants filed appeals to the Commission in a timely manner on July 13, 2000, within ten working days of receipt by the Commission on June 28, 2000 of the City's Notice of Final Action.

3. Hearing Opened and Continued.

Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. The 49<sup>th</sup> day occurs on August 31, 2000, and the only meeting entirely within the 49-day period was the Commission meeting of August 8-11, 2000. In accordance with the California Code of Regulations, on July 14, 2000, staff requested all relevant documents and materials regarding the subject permit from the City, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. Although the City provided a copy of the local record within the requisite five days, the City permit file information had not been received as of the day of the mailing of staff reports to the Commission and interested parties on items on the Commission's August meeting agenda. Thus, the requested information was not received in time for the staff to review the information for completeness or prepare a recommendation on the substantial issue question. Consistent with Section 13112 of the California Code of Regulations, since the Commission did not receive the requested documents and materials in sufficient time to review the information for completeness or prepare a recommendation, the Commission voted to open and continue the public hearing on August 11, 2000.

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**I. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

Pursuant to Section 30603(b) of the Coastal Act and as discussed below, the staff recommends that the Commission determine that a substantial issue exists with respect to the grounds on which the appeal has been filed. The proper motion is:

**MOTION:**

I move that the Commission determine that Appeal No. A-1-CRC-00-033 raises NO substantial issue with respect to the grounds on which an appeal has been filed pursuant to Section 30603 of the Coastal Act.

**STAFF RECOMMENDATION:**

Staff recommends a NO vote. Failure of this motion will result in a *de novo* hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

**RESOLUTION TO FIND SUBSTANTIAL ISSUE:**

The Commission hereby finds that Appeal No. A-1-CRC-00-033 presents a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

**II. FINDINGS AND DECLARATIONS.**

The Commission hereby finds and declares:

**A. APPELLANTS' CONTENTIONS.**

The Commission received an appeal from Commissioners Desser and Woolley.

The appellants contend that the project raises a substantial issue of conformance with the LCP and Coastal Act policies regarding public access. The appellants also contend that the project raises a substantial issue of conformance with the policies of the LCP concerning the protection of visual resources. The appellants further contend that the project raises a substantial issue of conformance with the policies of the LCP concerning geologic hazards as the stability of the site was not adequately reviewed as part of the permit process.

The appellants' contentions are summarized below, and the full text of the contentions is also included as Exhibit No. 5.

1. Coastal Access and Recreation.

The appellant asserts that the City's conditional approval of the resort project raises a substantial issue of conformance with Coastal Act and LCP policies concerning the protection and provision of coastal access and recreational facilities.

The proposed resort project as approved by the coastal development permit does not provide any public access facilities. The appellants contend that the project as approved would have impacts on public access that would not be off-set by the provision of new access. Specifically, the appellants note that the 50-room first phase of the hotel will bring numerous new hotel guests, restaurant patrons, and visitors to the site that will be seeking public access to the shoreline at and around this oceanfront site. The project design includes a private walkway along the western blufftop for use by resort customers and their guests. Though identified as an option within LCP Public Access Policy Recommendation No. 2, the appellants contend that the City did not address in the coastal development permit the potential offer of dedication of this area or any other area of the site for public access. In addition, the appellants note that the project includes relocating the Harbor-City Bicycle Path further away from the shoreline resulting in a loss of the "complete view" of the ocean and a diminishment of the recreational opportunities the bicycle path currently affords. Although the City adopted findings state that existing parks in the vicinity would adequately address the public access demands generated by the project as approved and that the project would be consistent with applicable access and recreation policies, the appellants assert that this determination was not based upon any factual evidence. The appellants assert the City's analysis was limited to conclusory statements regarding the perceived adequacy of nearby access facilities with no quantifiable assessment of the effects of increased access and recreational use by resort visitors on these facilities.

2. Visual Resources.

The appellants assert that the approved design for the project site does not adequately consider the protection of views to and along the coast. Although the City's approval considered the effects of the development on visual resources with respect to (1) maintaining views from the Battery Point recreational facility, and (2) protecting lateral views along the coast by the required blufftop setback, the appellants allege that the project as approved does not fully address potential visual effects along Front and "A" Streets and from other public recreational areas, such as the City's Beachfront Park. The appellants thus allege that the project is inconsistent with LCP Recreation and Visitor-Serving Facilities Recommendation No. 1. Recreation and Visitor-Serving Facilities Recommendation No. 1 requires that the City assure the preservation of areas zoned Open Space in a manner consistent with the uses allowed in those areas, including "vista areas."

3. Geologic Stability.

The appellants contend that there is a substantial issue of consistency of the City's approval of the project with the policies of the LCP concerning geological hazards. The appeal asserts that the geo-technical analysis conducted for the project did not adequately address: (1) the rate of shoreline bluff retreat along the proposed resort site for the economic life of the structures, (2) the significance of past observations regarding the rate of bluff retreat at the project site, and (3) provisions in the LCP for developing a prioritized sand management plan to mitigate further bluff erosion at the site. Therefore, the appellants contend that approval of the project without adequate analysis of geologic stability issues raises a substantial issue of consistency with policies within the LCP Diking, Dredging, Filling and Shoreline Structures Chapter, and the City's Coastal Zoning Ordinance.

**B. LOCAL GOVERNMENT ACTION.**

On March 9, 2000, the City of Crescent City Planning Commission approved with conditions the project's 50-room first phase of a 100-room hotel/restaurant complex (CDP-2000-61). The City's action to approve the project in phases is based on the recognition that only the portion of the site north of Front Street is currently zoned to allow for hotel and restaurant development as a conditionally permitted use. Before approval of the project's second phase may proceed (50 additional hotel rooms and a 4,500 square-foot restaurant), the "medical-related" land use and "residential-professional" zoning designations over the southern half of the property must be amended. The project was not appealed to the City Council. On May 1, 2000, the Crescent City Council authorized the vacation of the public street right-of-way for the segment of "A" Street between Front and Second Streets abutting the proposed hotel site. The street abandonment was authorized to allow the area to be developed as part of the resort's parking lot.

The City attached to its coastal development permit a number of special conditions relating to access, visual, and geologic aspects of the project (see Exhibit No. 4), requiring, among other things that: (1) the applicant include signage advising hotel and restaurant guests to stay on established trails to avoid impacts to intertidal areas, noting the seasonal presence of nearby marine mammals haul-out areas and their sensitivity to human disturbance, and giving directions to the nearest designated coastal access routes; (2) the location of the structures be restricted relative to geologic instability risk zones; (3) the applicant submit for approval annual assessments of the high and moderate risk zones, to include recommendations for protecting the stability and structural integrity of the site; (4) noise be limited during construction and from exhaust fans; (5) all exterior lighting be shielded so that it does not shine or glare beyond the limits of the property; and (6) exactions be made for various public utility and community services improvements.

Although several interim notices and unsigned resolutions were sent during the period following the Planning Commission and City Council actions, the City did not send a Notice of Final Action on the permit pursuant to Coastal Act Section 30603(d) containing the requisite information identified in Section 13571 of the Commission's administrative regulations until



June 27, 2000. The notice of final action was received by Commission staff on June 28, 2000 (see Exhibit No. 4).

C. **BACKGROUND, PROJECT, AND SITE DESCRIPTION.**

1. **Background.**

The project site is located along the western shoreline of the City of Crescent City, at the former site of the Seaside Hospital (see Exhibit Nos. 1 and 2). Following construction of the Sutter Coast Hospital on Washington Boulevard in northern Crescent City in 1990, use of the project site for medical facilities was discontinued. The Seaside Hospital structures were subsequently razed in 1994.

2. **Project and Site Description.**

The proposed project consists of the 50-room first phase of a 100-room, destination hotel and restaurant complex. The first-phase building would encompass 39,985 square feet of the northern half of APN 018-020-28 and extend to a three-story height of 35 feet. When both phases are completed, the hotel rooms, common areas, and two-story restaurant would cover 57,000 square feet and span approximately 445 feet across the width of the property. Other proposed improvements include a covered entry, walkways, signage, exterior lighting, and paved parking areas for 153 vehicles (see Exhibit No. 3). The closure of the segment of "A" Street between Front and Second Streets was also included in the project.

The subject site is located along the ocean shoreline within the incorporated limits of the City of Crescent City, at the western terminus of Front Street at "A" Street near Battery Point Lighthouse. The subject property encompasses approximately 4.2 acres and extends over portions of two city blocks between Second and Front Streets westerly of "B" Street. Only those portions of the site westerly of "A" Street are within the coastal zone.

Front Street is a sub-collector route that divides the city's central commercial district to the north from the open space and public facility areas adjacent to the Crescent City Harbor. Development south of Front Street is sparse due to the high tsunami risk for this area. Land uses in the immediate vicinity of the property are primarily single-family residential, with a medical office located to the north of the project site along "A" Street.

Those portions of the subject property within the coastal zone have two land use designations: Commercial (C) on the east and west sides of "A" Street north of Front Street, and Medical Related (MR) on the west side of "A" Street south of Front Street. In addition, a text policy within the Public Works Chapter of the LUP states that: "...the specific area between Battery Street on the south to Second Street on the north to 'C' Street on the east to the Pacific Ocean on the west" shall be reserved for "the expansion of Seaside Hospital." (Note: Although this policy may be a remnant of the former use of the site as a medical facility, it still appears as a current policy within the certified LCP.)

The property is zoned Commercial – Waterfront (CW) and Coastal Zone – Residential Professional (CZ-RP), respectively. Adjoining properties within the coastal zone are zoned CZ-PR and Coastal Zone – Single-Family Beach District (CZ-R1B). As stated above, the project's first phase improvements would be located within the CW-zoned portions of the site north of Front Street. The City plans to process amendments to the MR and CZ-RP zoning designations on portions of the site south of Front Street before a coastal development permit for the second phase hotel and restaurant development could be granted.

The subject property is currently vacant and slopes slightly upward from the street to the shoreline bluff. The parcel is not located within a formally designated Highly Scenic Area, as the City's LCP does not make that distinction for any specific sites, but focuses instead on the "scenic highway corridor" visible from Highway 101 at the City's southern entrance. Nevertheless, views from the project site are spectacular, consisting of nearby headlands, the Battery Point Lighthouse, and numerous offshore sea stacks. Due to the terrain of the property and the presence of adjoining residential-profession development, views to and along the coast from immediately in front of the project site from public streets and other vista points are somewhat constrained.

Although the project site is located immediately landward of an open sandy beach and rocky intertidal area, there is no sensitive habitat on the property.

#### **D. SUBSTANTIAL ISSUE ANALYSIS.**

Section 30603(b)(1) of the Coastal Act states:

*The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.*

##### **1. Appellants' Contentions That Raise a Substantial Issue.**

All three of the contentions raised in the appeal present potentially valid grounds for appeal in that they allege the project's inconsistency with standards of the certified LCP and/or the public access policies of Chapter 3 of the Coastal Act. These contentions allege that the approval of the project by the City raises significant issues regarding: (1) protection and provision of public coastal access as part of new development between the first public road and the sea; (2) the protection of visual resources in the siting of new development; and (3) ensuring site compatibility with respect to geologic hazards. The Commission finds that two of the three contentions raised a substantial issue, for the reasons discussed below.

Public Resources Code Section 30625(b) states that the Commission shall hear an appeal unless it determines:

*With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.*

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations simply indicate that the Commission will hear an appeal unless it "...finds that the appeal raises no significant question." (California Code of Regulations, Title 14, Section 13115(b).) In previous decisions on appeals, the Commission has been guided by the following factors:

- The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;
- The extent and scope of the development as approved or denied by the local government;
- The significance of the coastal resources affected by the decision;
- The precedential value of the local government's decision for future interpretation of its LCP; and
- Whether the appeal raises only local issues, or those of regional or statewide significance.

Even where the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Section 1094.5 of the California Code of Civil Procedure.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that with respect to allegations regarding the provision of public access and assessing project site geologic compatibility, a substantial issue exists with regard to the approved project's conformance with the certified Crescent City LCP and the coastal access and recreation policies of the Coastal Act. As further discussed below, the Commission finds that with respect to the allegations regarding the protection of visual resources, the development as approved by the City raises no substantial issue of conformance with the certified LCP or the access provisions of the Coastal Act.

#### Allegations Raising Substantial Issue

##### a. Protection and Provisions of Coastal Access and Recreation Opportunities.

The appellants assert that the approved project, which consists of a 34,985-square-foot, three-story, 50-room resort hotel's first phase and the closure of "A" Street between Front and Second Streets, does not comply with the public access policies of Chapter 3 of the Coastal Act and the access and recreational standards established in the City of Crescent City LCP. As further

described below, these allegations specifically involve: (1) no public access being provided as part of a project consisting of new development between the first public road and the sea; (2) potential overuse of existing access and recreational facilities; and (3) diminished coastal recreational amenities along the Harbor-City Bicycle Path associated with its landward relocation to "B" Street.

Coastal Act Public Access Policies:

Section 30210 of the Coastal Act states:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211 of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212 of the Coastal Act states:

*Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

- (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
- (2) Adequate access exists nearby, or,*
- (3) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Section 30252 of the Coastal Act states:

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new*

*residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

LCP Public Access Policies:

LCP Public Access Policy Recommendation No. 1 (p. 8) states in applicable part:

*The City recognizes the importance of access to and along (the) shoreline... If in the future, the City finds that existing public accessways are inadequate to meet recreational needs, it shall encourage the development of additional accessways consistent with the City's ability to pay maintenance costs and obtain funding to develop said areas.*

LCP Public Access Policy Recommendation No. 2 (pp. 8-9) states in applicable part:

*The City may accept Seaside Hospital's offer for dedication of the western edge, provided funding can be obtained prior to accepting any access. The City will not oppose any other agency, so approved by the Executive Director of the Coastal Commission, from accepting offers of dedication.*

Discussion:

The approved project consists of new development between the sea and the first public road. As approved in the coastal development permit granted by the City, the project does not propose and the City did not require the creation of any public access facilities. It should be noted that the question of public access did arise during the City Council's consideration of the vacation of "A" Street. In addition, although the City Redevelopment Agency included within the Development Agreement subsequently negotiated with the applicant dedication and development of a portion of Second Street westward of "A" Street for public access, the access was not required as part of the coastal development permit approval by the City Planning Commission.

In acting on this appeal, the Commission is reviewing whether there is a substantial issue on conformance of the coastal development permit as approved with respect to conformance with Coastal Act and LCP public access policies. There are no findings as part of the project record that would indicate that, even with the access dedication and improvements required within the Development Agreement, impacts of the project on public access would be adequately offset. The appellants contend that the project as approved could have significant adverse impacts on public access that would not be offset by the provision of any new public access. The project would increase the demand for public access by bringing many new visitors to the site and would diminish the recreational values of the bicycle path to be relocated further away from the shoreline.

The applicant cited liability concerns for not including any access facilities for the public, and the City based its action to not require access facilities upon a determination that adequate access exists nearby to the project site. The closest public access facilities identified in the LCP are located 1-2 blocks south and north of the project site at the Battery Point Lighthouse and at the western terminus of Third Street, respectively. In addition, the City noted that the resort project would include a trail west of the hotel for the hotel guests' passive recreational use.

The Battery Point Lighthouse facilities consist of a historic lighthouse and interpretative museum on the headland with a small park, playground, picnic tables, restrooms and an approximately 10,000-square-foot parking lot located at the southern terminus of "A" Street. This facility primarily serves as an access support amenity for the lighthouse and museum although general access to the beach is also available. The access support facilities at the end of Third Street are limited to parking spaces along two cul-de-sac street bulbs and a trail leading to the beach.

In its approval of the proposed project, the City noted the presence of the nearby access facilities observing that these facilities "...appear to have sufficient capacity to accommodate the increased use." Although the City stated in the project environmental document that the increased demand for access and recreational facilities was considered, no factual analysis of existing access use patterns, the capacity of the nearby support facilities, the projected increase in access demand due to the presence of the resort, or the adequacy of the private trail to offset increased demand was conducted. Accordingly, the City did not assess potential overuse of natural resources areas or the adequacy of existing accessways as directed within the Coastal Act and LCP Public Access Policy Recommendation No. 1, cited above. In addition, the City's actions on the proposed project included a closure of the "A" Street right-of-way between Front and Second Streets. Public ingress and egress were vacated through this area to allow the applicant to develop a portion of hotel's parking lot.

The LCP identifies the Harbor-City Bicycle Path as passing along this street segment. LCP Recreation and Visitor-Serving Facilities Chapter (p. 14) includes the following among its list of "City Recreational Areas:"

*Harbor-City Bicycle Path – The Bicycle Path starts at Pebble Beach Drive in the City and crosses over 5<sup>th</sup> Street to 'A' Street to Battery Drive to Howe Drive to 101 down 101 to Sunset Circle to the Harbor. Where it crosses over Elk Creek there is a City built bridge. This path gives a complete view of the ocean and recreational opportunity within Crescent City. (emphases added)*

In their responses to comments on the project environmental document by Commission staff, the City stated the path segment affected by the street closure would be relocated one block easterly to "B" Street. The City concluded that relocating the access would not significantly impact this recreational facility, finding that "...future bicycle and pedestrian improvements, will still be preserved, with (these) minor adjustments to accommodate the A Street closure." However, relocating the bicycle path further away from the shoreline would result in a loss of views of the ocean currently afforded to users of the path and thereby diminish the public's enjoyment of the

access facility. The project as approved provides no offsetting public access benefits for this diminishment of public access values.

Therefore, for the reasons discussed above, a substantial issue is raised as to whether the impacts of the project as approved would be adequately offset by existing access facilities or if new public access must be provided consistent with Coastal Act access policies and LCP Public Access Policy Recommendation No. 1.

As to consistency with LCP Public Access Policy Recommendation No. 2, the City likewise did not address the referenced offer of public access dedication along the western side of the project site. No discussion of the policy appears within the project record with respect to its background, applicability to the project, or the appropriateness of accepting the dedication in terms of funding to improve, operate, and maintain a public access facility in this location. Therefore, a substantial issue is raised with respect to conformance of the approved project with LCP Public Access Policy Recommendation No. 2

Taking into account the guiding factors cited previously for determining whether an issue that has been raised on appeal is substantial, the Commission finds that a substantial issue exists with regard to the project's conformance with the public access and recreation policies of the Coastal Act and the LCP for the following reasons:

- The degree of factual and legal support for the local government's decision that the development is consistent with the public access and recreational policies of the certified LCP and the Coastal Act is minimal and conclusory. No substantive study of the effects of the increased demand associated with the proposed development on nearby access facilities, coastal recreational facilities, or natural resource areas, was conducted. In addition, the need for additional accessways and the appropriateness of accepting an offer of dedication for public access specific to the project site, as directed in the LCP, were not reviewed;
- The extent and scope of the development approved by the local government is significant to the site and the community in terms of the physical size of the proposed improvements and the intensity of resulting land use; and
- The shoreline amenities in proximity to the project site, including the adjacent beachfront, Battery Point Lighthouse, Beachfront Park, Harbor-City Bicycle Path, and Third, Fifth, and Sixth Street accessways are significant local and regional coastal access and recreational resources that could be adversely affected by the City's decision;

Therefore, the Commission finds that the project as approved by the City raises a substantial issue with respect to conformance of the approved project with the LCP and Coastal Act policies regarding coastal access.

b. Adequacy of Review for Geologic Stability.

The appellants also contend that the proposed project and the site have not been adequately assessed to determine if the project will assure the geologic stability of the site for the full economic life of the project as is required under the City's coastal zoning ordinance. In particular, the appeal asserts that the geological investigation prepared for the project did not fully consider or document relevant data in developing its findings and recommendations relative to: (1) building setbacks for blufftop retreat; (2) observations cited within the LCP regarding past bluff retreat hazards at the site; and (3) incorporation of a high-priority beach nourishment sand management program identified in the LCP.

Summary of LCP Provisions:

Coastal Zoning Ordinance Section 17.60.010 provides, in applicable part, the following statement of purpose for the establishment of coastal zone regulations:

*These zoning regulations are adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, the regulations are adopted to achieve the following objectives: ...*

*"E. To promote and protect properly located commercial and industrial activities in order to preserve and strengthen the city's economic base...*  
(emphasis added)

Coastal Zoning Ordinance Section 17.82.010 provides, in applicable part, the following statement of purpose for the required issuance of coastal zone use permits:

- A. *These provisions do not negate the specific uses designated for each zoning district, but rather serve as a supplemental guide providing added protection to existing zoning districts and at the same time encouraging orderly growth.*
- B. *The purpose of issuing a use permit shall be:*
  - 1. *To assure that the degree of compatibility with the purpose of this chapter be maintained with respect to the particular use on the particular site and consideration of other existing and potential uses within the general area in which such use is proposed to be located; and...*
  - 3. *To assure that such use will be placed on the site that is both suitable and adequate and that the use will have a minor effect on traffic...as well as other matters pertinent to the particular case.*  
(emphases added)

LCP Diking, Dredging, Filling and Shoreline Structures Policy Recommendation 3 states:



*The City of Crescent City shall, in conjunction with the Harbor District, County of Del Norte, Del Norte Hospital District, Coastal Commission staff, and the Dept. Of Fish and Game, develop a sand management program for any dispersal of sand on the beach area west of the Seaside Hospital. The plan shall include, but not be limited to, amount of sand to be placed yearly, months of the year when placement is possible, hours of operation and the need for (an) annual sand budget.*

*The City has established a priority for placement of such dredge sand west of Seaside Hospital in order to arrest the erosion of the bluffs within this location as long as such placement is in conformance with the finalized sand management program.*

Discussion:

Project Site Stability

The appellants contend that the approved project raises a substantial issue of conformance with the City's LCP Implementation Plan provisions pertaining to geologic hazards and new development. The project site is located on the site of the former Seaside Hospital on an oceanfront parcel situated approximately 15-25 feet elevation above the beach area north of the Battery Point headland. An approximately 5-ft-high, 10 to 30-ft.-wide vegetated berm composed of rock, soil and wrack debris runs along the western margin of the property separating the building site from the open beach face. The beach face has a narrow sandy area grading into a rocky intertidal zone bounded with numerous offshore stacks.

The soils and foundation investigation (Lee Tromble Engineering, 8/99) prepared for the project contains qualitative statements, based on examination of aerial photographs taken during 1963-89, suggesting that the present bluff retreat rate is "very low." However, no assessment or projection of a bluff retreat rate was stated for the full economic life of the proposed resort structures. (Note: The report preparer has indicated in subsequent correspondence that a 40-year project life-span was considered while conducting the soils and foundation investigation (see Exhibit No. 6). This represents slightly more than half of the 75-year economic life for structures routinely considered by the Commission for purposes of reviewing the adequacy of site stability assessments.) The soils and foundation investigation recommends that the proposed development be set back 30 feet from the bluff top to avoid "high" instability areas mapped for the site.

In approving the project, the City imposed 21 conditions. Those addressing site stability include:

7. No portion of the structure is allowed in the high risk zone and a maximum of a five foot encroachment is allowed in the moderate risk zone. The applicant shall submit annual reports to the City, assessing impacts in the high and moderate risk zones, and the adjacent bluff area, due to the proposed project or adjacent bluff retreat. This assessment is to

include recommendations, to provide stability and structural integrity, and minimize erosion, other than construction of protective devices that would substantially alter the natural landform. These recommended improvements, upon approval of the City, would be the responsibility of the property owner.

8. The recommendations included in the soils and foundation investigation prepared by the project engineer, and included in the Mitigated Negative Declaration for the site, shall be implemented.

No data supporting the recommended setback distances nor any indication of the meaning of the qualitative terms "low-," "moderate-," and "high geologic risk" delineated on report mapping were provided. In addition, the requirement that annual assessments of bluff retreat include subsequent recommendations to provide stability indicates that site stability was not adequately assured as required in the use permit regulations at the time a decision to grant the permit was made. Consequently, the appeal raises issues regarding whether the site investigation sufficiently evaluated bluff retreat and coastal erosion issues consistent with the provisions of the certified LCP.

#### Standards of Adequacy for Geologic Soils Reports

The City coastal zoning ordinance standards cited in the appeal direct that the compatibility of a proposed use at a particular site be assessed as part of the review for issuance of conditional use permits for development projects. The suitability and adequacy of the use (e.g., its siting and design) are to be assured as part of this review. Although the City does not have adopted requirements specifying the form and content of technical data to substantiate site compatibility or the suitability and adequacy of the proposed use, accepted professional standards for the preparation and review of geologic and soils report indicate that a prudent level of investigation was not described or documented in the soils and foundation investigation approved by the City.

Though not formally adopted as administrative regulations for the preparation and review of geologic reports, suggested guidelines have been developed by the Department of Consumer Affairs' State Board of Registration and the Department of Conservation's Division of Mines and Geology (see Exhibit Nos. 8 and 9). Among other items, these guidelines recommend that geologic investigations include the following basic technical references and descriptions:

- Identification of the project, permits, applicant, consultants, reports, and plans reviewed;
- A clear statement of the requirements to be met by the parties involved, data required, and the plan, phase, project, or report being considered;
- An explanation of the standards used in the developing the conclusions and recommendations within the report, and why the methods of investigation were appropriate to the subject site;

- Documentation of the investigative steps taken and site conditions observed, especially as may relate to conclusions regarding the absence of a previously reported or suspected hazard; and
- Summaries of the reviewer's field observations, associated literature and aerial photographic review, and oral communications with the applicant and the consultant. (emphases added)

In the absence of the above-listed quantitative data, addressing recent shoreline erosion over recent periods (especially the 1996-2000 *El Niño / La Niña* years), it is impossible to assure that site stability has been adequately addressed. Therefore, the Commission finds that although the project is proposed to be sited outside the area determined to have high instability, because the soils and foundation investigation did not contain basic technical references and descriptions generally used to evaluate a site, there was not sufficient evidence before the City to make the findings required by Zoning Section 17.82.010 that the site is suitable and adequate for the approved use.

Based on the information in the record before the City, it cannot be determined that the project as approved would assure structural integrity and geologic stability. In addition, without geologic evidence prior to approval, it cannot be determined that the proposed 30-ft. setback is sufficient to absolutely ensure the safety of the structures from bluff retreat. Regardless of the City's requirement for annual assessments of geologic stability imposed in Project Condition No. 7, if the setback is not sufficient and the proposed development is threatened by bluff retreat, a shoreline protective device might become necessary to protect the structures. As approved by the City, there is no mechanism in place in the permit to prevent the future construction of seawalls. Consequently, the appeal raises issues regarding whether the site investigation sufficiently evaluated the suitability of the site for the approved use consistent with the provisions of the certified LCP.

#### Incorporation of Beach Nourishment Sand Management Mitigation

The approved soils and foundation investigation did not address the placement of dredged materials on the beach fronting the project site to mitigate future bluff retreat, as identified in LCP Diking, Dredging, Filling and Shoreline Structures Policy Recommendation 3, cited above. This policy was included in the 1983 LCP to address identified coastal erosion occurring along the project site beachfront. Although this initiative is dated and may no longer be an appropriate coastal erosion mitigation measure depending on the circumstances at the site, it is a site-specific enumerated policy within the LCP. Accordingly, at a minimum, the applicability of the policy as a mitigation measure for the proposed project should have been addressed in the project review.

Finally, with respect to the two U.S. Army Corp of Engineers reports cited in the appeal ("General Conditions," LCP Diking, Dredging, Filling and Shoreline Structures Chapter, pp. 33-35), these studies focus on coastal erosion and accretion within the Crescent City Harbor, not on

the coast to the north and south. The studies do convey that rather substantial erosion and accretion has occurred in alternate periods within the harbor area, however, which might have some bearing on coastal erosion patterns near the project site.

Taking into account the five guiding factors cited previously for determining whether an issue that has been raised on appeal is substantial, the Commission finds that a substantial issue exists with regard to the project's conformance with LCP policies that relate to assuring geologic stability for the following reasons:

- The degree of factual and legal support for the local government's decision that the development is consistent with the certified LCP is largely conclusory, based on dated information, with sparse documentation as to the means, standards, and data considered in developing the geologic report's conclusions and recommendations;
- As one of the largest economic development projects approved by the City in recent time, the extent and scope of the development as approved or denied by the local government is significant. Assuring that potential future damages associated with coastal erosion are avoided is crucial to the success of the City's and the developer's enterprise; and
- The Battery Point area is a significant regional coastal resource potentially affected by the decision. Assuring that potential losses of the beach associated with the construction of future shoreline protective works are prevented is especially warranted.

Therefore, the Commission finds that a substantial issue exists with respect to conformance of the project as approved with LCP policies requiring assurance of compatibility of the use with the site such that the use is adequately protected and orderly growth promoted.

2. Appellants' Contentions That Do Not Raise a Substantial Issue

a. Visual Resources.

The appellants' contentions that the project as approved does not adequately protect visual resources does not raise a substantial issue of consistency with LCP visual resource protection policies.

LCP Recreation and Visitor-Serving Facilities Recommendation No. 1 states:

*The City shall assure the preservation of areas which are zoned Open Space in a manner consistent with the uses allowed in Open Space areas.*

Section 17.71.020.2 of the City's Coastal Zoning Ordinance lists "vista areas" among the permitted uses on public property within the Coastal Zone Open Space (CZ-O) District.

Section IV "Recommendations" of the LCP's Coastal Visual Resources and Special Communities Chapter contains three policies regarding the protection of visual resources. These policies address:

- Prohibiting the erection of signage in areas zoned Open Space (CZ-O);
- Designating the southern entrance to the City along Highway 101 as a "scenic highway," in which the placement of signage is subject to height and size limitations; and
- The preservation of historically and architecturally significant buildings (i.e., Battery Point Lighthouse, Old Coast Guard House) subject to their degree of disrepair or the availability of restoration funding.

Discussion:

The appellants contend that the manner in which the City approved the project did not adequately assure the preservation of "vista areas" on lands zoned Open Space near the project site, as directed in LCP Recreation and Visitor-Serving Facilities Recommendation No. 1. The appeal asserts that the City limited its visual analysis to those views parallel to the proposed resort structure along the "A" Street right-of-way and obliquely from the Battery Point Lighthouse recreational area. Consequently, effects to other areas zoned Open Space were not considered and preservation of their use as vista areas was not assured.

The appeal cites several other contentions regarding visual resource protection, but most of these contentions are not related to inconsistencies with formal LCP policies or standards. LCP Recreation and Visitor-Serving Facilities Recommendation No. 1, cited above, is the only policy-level standard applicable to this proposed development type and location for which consistency of the City's actions can be considered.

In approving the project, the City found that with the 30-foot blufftop setback for project structures left open, views to and along the coast would not be blocked and would thus be protected. In a response to a comment provided by Commission staff on the project's environmental document, incorporated within the findings for approving the project, the City further discussed its consideration of the effects of the project to coastal views from nearby public streets and recreational areas, stating:

...The aesthetic analysis discloses that the hotel will block southwesterly ocean views along the Front Street corridor. The views from Front Street are fairly open, due to the flat topography and the open character of existing development in the area.

Views from Front Street to Battery Point and the Battery Point access, for example, would not be blocked. Views along A Street will also not be blocked because no part of the hotel will be located within the right-of-way. The proposed closure of A Street between Front and Second Streets, is to accommodate parking,

landscaping and walkways. These features may partially obscure the views along the A Street (*sic*), but viewing vantage points will be preserved. (emphasis added)

City staff also prepared a sight-line diagram of views from the Battery Point recreation area, noted as "Figure 1" (see Exhibit No. 7). In their comment response, they continue by discussing the significance of this exhibit in their analysis of the visual concerns identified by Commission staff:

The commenter states that the visual settings will be significantly altered and views will likely be blocked. The attached diagram (Figure 1) indicates the location of the hotel and vistas from the identified viewpoints. As shown in the diagram, views and vistas from access points would not be blocked. From Battery Point, blue water and offshore rocks to the northeast will still be visible. The hotel conforms to height and area limits in the adopted coastal plan. The hotel design incorporates exterior treatments (earthtone colors, wood-like and masonry materials, structure angles at several points to emulate the adjacent coastline, low roofline, and use of balconies) to reduce visual impacts. The project will also be landscaped to reduce visual impacts.

Other Open Space areas, such as Beachfront Park or the beach adjoining the project site to the west, were not included in the City's view assessment. However, due to either their distance from the project site and/or the differences in topography causing coastal views to be obscured, these impacts are not likely to be significant. Furthermore, the City's findings did not address views to and along the coast from Front and "A" Streets. Nevertheless, the public streets abutting the project site are not zoned Open Space. Consequently, in the absence of other policies directing consideration of visual impacts from these areas (i.e., traffic visibility at intersections), assuring the preservation of city streets as vista areas is not a policy or standard of the certified LCP.

Taking into account the five guiding factors for determining whether an issue that has been raised is substantial, the Commission finds that a substantial issue does not exist with regard to the project's conformance with LCP policies that assure preservation of vista area uses on lands zoned Open Space because:

- Given the distance to Beachfront Park from the project site ( $\pm 650$  feet) and the lower elevation of the adjoining beach effectively precluding landward views, the significance of the coastal visual resources (i.e., views from certain Open Space vista areas) affected by the City's decision are minor; and
- The degree of factual and legal support for the local government's decision that the development is consistent with the certified LCP is significant. The City analyzed view effects from the most prominent and recognized Open Space zoned area, the Battery Point recreational area. Although other Open Space areas do exist in proximity to the project site, the views they afford are evidently diminished by their distance from the

coast and the surrounding topography. Thus, the City's choice to not conduct view impact analysis for these areas was not a serious omission in their review of the project;

Therefore, the Commission finds that the appeal raises no substantial issue regarding conformance of the project as approved by the City with the LCP policy regarding assuring the preservation of the use of lands zoned Open Space for vista area uses.

**E. INFORMATION NEEDED FOR DE NOVO REVIEW OF APPLICATION**

As stated above, Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which an appeal has been filed. Section 30621 of the Coastal Act instructs the Commission to provide for a *de novo* hearing on all appeals where it has determined that a substantial issue exists with respect to the grounds on which an appeal has been filed. If the Commission finds substantial issue as recommended above, staff also recommends that the Commission continue the *de novo* hearing to a subsequent date. The *de novo* portion of the appeal must be continued because the Commission does not have sufficient information to determine what, if any, development can be approved, consistent with the certified LCP and the public access and public recreation policies set forth in the Coastal Act.

Given that the project the Commission will be considering *de novo* has come to the Commission after an appeal of a local government action, the Commission has not previously been in the position to request information from the applicant needed to determine if the project can be found to be consistent with the certified LCP and the public access and public recreation policies set forth in the Coastal Act. Following is a discussion of the information needed to evaluate the development.

**Coastal Access and Recreation**

In approving the project, the City's adopted findings based upon information contained in the staff report and environmental document. The following discussion was provided as a response to comments regarding potential impacts to public access and recreational facilities:

The MND (Mitigated Negative Declaration) considered demand for recreational facilities and concluded that potential increase in demand would not exceed capacity. Increased demand is anticipated at adjacent recreational areas, including the Battery Point and Beachfront Parks, however, these parks appear to have sufficient capacity to accommodate increased use. The hotel guests will also have an area adjacent to the west of the hotel that will have an access trail and passive recreational areas for their use.

Section 30212 of the Coastal Act stipulates that public access from nearest public roadway to the shoreline and along the coast will be provided in new development, except where it would be incompatible with public safety, military, environmentally sensitive areas or agricultural areas, or

if adequate access is located nearby. Further, Coastal Act Section 30252 provides that assurances are made that no overloading of nearby coastal recreation areas will result due to the recreational needs of new residents through correlating the amount of development with local park acquisition and development plans with provisions for onsite recreational facilities to serve the new development. In hearing the project *de novo*, the Commission will need to consider these factors. To fully assess the degree of public access appropriate for the proposed project, the Commission will require a coastal access survey and impact analysis addressing the direct and cumulative effects of the proposed resort hotel project. The scope of the survey should include an analysis of the increase in public access use that would be generated by hotel guests and other visitors to the hotel, and the effects of the increased public access use on all coastal access and recreational facilities within a ½ mile proximity to the project site. The study should include quantifiable assessments of the effects of projected hotel occupant and guest use levels of these facilities and whether overcrowding would result.

#### Geologic Stability

The City's approval of the resort hotel complex first phase included findings that state:

The northern California coast is considered seismically active, and portions of the project site are identified as having moderate to high geologic risk. The portion of the site proposed for the hotel structure has been determined to be in a low geologic risk area. There is the potential for strong seismic ground shaking during a major a seismic event. Certain structural and foundation measures, and setbacks, are proposed to reduce the risk.

The proposed hotel has been set back from the bluff edge. The geotechnical report assessed the geologic stability of the site. Areas of highest risk, which are behind the coastal bluff, are not proposed for development other than pathways and landscaping. Based on the geotechnical analysis, the location of the hotel is determined to be an area of low risk.

Coastal Zoning Ordinance Section 17.82.010 instructs that a coastal permit shall assure that a project site is suitable and adequate for the proposed use. Given the above findings, *de novo* analysis of the coastal development permit application by the Commission would involve consideration of geologic hazard issues and associated policies and standards of the certified LCP. In addition to the substantiation of site geologic stability in terms of coastal erosion bluff retreat, these issues will likely include liquefaction and tsunami hazard exposure risks. Accordingly, the following additional information is needed:

- 1) A estimated bluff retreat rate for the project site based upon a review of the most currently available scientific data (e.g., recent aerial photo-grammetry, other contemporary coastal erosion studies) projected for a minimum of a 75-year useful economic life for the structure at the selected building site location;



- 2) Quantitative assessment of site liquefaction hazards and the depth of structural piles needed to assure foundation stability during seismic-related ground subsidence events. The liquefaction hazard should be evaluated by Standard Penetration Test (SPT) data and through calculation of a liquefaction factor of safety for various depths based on the maximum credible earthquake and SPT results; and
- 3) A complete evaluation of the tsunami risk posed by the maximum credible earthquake projected for the Crescent City area, resulting from either a distant or local seismic source. Specifically, measures for anticipating a large tsunami should be identified and assessed as to their adequacy to minimize risks to life and property (e.g., setbacks, floor-height restrictions, structural treatments, warning systems, evacuation provisions).

Without the above information, the Commission cannot reach a final determination concerning geologic hazards consistency of the project with the public access and recreation policies of the LCP and Coastal Act, and with the geologic hazard policies of the LCP. Therefore, before the Commission can act on the proposed project *de novo*, the applicant must submit all of the above-identified information.

**EXHIBITS:**

1. Location Map
2. Jurisdiction Map
3. Site Plan Maps
4. Notice of Final Action and Findings and Conditions of Approval, June 30, 2000
5. Appeal to Commission, July 13, 2000
6. Geotechnical Report (Soils and Foundation Investigation) related to subject site
7. View Sight-line Analysis Diagram
8. State Board of Registration Publication – “Guidelines for Engineering Geologic Reports”
9. Division of Mines and Geology Note DMG #41– “General Guidelines for Reviewing Geologic Reports”
10. Correspondence



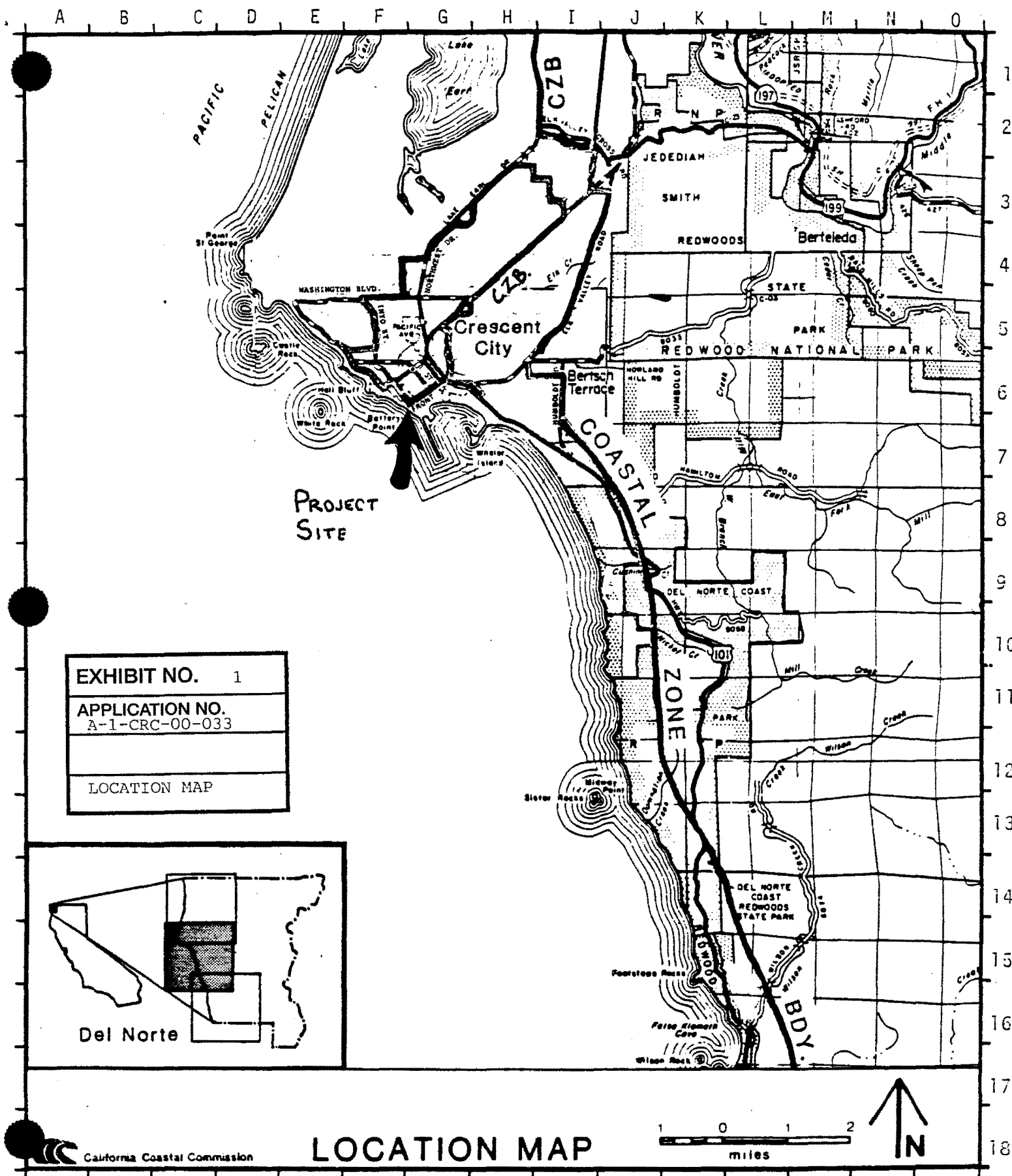
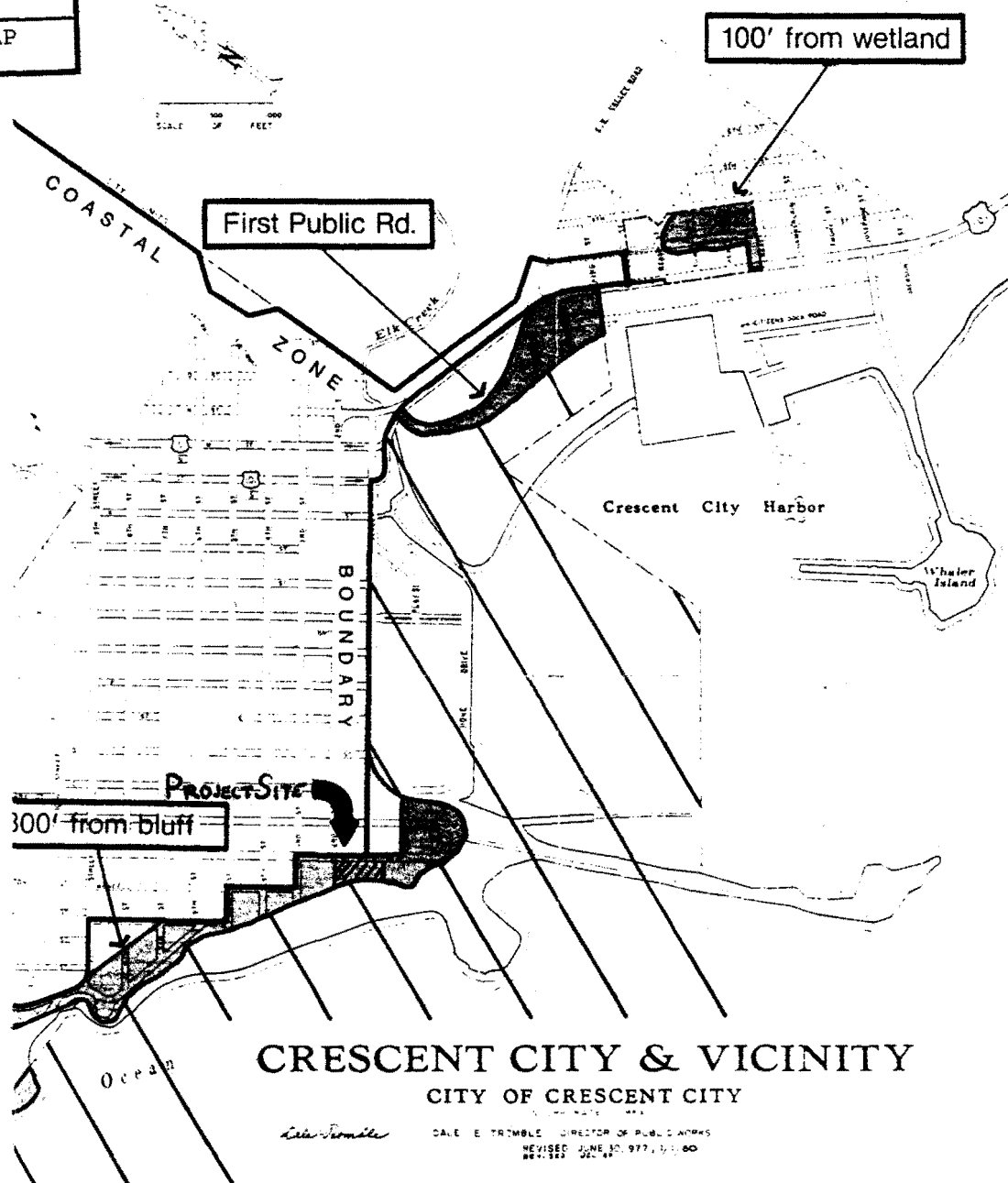


EXHIBIT NO. 2

APPLICATION NO.  
A-1-CRC-00-033

JURISDICTION MAP



ertification  
eal Jurisdiction

SCENT CITY

oastal Commission



**Permit Jurisdiction**

This area includes only lands below the mean high tide line and lands where the public trust may exist.



**Appeal Jurisdiction**

This area includes lands between the sea and the designated first public road paralleling the sea or 300' from the inland extent of any beach or of the mean high tide line if there is no beach, whichever is the greater distance. Also included are lands within 100' of streams and wetlands and lands within 300' of the top of the seaward face of coastal bluff.

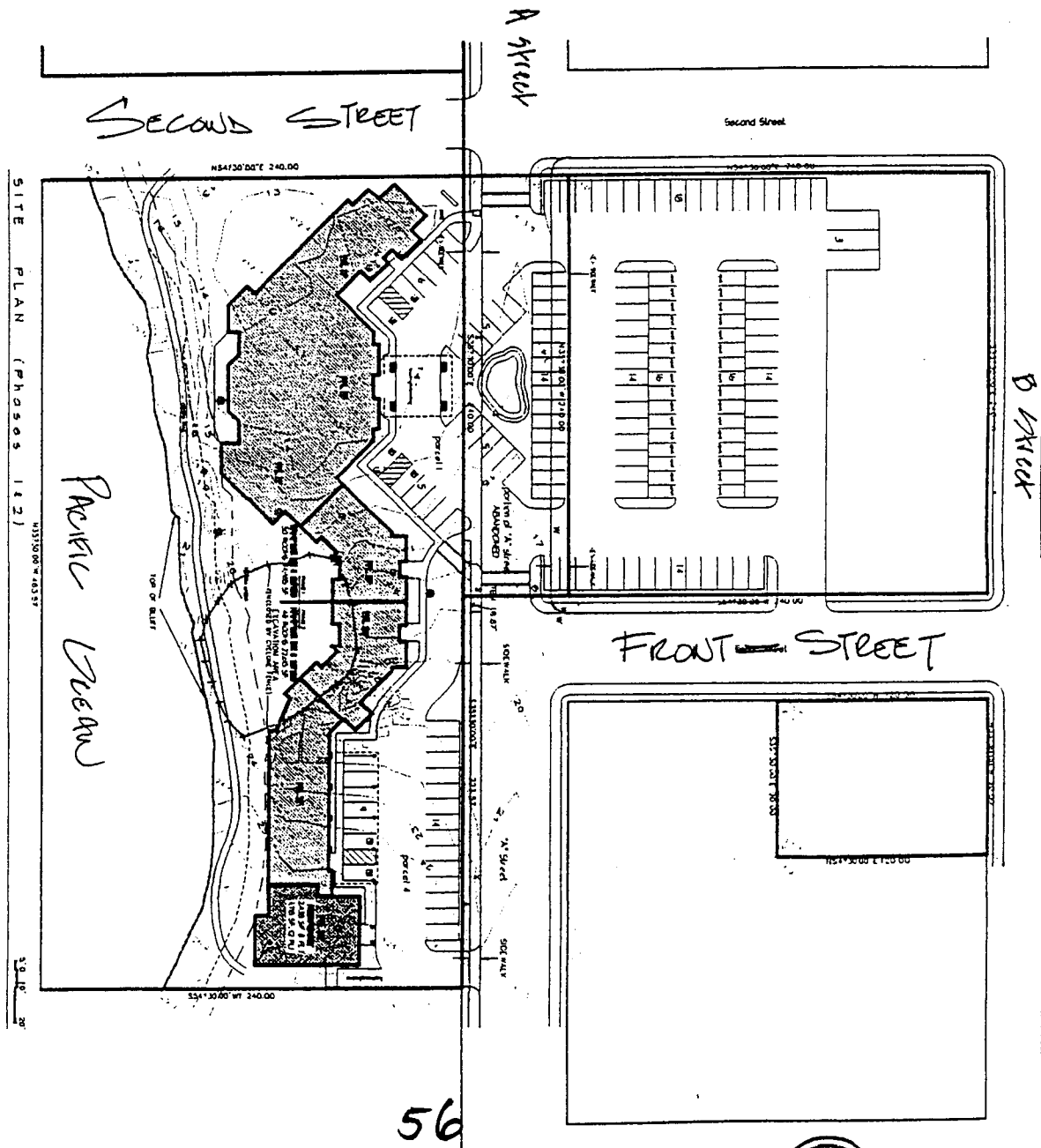
LL, DC, 1/82

REV. 2/82

EXHIBIT NO. 3

APPLICATION NO.  
A-1-CRC-00-033

SITE PLAN MAPS  
(2 pages)



A-1

SCHEMATIC DRAWINGS  
• Site Plan

HAMPTON INN and SUITES  
for  
NAO JIN YUAN  
"A" Street, Crescent City, Ca.

PHILIPPE LAPOTRE  
ARCHITECT  
2430 GREENWOOD RESIDENTS  
SUNSHINE CO. 94584 Phone 424-1157



REVISIONS



EXHIBIT NO.	4
APPLICATION NO.	A-1-CRC-00-033
NOTICE OF FINAL ACTION, FINDINGS, & RECOMMENDATIONS OF THE PLANNING COMMISSION (8 pages)	

RESOLUTION NO. 2000-01

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT CITY APPROVING A COASTAL DEVELOPMENT/USE PERMIT TO OPERATE A 50-UNIT DESTINATION RESORT HOTEL

APN: 118-020-28, 118-040-33&34, 118-030-07

WHEREAS, Del Norte Healthcare District / Xiao Jin Yuan have applied for a Coastal Development Permit/Use Permit #66 to operate phase 1 of the Redwood Oceanfront Resort hotel.

WHEREAS, hotels require a Coastal Development Permit/Use Permit in the Coastal Zone – Residential Professional (CZ-RP) zone.

WHEREAS, The Planning Commission has held a noticed public hearing regarding this application; and

WHEREAS, The City of Crescent City, after preparation of an initial study and mitigation measures, has found that potential impacts due to the proposed hotel project can be mitigated to less than significant levels, and approves a Mitigated Negative Declaration; and

WHEREAS, The Planning Commission finds phase 1 of this project consistent with the City zoning ordinance and General Plan; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City that a Use Permit for phase 1 of the Redwood Oceanfront Resort be approved with the following conditions:

1. Compliance with applicable City requirements including height limits, landscaping, setbacks, signage, fencing, parking, water connections, drainage improvements, and wastewater discharge shall be determined based on review of building and site plans and shall be approved prior to issuance of a building permit for phase 1.
2. A lighting plan will be required, showing that all exterior lighting, both affixed to the structure and on light standards, will be properly shielded and directed so as not to cause glare or illuminate offsite areas, except for illumination of adjacent public rights of way for safety.
3. A sign advising visitors of the sensitivity of seals to disturbance, particularly from April to June, shall be placed in a visible location on the site. The Northcoast Marine Mammal Center or Crescent Coastal Research shall be contacted for information on the seals and options for signage.
4. A sign advising of the sensitivity of intertidal habitats and encouraging visitors to keep to established paths, coastal accesses and viewing areas shall be placed on the portion of the site near the intertidal areas.

5. A sign, or signs as appropriate, shall be posted directing the guests of the restaurant and hotel to the nearest designated coastal access route.
6. Should archeological resources be unearthed during construction, construction for that portion of the site containing the resource shall be stopped until a qualified archeologist can be consulted and appropriate steps taken.
7. No portion of the structure is allowed in the high risk zone and a maximum of a five foot encroachment is allowed in the moderate risk zone. The applicant shall submit annual reports to the City, assessing impacts in the high and moderate risk zones, and to the adjacent bluff area, due to the proposed project or adjacent bluff retreat. This assessment is to include recommendations, to provide stability and structural integrity, and minimize erosion, other than construction of protective devices that would substantially alter the natural landform. These recommended improvements, upon approval by the City, would be the responsibility of the property owner.
8. The recommendations included in the soils and foundation investigation prepared by the project engineer, and included in the Mitigated Negative Declaration for the site, shall be implemented.
9. The minimum floor elevation of the structure must be at least 17 feet above sea level, to conform with City tsunami requirements. The applicant must also submit a tsunami evacuation preparedness plan for hotel guests and employees. This plan including signage, route diagrams and related materials must be in place prior to issuance of a Certificate of Occupancy.
10. Detailed drainage plans showing surface water flowing to stormwater drain inlets or other appropriate disposal techniques must be approved prior to issuance of building permit.
11. The project shall include installation of appropriate acoustical screening on exterior mounted exhaust and H/VAC systems to reduce noise to the 65 decibel maximum.
12. All construction equipment with the potential to generate noise offsite greater than 70 dB shall be equipped with mufflers in good working order. Construction hours will be limited to between 7:00 A.M. and 7:00 P.M. except during emergencies.
13. During the construction phase of the project, any day when soil moisture conditions allow dust to be generated, the ground shall be watered as necessary to minimize dust.
14. Dry water pipes and standpipes shall be constructed to the satisfaction of the Fire Chief, to allow water to be pumped from existing City hydrants to the bluff edge to allow Fire Department personnel to fight beach fires.
15. Incorporate the two stop signs recommended in the traffic study into the project. Redesign of adjacent intersections for improved traffic flow will be included in the final project design.



16. Applicant shall obtain a Certificate of Occupancy prior to occupancy of the premises and commencing of operations.
17. All signage shall conform with the requirements of the Crescent City Zoning Ordinance.
18. The driveway entrances and other improvements in the public right of way shall comply with City standards as determined by the Crescent City Public Works Department.
19. The authorized development shall be completed within two years (24 months) from the effective date of the use permit, unless a 12-month extension is applied for and approved by the Planning Commission. Any time extension application must be filed 45 days before the permit expires.
20. Any proposed expansion or modification of the authorized use, or change to different uses than those approved shall require the prior approval of an amendment of the use permit.
21. Solid waste and recyclable materials shall be kept in a closed container and removed on a regular basis.

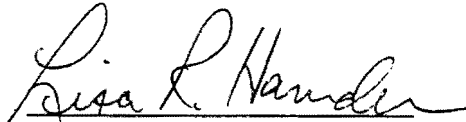
**PASSED AND ADOPTED** by the Planning Commission of the City of Crescent City on this 9th day of March, 2000, by the following vote:

<b>AYES:</b>	Clark, Gargaetas, Shearer, Tanner, Wheeler
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None



Fran Clark  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**



Lisa R. Harnden  
PLANNING COMMISSION SECRETARY

## Notice of Determination

To: ☒ Office of Planning & Research  
1400 Tenth Street  
Sacramento, CA 95814

From: City of Crescent City  
377 "J" Street  
Crescent City, CA 95531

FILED

☒ County Clerk  
County of Del Norte  
450 H Street  
Crescent City CA 95531

MAY 03 2000

CLERK - RECORDER  
COUNTY OF DEL NORTE

**Subject:** Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

**Project Title:** Redwood Oceanfront Resort and vacation of the A Street public right-of-way, between Front and Second Streets.

<u>2000012065</u>	<u>David Wells, City Manager</u>	<u>(707) 464-7483</u>
<b>State Clearinghouse Number</b>	<b>Contact Person</b>	<b>Area Code / Telephone / Extension</b>

**Project Location:** 100 A Street, Crescent City CA 95531, in Del Norte County

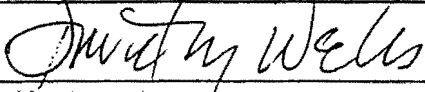
**Project Description:** Redwood Oceanfront Resort is a proposed 100 room destination resort and 4,500 square foot restaurant. The project will be built in two phases. The first phase consists of 50 rooms, with common area and services. The second phase consists of the additional 50 rooms and the 4,500 square foot restaurant. The structure will be approximately 445 feet in length, varying in width, from 85 to 45 feet, with a maximum height of 35 feet. The phase 1 area is 34,985 square feet and phase 2 is 22,615 square feet, for a total of 57,000 square feet. Other proposed improvements include parking areas, landscaping, a covered entryway, walkways, signage, and exterior lighting. The project includes the closure of A Street, between Front and Second Streets, and vacation of public right-of-way.

This is to advise that the City of Crescent City has approved the above described project on May 1, 2000, and has made the following determinations.

1. The project ☐ will, ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were, ☐ were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations ☐ was, ☒ was not adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments and responses and record of project approval is available to the General Public at:

The City of Crescent City, City Hall, 377 "J" Street, Crescent City CA 95531

	5/3/00	City Manager
Signature (Public Agency) David M. Wells	Date	Title

Date received for filing and posting at OPR:

## CITY OF CRESCENT CITY MITIGATED NEGATIVE DECLARATION

**PROJECT:** Redwood Oceanfront Resort

**NOTICE DATE:** January 18, 2000

**Application #:** CDP-2000-61  
**Application Type:** Coastal Development Permit  
**Applicant:** Del Norte Healthcare District  
**Location:** 100 A Street, Crescent City CA 95531

**Project Description:** Redwood Oceanfront Resort is a proposed 100 room destination resort and 4,500 square foot restaurant. The project will be built in two phases. The first phase consists of 50 rooms, with common area and services. The second phase consists of the additional 50 rooms and the 4,500 square foot restaurant. When both phases are completed, the hotel rooms, common areas, and restaurant will be a single structure approximately 445 feet in length and varying in width, from 85 to 45 feet. The structure will be three stories in height, with a maximum height of 35 feet, except for the restaurant which will be two stories. The phase 1 structure area is 34,985 square feet and phase 2 is 22,615 square feet, for a total of 57,000 square feet. Other proposed improvements include parking areas, landscaping, a covered entryway, walkways, signage, and exterior lighting. The closure of A Street, between Front and Second Streets, and vacation of public right-of-way, is also included in the application.

### **FINDINGS:**

This project is subject to the provisions of the California Environmental Quality Act (CEQA). The City of Crescent City, after preparation of an initial study and mitigation measures, has found that the project will not have any significant impacts and makes the following findings:

- a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b) The project, with mitigation measures incorporated into the conditions of approval, does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
- c) The project, with mitigation measures incorporated into the conditions of approval, does not have impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and of probable future projects).
- d) The project, with mitigation measures incorporated into the conditions of approval, does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

## FACTS SUPPORTING FINDINGS

**Aesthetics:** The proposed structure will be set back 30 feet from the top of bluff, to preserve views along the coastline. The views to the major scenic feature in the area, the Battery Point Lighthouse, from vista points along Pebble Beach Drive, will not be adversely impacted. A lighting plan is required to include shielding to minimize off-site light and glare.

**Land Use:** The project is located in the Coastal Zone, and is consistent with the City General Plan and Local Coastal Plan. With a zone change for phase 2, the project will conform with land use requirements.

**Biology:** There are certain protected species in the project vicinity, but not on the project site, and no direct impact or habitat modification that would result from the proposed project. The project will be conditioned to provide signage about the presence of sensitive marine species and directions to appropriate coastal access points to minimize impacts on biological resources.

**Geology:** The northern California coast is considered seismically active, and portions of the project site are identified as having moderate to high geologic risk. The portion of the site proposed for the hotel structure has been designated as a low geologic risk area. There is a potential for strong seismic ground shaking during a major seismic event. Certain structural and foundation measures, and setbacks, are proposed to reduce this risk.

**Cultural Resources:** A cultural resources investigation determined that no significant cultural resources are present on the site.

**Traffic:** The project proposes the closure of A Street, between Front and Second Streets. This will result in increased traffic on adjacent streets however the level of service for the roads and intersections in the vicinity of the project is very good with a corresponding free flow of traffic. The project will not significantly alter the level of service of these streets and intersections, and projected traffic volumes are below street capacity. Traffic analysis determined that adequate time intervals between vehicles allow for generally free turning movements with little resulting vehicle accumulation at stop signs. Additional stop signs and roadway improvements will maintain City circulation standards.

## MITIGATION

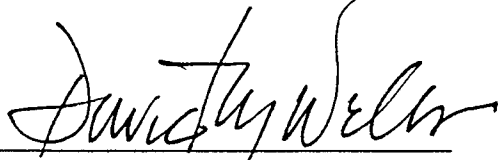
Mitigation measures include: a lighting plan showing proper shielding for exterior lighting, both affixed to the structure and on light standards; adherence to City height requirements; signage for protection of marine resources and for coastal access; appropriate investigation and documentation of cultural resources discovered during construction; setbacks from identified geologic risk zones; a minimum structure floor elevation of 17 feet to meet City tsunami elevation standards; insulation, acoustic screening and hours of operation to reduce noise impacts; construction of on-site fire suppression improvements; and additional stop signs and street improvements;

**COMMENT PERIOD:**

January 18, 2000 to February 18, 2000

**DATE OF INITIAL STUDY:**

January 12, 2000

A handwritten signature in dark ink, appearing to read "David M. Wells". The signature is fluid and cursive, with the first name "David" and last name "Wells" clearly distinguishable. It is written over a horizontal line.

David M. Wells, City Manager

City of Crescent City

377 J Street

Crescent City, CA 95531

**RESOLUTION NO. 2000-02**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT  
CITY APPROVING "A" STREET CLOSURE AND RIGHT-OF-WAY VACATION  
APN: NONE**

**WHEREAS,** The City of Crescent City proposes the closure of A Street, between Front and Second Streets, and vacation of the public right of way; and

**WHEREAS,** The Planning Commission has held a noticed public hearing regarding this application; and

**WHEREAS,** The City of Crescent City, after preparation of an initial study and mitigation measures, has found that potential impacts due to the proposed street closure and vacation can be mitigated to less than significant levels, and approves a Mitigated Negative Declaration; and

**WHEREAS,** The Planning Commission finds that the action is in conformity with City access, circulation and recreation policies ; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Planning Commission of the City of Crescent City that it be recommended to City Council that A Street be closed between Front and Second Streets, and the right-of-way be vacated subject to the following condition:

1. A public utility easement, conveyed to the City for the full width of the current right-of-way, shall be and recorded on all adjacent parcels that will receive portions of the vacated street.

**PASSED AND RECOMMENDED TO THE CITY COUNCIL** by the Planning Commission of the City of Crescent City on this 9th day of March, 2000, by the following vote:

<b>AYES:</b>	Clark, Gargaetas, Shearer, Tanner, Wheeler
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None



Fran Clark  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**



Lisa R. Hamden  
PLANNING COMMISSION SECRETARY

## CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

MAILING ADDRESS:

710 E STREET • SUITE 200

P. O. BOX 4908

EUREKA, CA 95501-1865

EUREKA, CA 95502-4908

PHONE (707) 445-7833

FACSIMILE (707) 445-7877

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENTCALIFORNIA  
COASTAL COMMISSION

Please Review Attached Appeal Information Sheet Prior To Completing  
This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Commissioners Christina L. Desser and John Woolley

(See Attachment 1)

Zip

Area Code

Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Crescent City

2. Brief description of development being appealed:

Phased 100-room designation resort and 4,500-sq.ft. restaurant;

Vacation (closure) of "A" Street public road right-of-way between

Front and Second Streets

3. Development's location (street address, assessor's parcel  
no., cross-street, etc.):100 "A" Street, Crescent City, CA 95531; APNs 118-020-28, 118-030-07,  
118-040-33, and -34; Cross-streets: "A" Street at Front Street

4. Description of decision being appealed:

a. Approval; no special conditions: \_\_\_\_\_

b. Approval with special conditions: \_\_\_\_\_ ✓

c. Denial: \_\_\_\_\_

Note: For jurisdiction with a total LCP, denial  
decisions by a local government cannot be appealed unless  
the development is a major energy or public works project.  
Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-1-CRC-00-033

DATE FILED: July 13, 2000

DISTRICT: North Coast

EXHIBIT NO. 5

APPLICATION NO.

A-1-CRC-00-033

APPEAL TO COMMISSION  
(10 pages)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

a.      Planning director/Zoning ✓<sup>1</sup> c. Planning Commission  
Administrator

b. ✓<sup>2</sup> City Council/Board of      d. Other  
Supervisors

6. Date of local government's decision: 1: March 9, 2000 2: May 1, 2000

7. Local government's file number (if any): CDP/UP #66 (aka:2000-61)

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Del Norte Healthcare District (Applicant)	Xiao Jin Yuan (Agent)
Attn: Norma Reynolds	2467 41 <sup>st</sup> Avenue
875 Fifth Street	San Francisco, CA 94116
Crescent City, CA 95531	

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Mel Brooks  
P.O. Box 174  
Smith River, CA 95567
- (2) Bhanu Patel - Best Western Northwoods Inn  
655 Highway 101 South  
Crescent City, CA 95531
- (3) Tim Nelson - Travelodge  
353 "L" Street  
Crescent City, CA 95531
- (4) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION IV. Reasons Supporting This Appeal**

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

(See Attachment 2)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or  
Authorized Agent

Date 7/12/00

NOTE: If signed by agent, appellant(s)  
must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Page 3

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

(See Attachment 2)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed:   
Appellant or Agent

Date: 7/12/00

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT #1:  
APPELLANTS**

- |   |  |
|---|--|
| <p><input type="checkbox"/> <b>Paula Daniels</b><br/>Kudo &amp; Daniels, LLP<br/>12400 Wilshire Blvd., Suite 400<br/>Los Angeles, CA 90025-1023<br/>(310) 442-7900</p> <p><input checked="" type="checkbox"/> <b>Christina L. Desser</b><br/>2151 Pacific Street<br/>San Francisco, CA 94115<br/>(415) 561-2627</p> <p><input type="checkbox"/> <b>Shirley S. Dettloff, City Council Member</b><br/>City of Huntington Beach<br/>2000 Main Street<br/>Huntington Beach, CA 92648<br/>(714) 536-5553</p> <p><input type="checkbox"/> <b>Cecilia Estolano</b><br/>1954 Lemoyne Street<br/>Los Angeles, CA 90026<br/>(323) 662-6442</p> <p><input type="checkbox"/> <b>Christine Kehoe, City Council Member</b><br/>City of San Diego<br/>202 "C" Street<br/>San Diego, CA 92101<br/>(619) 236-6633</p> <p><input type="checkbox"/> <b>Gregg A. Hart, City Council Member</b><br/>City of Santa Barbara, City Hall<br/>P O Box 1990<br/>Santa Barbara, CA 93102<br/>(805) 564-5323</p> | <p><input type="checkbox"/> <b>Cynthia McClain-Hill</b><br/>McClain Hill Associates<br/>523 West Sixth Street, Suite 1128<br/>Los Angeles, CA 90014<br/>(213) 895-7010</p> <p><input type="checkbox"/> <b>Pedro Nava, Esq.</b><br/>Huskinson, Brown &amp; Nava<br/>1231 State Street, Suite 200<br/>Santa Barbara, CA 93101<br/>(805) 966-7223</p> <p><input type="checkbox"/> <b>Dave Potter, Vice Chair</b><br/>County of Monterey, District 5<br/>1200 Aguajito Road, Suite 001<br/>Monterey, CA 93940<br/>(831) 647-7755</p> <p><input type="checkbox"/> <b>Mike Reilly, Supervisor</b><br/>County of Sonoma<br/>575 Administration Drive, Room 100<br/>Santa Rosa, CA 95403-2887<br/>(707) 527-2241</p> <p><input type="checkbox"/> <b>Sara J. Wan, Chair</b><br/>22350 Carbon Mesa Road<br/>Malibu, CA 90265<br/>(310) 456-6605</p> <p><input checked="" type="checkbox"/> <b>John Woolley</b><br/>Board of Supervisors<br/>825 - 5<sup>th</sup> Street<br/>Eureka, CA 95501-1153<br/>(707) 476-2393</p> |
|---|--|

## ATTACHMENT #2: REASONS FOR APPEAL

The proposed coastal development project as approved by City of Crescent City raises a substantial issue of conformance to the coastal access policies of Chapter 3, Article 2 of the Coastal Act and the visual resources and geologic hazards exposure policies of the certified Crescent City Local Coastal Program (LCP), including Public Access Policy Recommendations 1 and 2, Recreation and Visitor-Serving Facilities provisions and Policy Recommendation No. 1, Coastal Visual Resources and Special Communities provisions, and Diking, Dredging, Filling and Shoreline Structures provisions and Policy Recommendation No. 3 of the Land Use Plan, and Section 17.82.010.B of the Coastal Zoning Ordinance.

### Policy Citations

Section 30210 of the Coastal Act states, *"In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse."*

Coastal Act Section 30212(a) states, *"Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

- (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*
- (2) Adequate access exists nearby, or,*
- (3) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway."*

LCP Public Access Policy Recommendation No. 1 (p. 8) states in applicable part, *"The City recognizes the importance of access to and along (the) shoreline... If in the future, the City finds that existing public accessways are inadequate to meet recreational needs, it shall encourage the development of additional accessways consistent with the City's ability to pay maintenance costs and obtain funding to develop said areas."*

LCP Public Access Policy Recommendation No. 2 (pp. 8-9) states in applicable part, *"The City may accept Seaside Hospital's offer for dedication of the western edge, provided funding can be obtained prior to accepting any access. The City will not oppose any other agency, so approved by the Executive Director of the Coastal Commission, from accepting offers of dedication."*

LCP Recreation and Visitor-Serving Facilities Chapter (p. 14) includes the following among its list of *"City Recreational Areas:"* *"Harbor-City Bicycle Path – The Bicycle Path starts at Pebble Beach Drive in the City and crosses over 5<sup>th</sup> Street to 'A' Street to Battery Drive to Howe Drive to 101 down 101 to Sunset Circle to the Harbor. Where it*

*crosses over Elk Creek there is a City built bridge. This path gives a complete view of the ocean and recreational opportunity within Crescent City.*" (emphases added)

LCP Recreation and Visitor-Serving Facilities Policy Recommendation No. 1 (p.17) states: *"The City shall allow assure the preservation of areas which are zoned Open Space in a manner consistent with the uses allowed in Open Space areas."*

Coastal Zoning Ordinance Section 17.71.020 (pp. 253-24 & -25) includes among its list of permitted uses on public property within the Coastal Zone Open Space District the following:

- ...2. Vista areas; ...
- 6. Wildlife preserves; ...
- 7. Geologic feature preservation..."

Section 30251 of the Coastal Act, incorporated within the "Relevant Data" section of the LCP's Coastal Visual Resources and Special Communities Chapter, states in applicable part: *"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas..."*

LCP Coastal Visual Resources and Special Communities Policy Analysis (p. 21) observes the following regarding the project site area: *"The residential and open space areas, i.e., from Pebble Beach Drive south to Highway 101, are well maintained and visually appealing. There appears to be little reason that these visual and scenic resources would not be protected particularly if the City adopts the police (sic) of maintaining all existing residential and open space areas. The present developments and lack of development within these areas protects the views to and along the coast and there is little chance of alteration of natural land forms."*(emphasis added)

LCP Diking, Dredging, Filling and Shoreline Structures Chapter includes the following discussion regarding the project site within its "General Conditions" section (pp. 33-35): *"The problem within the City area concerns the erosion by waves and currents of the beach areas along the reach of shoreline between the Seaside Hospital area and Ninth Street in the Crescent City. The erosion, which has been progressive, is now critical along several areas of the beach... A comparison on (sic) C.O.E. surveys taken in 1975 and in 1965 shows that the bluff retreat has varies from 0 to 4 feet per year. The average erosion rate is estimated to be about one foot per year between the Battery Point and Second Street..."*

*"In September, 1975, a new beach profile was taken near Seaside Hospital. The study shows a new loss of 30,000 cubic yards of sand since the survey of 1975. In September of 1975, approximately 75,000 cubic yards of sand (originally 600,000 cy placed in 1973-74) was left on the beach.... The bluff along the west side of Seaside Hospital will*

continue to erode and that the buildings will again be in danger is a distinct possibility."  
(emphases added)

LCP Diking, Dredging, Filling and Shoreline Structures Policy Recommendation 3 (p.37) states: "The City of Crescent City shall, in conjunction with the Harbor District, County of Del Norte, Del Norte Hospital District, Coastal Commission staff, and the Dept. Of Fish and Game, develop a sand management program for any dispersal of sand on the beach area west of the Seaside Hospital. The plan shall include, but not be limited to, amount of sand to be placed yearly, months of the year when placement is possible, hours of operation and the need for (an) annual sand budget.

"The City has established a priority for placement of such dredge sand west of Seaside Hospital in order to arrest the erosion of the bluffs within this location as long as such placement is in conformance with the finalized sand management program."

Coastal Zoning Ordinance Section 17.60.010 provides, in applicable part, the following statement of purpose for the establishment of coastal zone regulations (p. 253-1):

"These zoning regulations are adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, the regulations are adopted to achieve the following objectives: ...

"E. To promote and protect properly located commercial and industrial activities in order to preserve and strengthen the city's economic base;"

Coastal Zoning Ordinance Section 17.82.010 provides, in applicable part, the following statement of purpose for the required issuance of coastal zone use permits (p. 253-51):

"A. These provisions do not negate the specific uses designated for each zoning district, but rather serve as a supplemental guide providing added protection to existing zoning districts and at the same time encouraging orderly growth.

"B. The purpose of issuing a use permit shall be:

1. To assure that the degree of compatibility with the purpose of this chapter be maintained with respect to the particular use on the particular site and consideration of other existing and potential uses within the general area in which such use is proposed to be located; and...
3. To assure that such use will be placed on the site that is both suitable and adequate and that the use will have a minor effect on traffic...as well as other matters pertinent to the particular case. [Ord. 587 (part), 1983.]"  
(emphases added)

### Conformance Analysis

Coastal Access and Recreation: Two of the four parcels involved in the proposed visitor-serving facility development project are located between the first public road and the sea in a highly scenic area along the west side of the City of Crescent City in a sparsely developed area characterized by a mixture of single-family residences, residential-professional offices, and large open grassy vacant parcels atop a coastal terrace. The project site is planned for Commercial and Medical Related development, implemented

through Commercial Waterfront and Residential-Professional zoning designations. The beach adjacent to the project site is planned and zoned Open Space. The project site is located between two established coastal access points, the Battery Point Lighthouse Park and the Third Street beach trailhead. No public access would be provided by the project as approved.

In reviewing the project the City justified its lack of requiring provisions for public access in new development by observing the proximity of nearby accessways. Neither in the consideration of the use permit or the environmental document did the City consider substantive information regarding the potential effects of overuse on nearby coastal natural resource areas from a 100-room resort facility. Analysis was limited to conclusionary statements directed toward the adjoining accessways, observing that these areas "... appear to have sufficient capacity to accommodate increased use." The staff report further observed, "The hotel guests will also have an area adjacent to the west of the hotel that will have an access trail and passive recreation areas for their use."

Therefore, the Planning Commission's approval of the coastal development permit raises a substantial issue of conformance with Coastal Act Sections 30210 and 30212 And LCP Recreation and Visitor-Serving Facilities Policy Recommendation No. 1, as no public access was required and the City did not factually consider the potential for overuse of nearby coastal natural resource due to increased coastal access demand associated with the project (i.e., beach crowding) or potential impacts from the development to Open Space uses (i.e., beach vistas or geological features). Neither did the City review the adequacy of existing public accessways to meet recreational needs as directed in LCP Public Access Policy Recommendation No. 1. Additionally, a substantial issue of conformance with LCP Public Access Policy Recommendation No. 2 is raised because the City did not consider the appropriateness of accepting an offer of dedication of the western edge of the project site for a substitute public access as directed in LCP Public Access Policy Recommendations 2.

Visual Resources: The proposed project involves the ultimate development of 57,000-sq.ft. of structural improvements spanning nearly the full width of two oceanfront parcels and extending to a 35-ft. height. Specific analysis as to the effects on coastal views was limited to the effects on views from the Battery Point recreational facility. The City concluded that no blockage of views along "A" Street would result based on "...no part of the hotel will be located in the right of way," and "... the hotel will be setback a minimum of 20 feet from the western edge of the right of way." The degree to which views would be obstructed from vantages along "A" Street, Front Street, or other surrounding public roads due to the presence of the hotel structure was not addressed. In addition, no assessment of effects to visual resources from other public areas (i.e., Oceanfront Park) was conducted.

With respect to the cited text policy within the LCP's Coastal Visual Resources and Special Communities Chapter, the project as approved raises a substantial issue of conformance with "...maintaining all existing residential and open space areas," to ensure that scenic resources are protected, as directed by the LCP.

Geologic Hazards: In reviewing the project, the Planning Commission considered the soils and foundation investigation (Lee Tromble Engineering, 8/25/99) prepared for the project. The report contained conclusions and recommendations for development of the structures based upon their location relative to "low," "moderate," and "high" stability risk zones. The format of the report was primarily textual, with technical materials limited to the inclusion of soil profile logs. No defining criteria or location mapping of the risk zones relative to the proposed structures were provided.

In addition, no discussion of past bluff erosion investigations cited in the LCP was included. The report limited its analysis of bluff retreat to the following statements:

"The coastal bluff is buttressed by vegetated piles of debris and rock and concrete chunks serving as riprap. It appears that portions of the bluff (most notably the northern section) was built-up with rip rap. This was likely done to protect the bluff from erosion when the property served as a hospital site. The rate of bluff retreat and nature of slope failures are the major geotechnical concerns constraining the placement of a structure on the site. Our field observations indicate that the coastal bluff is retreating at locations north of the site. However, based upon review of aerial photos, the well vegetated bluff face and past observations, I believe the present rate of bluff retreat is very low."

Thus, the geo-technical analysis conducted for the project did not note or discuss the cited previous conclusions within the LCP regarding the site's bluff retreat rate. Nor did the report address bluff stability for the anticipated economic life of the proposed hotel structures, but only observed the perceived current rate of retreat. Accordingly, the City's approval of the project raises a substantial issue with regard to conformance with the cited Coastal Zoning Ordinance provisions to assess the compatibility of the proposed use at the proposed site consistent with the protection and promotion of properly located commercial activities. In addition, the geologic stability analysis did not include discussion of the prioritized sand management plan as potential long-term mitigation for further losses to the project parcels as directed in LCP Diking, Dredging, Filling and Shoreline Structures Policy Recommendation No. 3. Thus, a substantial issue of conformance with this policy is raised.



LEE TROMBLE ENGINEERING

879 J Street, Ste. A  
Crescent City, CA 95531

Phone (707) 464-1293

FAX (707) 465-8358

August 23, 1999

Xiao Jin Yuan  
2467 41st Street  
San Francisco, CA 94122

EXHIBIT NO.	6
APPLICATION NO.	A-1-CRC-00-033
GEOTECHNICAL REPORT (11 pages)	

re: Soils and Foundation Investigation  
APN 118-020-28 (portion)

Dear Mr. Yuan:

This is to provide you with the results of my investigation of soils conditions at the site proposed for the construction of a destination resort on APN 118-020-28 (portion) in Crescent City, CA. As you know, this property was previously developed with Seaside Hospital, which has since been demolished and removed from the site. I have completed and performed the necessary field work and literature research in order to draw conclusions regarding soil conditions and to make recommendations for foundation design, site development, and construction for the proposed building.

The purpose for this report was to identify any hazardous slope instability or soils conditions existing at the property relative to your development and to provide information regarding the soils and their suitability for the proposed project and to offer recommendations as to the type of foundations that should be used and the soil capacity for those foundations. Also provided are recommendations concerning site grading and traffic area pavement structural sections.

This report evaluates the proposed site and can be used to aid in the preparation of plans and specifications for the proposed development. We performed our work and developed our conclusions and recommendations based on the preliminary conceptual plans, prepared by others, indicating the general size, layout and configuration of the proposed project.

From the preliminary plans, I assumed a two and three story, wood-framed structure supported on spread footings, both isolated and continuous. Water and sewer service are both from the City of Crescent City.

I visited the site in early August of this year. My visit consisted of traversing and inspecting the site, giving particular attention to the coastal bluff, the beach below and the general terrain encompassed within the proposed building site. During the visit, five (5) backhoe test pits were excavated to determine the soil strata. We also referenced maps prepared by the USGS and California Division of Mines and Geology, as well as reports for nearby properties. Included with this report is a location map which shows, among other things, site topography, location of the test pits and the coastal bluff.

The site is about 15 to 25 feet MSL on the western edge of a broad uplifted marine terrace overlooking the Pacific Ocean. The site is a part of the Battery Formation (map symbol Qb) which are marine terrace and sand deposits overlaying an abrasion platform. The abrasion platform consists of small to large blocks of erosion resistant rocks which are visible along and just off the beach as isolated seastacks and wave-cut rocks. On land, bedrock is recognizable as isolated knobs (former seastacks) within and adjacent to the bluff face. Borings by others indicate that a stiff siltstone bed lies between the bedrock and the terrace sediments.

The terrace sediments consist of marine terrace sands and gravels over the siltstone. Over the terrace sediments are silty sands and sandy silts arriving from the upland by soil development and mass wasting processes. Furthermore, our excavations revealed a substantial portion of the site (roughly the northerly half of the site) is overlain by approximately four to seven feet of silty sand or sandy silt fill of varying degrees of consolidation.

The coastal bluff is buttressed by vegetated piles of debris and rock and concrete chunks serving as rip rap. It appears that portions of the bluff (most noticeably the northerly section) was built-up with rip rap and soil to create a small berm. This was likely done to protect the bluff from erosion when the property served as the hospital site. The rate of the bluff retreat and nature of slope failures are the major geotechnical concerns constraining the placement of a structure on the site. Our field observations indicate that the coastal bluff is retreating at locations north of the site. However, based on review of aerial photos, the well vegetated bluff face and past observations, I believe the present rate of bluff retreat is very low.

The beach below the bluff consists of a beach face and at some locations, a berm. The berm is the back beach area between the base of the coastal bluff and the top of the beach face. The position of the berm crest marks the approximate limit of wave wash. Directly seaward of the lot the berm is about 5 feet high and 10 to 30 feet wide. It is vegetated with grasses and brush near the base of the bluff and is scattered over with driftwood logs. Although it would appear that the berm is a persistent geomorphic feature, in reality it is a temporal one. Although it can remain for decades, it probably could be removed by a single great storm or single winter's series of large storms.

The beach face is relatively steep (approximately 20 - 25%) consisting of coarse gravel and small round rock. The beach face is formed by wave wash and backwash surging between the berm crest and the lower limit of the normal tidal range. The beach slope varies seasonally and is divisible into "high" and "low" tide beaches.

### **GEOLOGIC HAZARDS AND LEVELS OF RISK**

We considered the following potential geologic hazards and addressed the associated level of risk of each at the site: 1) coastal bluff instability; 2) seismic shaking; 3) liquefaction; and 4) adverse soils conditions.

The terrace deposits over the south portion of the site have a Negligible liquefaction potential on the basis of their 1) relatively high degree of consolidation; 2) coarse grain size and/or abundance of trans-located clay; and 3) well drained condition. The risk of damage to structures on the southerly section of the site caused by ground failure due to liquefaction is Negligible.

As mentioned previously, the northerly portion of the site is overlain by fill soils, which are generally well consolidated. However, the fills were placed over uncompacted, loose density, sandy silt topsoils. These soils exhibit moderate to high liquefaction potential. As a result, we recommend cast-in-place concrete piers and reinforced concrete grade beams to support the structure in the filled areas. Provided the recommendations are followed, the risk of damage to structures caused by ground failure due to liquefaction is low.

### SOILS HAZARDS

In terms of geotechnical design considerations for the building foundation and driveway, we recognized two soils conditions that potentially could be hazardous if not mitigated: the presence of fill soils over the north project area of generally unknown consolidation and the fact that these soils were placed over unconsolidated, loose density topsoils. The approximate fill boundaries (and correlative foundation recommendations) are shown on the attached location map.

Over the southerly project area, conventional spread footings, both isolated and continuous, can be used to support the structure. Over the north project area, a pier and grade beam foundation is recommended to mitigate the upper soils hazards. The piers should gain vertical support from end bearing on the gravel and rock sediments underlying the topsoils present beneath the fill soils. Where fills are less deep and not subject to significant caving, the piers can again support from skin friction on the pier sides. Provided the recommendations are adhered to, the risk of damage due to soils hazards are Low. This soil and overlying topsoil are susceptible to soil slippage, soil creep, and raveling along the edge of bluff.

### RECOMMENDATIONS

REC 1. Based on our understanding of the proposed development plan, no additional geologic or soils engineering studies are necessary unless the foundation of the proposed structure extends more than 5 feet into the moderate risk zone (REC 2). The distance from the present edge-of-bluff to a line 5 feet into the Moderate risk zone is about 25 feet. If development plans change, contact this office so that we can review those plans to ascertain their conformance with the intent of our recommendations.

REC 2. Do not build in the High risk zone. Building foundations can encroach 5 feet into the Moderate risk zone.

REC 3. Building foundations situated on fill soils (northerly project area) must gain support from the gravelly subsoils underlying the prior topsoils. This portion of the structure should be supported on drilled, cast-in-place concrete piers, at least 18 inches in diameter. Also, the piers can gain support from skin friction for subsoils below the old topsoils or from end bearing on these same sandy gravel subsoils. We recommend a vertical skin friction value of 500 pounds per square foot beginning just below the old topsoils, or where old topsoils are not present, beginning just below the fill, be used. The skin friction value may be increased by 1/3 to account for wind and seismic loads. Cast-in-place concrete piers can also be designed using an allowable end-bearing of 5000 pounds per square foot for bearing directly on sandy gravel rock subsoils. In general, based on the explorations, the fill plus old topsoil depth ranges from four to seven feet below the present ground surface. We would anticipate pier depths of roughly to 12 feet deep although the actual pier depths would need to be confirmed in the field, subject to the design loads. The remainder of the foundation can be supported on spread footings or a pier and grade beam foundation as desired. (REC. 5)

Care should be exercised to keep pier holes free of debris, loose cuttings and fall-in prior to placing reinforcing steel and concrete.

Resistance to lateral loads may be provided by passive pressure equivalent to a fluid weighing 500 pounds per cubic foot (pcf), beginning at a depth of 2.5 feet and acting over 1.5 pier diameters.

REC 4. Slab areas should be prepared by sub-excavating under the slab area 18 inches, compacting the exposed subgrade to 90% relative compaction, and backfill the area with Class 2 aggregate base compacted to 90% relative compaction. The concrete floor slab should be supported on four (4) inches of  $\frac{3}{4}$  minus clean, crushed gravel and three (3) inches of compact coarse sand or gravel separated by a vapor membrane, "MOISTOP", or equivalent. The gravel should be compacted by 3 or more passes of a vibrating plate compactor. Slabs should be reinforced with at least No. 3 bars at 18-inches on center, both ways and be provided with scored joints to control the distribution of cracking, should it occur.

REC 5. Structures built in the southerly low risk zone can be constructed using foundation specifications per the current edition of the Uniform Building Code. However, the topsoil must be stripped from the footing path to a depth of 2.5 feet. For the allowable bearing values of the clayey silts that begin about 2.5 feet below the lot surface, use 1500 psf for dead plus live loads. Where foundation elements encroach 5 feet into the moderate risk zone (southerly area) a pier and grade beam foundation is recommended per REC 3 above using skin friction on the pier sides beginning at a depth of 2.5 feet below the original ground surface.

REC 6. Control roof and other residential runoff so that it does not become concentrated on the bluff face. A variety of simple, standard mitigation techniques will achieve this. Direct runoff to city streets and drainage facilities.

REC 7. Traffic areas shall be prepared by removal of the sod layer, 6" deep surface scarification and compaction to 90% minimum relative compaction before placement of the pavement structural section or engineered fill. The pavement section shall be 0.2 feet (min.) of compacted asphaltic concrete placed over 0.5 feet of aggregate base (minimum) compacted to 95% relative compaction. Asphaltic concrete and aggregate base shall conform to Cal Trans Specifications.

REC 8. Where engineered fills are necessary, clean the area to be filled to a sufficient depth to remove surface vegetation and weeds. Scarify and compact the surface per REC 7 above. After the area is compacted, excavation and/or filling can be performed. Any native soils at the sites locally which exhibit high potentials for expansion are not suitable for use as an engineered fill. Any imported fill material at the site should be a non-expansive material with a plasticity index of 12 or less. Any fill placed at the site should not contain rocks or lumps greater than 6 inches in dimension with not more than 15% larger than 2.5 inches. Fill should be compacted to at least 90% relative compaction by mechanical means only as determined by ASTM Test Designation D 1557-78. In addition, the fill should be placed within 2% of the optimum moisture content as determined by the same test. Fill should be placed in lifts not exceeding 8 inches in uncompacted thickness.

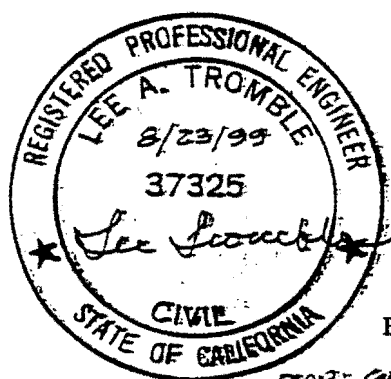
The data and conclusions presented herein are based on interpretations of surface features, natural soil exposures, our exploratory holes and literature research. Varying soil conditions are possible, however, due to the relative uniformity of the soils conditions found in our on-site investigation, we feel confident that there is no significant variations in soils types. However, we recommend that at the time of construction, we verify soil conditions under the building. This can easily be done at the time the foundation excavations are made.

Acceptable low geologic risks and soils hazards are based on the assumption that geologic and climatic processes in the region will continue to act as they have in the recent geologic past and will continue to do so over the economic life span of the project. The possibility exists, however remote, that a catastrophic seismic event will occur during the economic life span of the project. This means that future landowners must be willing to assume the level of risk related to large scale, improbable "Acts of God" such as tsunamis or land sliding caused from catastrophic seismic shaking.

I trust this provides you with the soils hazards and slope stability information necessary for development of this site. If you need any additional information or if I can be of further assistance, please contact me.

Very truly yours,

Lee Tromble



B-5

EXP: 6/30/00

879 J Street  
Crescent City, CA 95531

Phone (707) 464-1293  
FAX (707) 465-8358

OWNER	XIAO JIN YUAN	APN	118-020-28 (PTN)
ADDRESS	2467 41ST AVE.	DATE	8/12/99
	SAN FRANCISCO, CA	LOG BY	LT
JOB NO.	9047	HOLE NO.	1
REMARKS	BACKHOE		

DEPTH (FT.)	DESCRIPTION / REMARKS	COLOR	MOIST.	SAMPLE
0				
1	SILTY SAND FILL SCATTERED ROCK MED. STIFF, FIRM WELL CONSOLIDATED MOTTLED	BRNS, TANS, YELLOW BRNS	DAMP	No
2				
3	3.3'			
4	SILTY SAND MIXTURE OF TOPSOIL & SAND SUBSOIL, STIFF WHEN DRY, TO SOFT WHEN WET, ROOTS, POORLY CONSOLIDATED	DARK BLUE GRAY	DAMP TO MOIST	No
5				
6				
7	GROUND WATER @ 8' ±			
8	ROUNDED ROCK, COARSE SAND & GRAVEL FILLER VERY FIRM	GRAYS, SOME BROWNS	SAT.	No
9				
10	WEMENT			

B-6

# LEE TROMBLE ENGINEERING

201 Street  
San Francisco, CA 95531

Phone (707) 464-1293  
FAX (707) 465-8358

## EXPLORATION LOG

OWNER XIAO JIN YUAN

APN 118-020-28 (PTN)

ADDRESS 2467 41ST AVE.

DATE 8/12/99

SAN FRANCISCO, CA

LOG BY LT

JOB NO. 9047

HOLE NO. 2

REMARKS BACKHOE

DEPTH (FT.)	DESCRIPTION / REMARKS	COLOR	MOIST.	SAMPLE
0				
1	SILTY SAND FILL SCATTERED ROCK MED. STIFF, FIRM WELL CONSOLIDATED MOTTLED	BRNS, TANS, YELLOW BRNS	DAMP	No
2				
3				
4				
5	BEACH SAND / TOPSOIL (PROBABLY FILL) SOFT, POORLY CONSOLIDATED - LOOSE	GRAY	MOIST	No
6				
7	ROUNDED ROCK, COARSE SAND / GRAVEL FILLER FIRM	GRAYS, SOME BRNS.	MOIST TO SAT	No
8				
9	GROUND WATER @ 7' ±			
10	<u>432545</u>			

# LEE TROMBLE ENGINEERING

879 J Street  
Crescent City, CA 95531

Phone (707) 464-1293  
FAX (707) 465-8358

## EXPLORATION LOG

OWNER XIAO JIN YUAN APN 118-020-28 (PTN.)  
ADDRESS 2467 41ST AVE. DATE 8/12/99  
SAN FRANCISCO, CA LOG BY LT  
JOB NO. 9047 HOLE NO. 3  
REMARKS BACKHOE

DEPTH (FT.)	DESCRIPTION / REMARKS	COLOR	MOIST.	SAMPLE
0				
1	SILTY SAND FILL SCATTERED ROCK MED. STIFF / FIRM WELL CONSOLIDATED	BRNS, TANS, YELLOW BRNS	DAMP	No
2				
3				
4	SANDY SILT, FIRM, DENSE (POSSIBLY FILL) 4.5'	DULL TAN	DAMP	No
5	LOOSE SILTY SAND TO SAND, MED DENSE TO DENSE W/ DEPTH PARTLY CEMENTED (MOTTLED)	OLIVE BRN.	DAMP	No
6				
7				
8	No GROUND WATER			
9				



# LEE TROMBLE ENGINEERING

39 J Street  
Escent City, CA 95531

Phone (707) 464-1293  
FAX (707) 465-8358

## EXPLORATION LOG

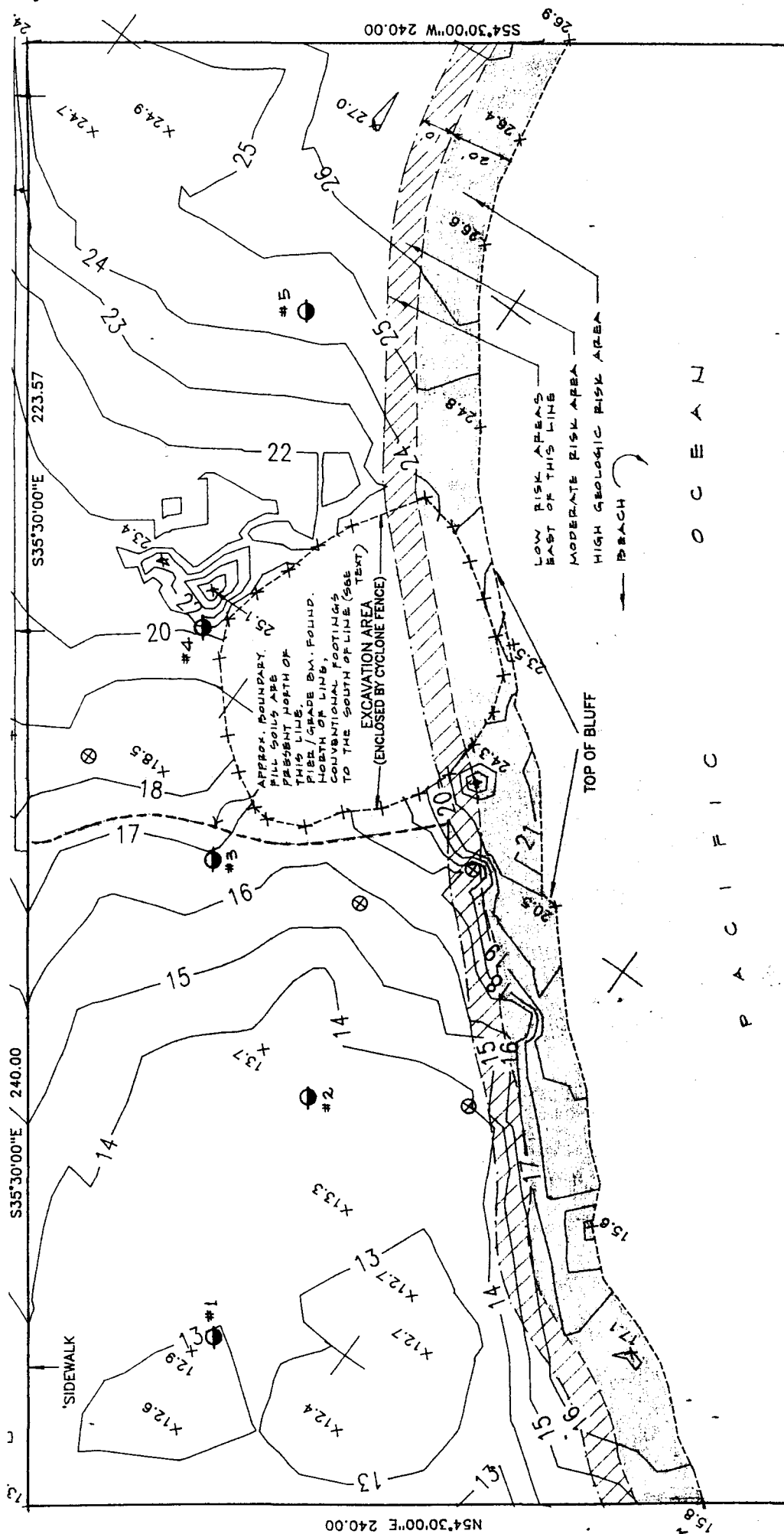
OWNER XIAO JIN YUAN APN 118-020-28 (PTN.)  
ADDRESS 2467 41ST AVE. DATE 8/12/99  
SAN FRANCISCO, CA LOG BY LT  
JOB NO. 9047 HOLE NO. 4  
REMARKS BACKHOE

DEPTH (FT.)	DESCRIPTION / REMARKS	COLOR	MOIST.	SAMPLE
0				
1	DENSE SILTY CLAYEY SAND MED. STIFF TO FIRM	YELLOW ORANGE BRN.	DAMP	No
2				
3				
4				
4.5'				
5	SILTY SAND TO SAND, LOOSE TO MED. DENSE	GRAY TO OLIVE BRN.	DAMP	No
6				
7	INCR. DENSITY W/ DEPTH LIGHTLY CEMENTED			
8				
9	No GROUND WATER			
10	MEASUREMENTS			

**LEE TROMBLE ENGINEERING**879 J Street  
Crescent City, CA 95531Phone (707) 464-1293  
FAX (707) 465-8358**EXPLORATION LOG**

OWNER XIAO JIN YUAN APN 118-020-28 (PTN)  
ADDRESS 2467 41ST AVE. DATE 8/12/99  
SAN FRANCISCO, CA LOG BY LT  
JOB NO. 9047 HOLE NO. 5  
REMARKS BACKHOE

DEPTH (FT.)	DESCRIPTION / REMARKS	COLOR	MOIST.	SAMPLE
0	TOPSOIL - LOAM	DK BRN	DAMP	No
1	0.7' SANDY SILT, FIRM STIFF	RED. BRN.	DAMP	No
2	1.5' SILTY SAND, DENSE, FIRM	YELLOW OR BRN.	DAMP	No
4	CLAYEY SILT / SILTY CLAY STIFF, FIRM	GRAY W/ YELLOW BRN. MOTTLES	DAMP	No
7	SANDY SILT TO SILTY SAND	BRN - OR. BRN. W/ OLIVE GRAY	MOIST	No
8	LIGHTLY CEMENTED, INCR DENSITY W/ DEPTH			
9				
10				



**N35°30'00"W 463.57**

4950 E 4th

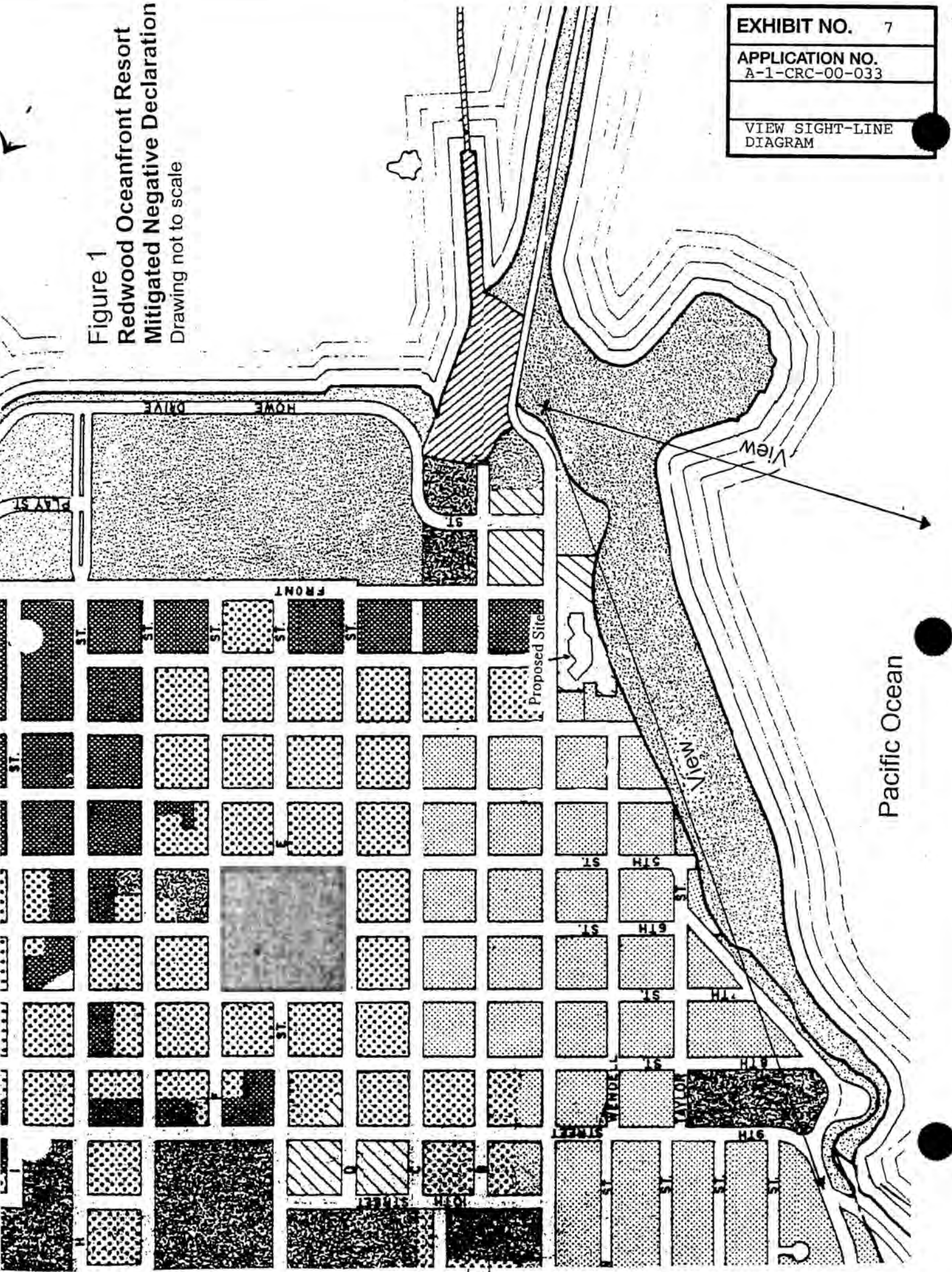
4800

E 480

4650

Figure 1  
 Redwood Oceanfront Resort  
 Mitigated Negative Declaration  
 Drawing not to scale

EXHIBIT NO.	7
APPLICATION NO.	A-1-CRC-00-033
VIEW SIGHT-LINE DIAGRAM	



## GUIDELINES FOR ENGINEERING GEOLOGIC REPORTS

### GENERAL INFORMATION

These guidelines suggest a format for reports. They do not include complete listings of techniques or topics, nor should all techniques described be used or all topics listed be dealt with in every project.

These guidelines are informational and are not regulations. Language used has been carefully gleaned of mandatory requirements. The guidelines have no force of law and do not set standards of practice. To be enforceable, the guidelines would have to be adopted as regulations in accordance with the Administrative Procedures Act.

On January 23, 1986, the Board of Registration for Geologists and Geophysicists (Board) passed the following resolution:

The Guidelines have been adopted as useful information documents. Not having been adopted as regulations in accordance with the Administrative Procedures Act, the Guidelines are not legally enforceable.

These guidelines have their roots in eight California Division of Mines and Geology (CDMG) notes, which were published in California Geology during 1973-75. The four guidelines which evolved through the Professional Affairs Committee for the Board of Registration from 1983 to 1989 are: *Guidelines for Engineering Geologic Reports*, *Geologic Guidelines for Earthquake and/or Fault Hazard Reports*, *Guidelines for Geophysical Reports*, *Guidelines for Groundwater Investigation Reports*.

### I. INTRODUCTION

These guidelines were prepared by the Technical Advisory Committee of the Board and adopted by the Board on April 18, 1998 to assist those involved in preparing or reviewing engineering geologic reports. The guidelines present general procedures suggested for use by geologists carrying out engineering geologic studies and, while they do not constitute a complete listing of all techniques for such studies, they do include most major topics. In the broad sense, nearly all engineering projects requiring geologic input are also engineering geology projects. Most of these involve identifying and evaluating geologic hazards, using the various exploration tools available today, as applicable, and developing appropriate mitigation measures, if necessary. Projects may include on-land and offshore structures, large excavations, buried tanks and disposal sites for hazardous, designated and nonhazardous wastes. Groundwater and its relationship to other site characteristics is an integral part of engineering geology. Additionally, past uses of a site are becoming increasingly important in evaluating its applicability for a new use.

EXHIBIT NO.	8
APPLICATION NO.	A-1-CRC-00-033
GUIDELINES FOR ENGINEERING GEOLOGIC REPORTS (6 pages)	

Engineering geology reports would be expected to be prepared by or under the direct supervision of a certified engineering geologist. Clear descriptions of work and unambiguous presentations of results are encouraged. If the report falls within the scope of the Geologist and Geophysicist Act (Business and Professions Code, Chapter 12.5), it must be signed by the responsible professional(s). If such reports include significant geophysical information, they should be cosigned by a registered geophysicist, or the signed geophysical report may be appended to the geological report. It is important that reports that present conclusions or recommendations based in part on field sampling or field or laboratory testing include the test results with adequate descriptions of the methods employed, and with specific reference to standard sampling, preservation, and testing methods, where appropriate. Where necessary, technical terms will need to be defined.

The following is a suggested guide or format for engineering geologic reports. These reports may be prepared for projects ranging in size from a single lot to the master plan for large acreage, in scope from a single family residence to large engineering structures and for sites in all manner of geologic terrain. Because of this diversity, the order, format and scope of the reports is flexible to allow tailoring to the geologic conditions and intended use of the site. The format is intended to be relatively complete; not all items will be applicable to small projects or low-risk sites. In addition, some items may be covered in separate reports by geotechnical engineers, geophysicists, or structural engineers.

## II. REPORT CONTENTS

### A. Purpose and Scope of the Investigation

Includes a brief description of proposed or existing site use; may also include a description of limitations of the work and authorization to perform the work. The design lifespan of the proposed project should be implicitly stated.

### B. Regional Geologic Setting

May include reference to geologic province and location with respect to major structural features.

### C. Site Description and Conditions

Includes information on geologic units, landforms, graded and filled areas, vegetation, existing structures, etc., that may affect the choice of investigative methods and the interpretation of data.

### D. Description of the Investigation

1. Review of the regional and site geology, and land-use history, based primarily on existing maps and technical literature.
  - a. Geologic hazards that could affect the planned use of the site.
    - 1) Significant historic earthquakes in the region.
    - 2) Fault traces that may affect the site. Is the site within an earthquake fault zone?
    - 3) Secondary earthquake effects, such as ground breakage in the vicinity of the site, seismically-induced landslides, differential tilting and liquefaction.

- 4) Regional effects, such as subsidence, uplift, etc.
- 5) Landslides or other earth movements at the site and vicinity.
- 6) Soil and rock properties such as high moisture content, low density, swelling, cementation, weathering, fracturing, etc.
- b. Other geologic conditions that could affect the planned use of the site.
  - 1) Soil thickness, types and relationship to bedrock.
  - 2) Excavatability of rock materials.
  - 3) Depth to and characteristics of subsurface water.
- c. Conditions imposed on the site by past uses, such as buried objects, contaminated soils, groundwater, or adjacent structures, etc.
2. Interpretation of aerial photographs and other remotely sensed images relative to topography, vegetation, or any other features related to geologic hazards and past site use.
3. Surface investigation.
  - a. Mapping of the site geology and vicinity; identification and description of geologic units, soil and rock types, and features that could be related to geologic hazards and the proposed use and constructability of the site. A clear distinction should be made on the map and within the report between observed and inferred geologic features and relationships.
  - b. Evaluation of surface-water conditions, including quality, flood potential in relation to site conditions, geomorphology and drainage within or affecting the subject area.
4. Subsurface investigation.
  - a. Trenching and any other excavation (with appropriate logging and documentation) to permit detailed and direct observation of continuously exposed geologic units and features.
  - b. Borings drilled, test pits excavated, and groundwater monitoring wells installed to permit the collection of data needed to evaluate the depth and types of materials and subsurface water. Data points sufficient in number and adequately spaced will permit valid correlations and interpretations.
  - c. Geophysical surveys conducted to facilitate the evaluation of the types of site materials and their physical properties, groundwater conditions and any other pertinent site conditions. The types of equipment and techniques used, such as seismic refraction, magnetic, electric resistivity, seismic reflection and gravity, and the name of the geophysicist responsible for the work.
5. Special methods (used when special conditions permit or critical structures demand a more intensive investigation).
  - a. Aerial reconnaissance overflights, including special photography.
  - b. Geodetic measurements, radiometric analysis, age dating, etc.

#### E. Results of Investigation

Describes the results of the investigation outlined in Section IV above. The actual data or processed data upon which interpretations are based should be included in the report to permit technical reviewers to make their own assessments regarding reliability and interpretation.

## F. Conclusion

Relative to the intended land use or development (made in conjunction with the geotechnical engineering study). Includes a statement concerning the degree of confidence in and limitations of the data and conclusions, as well as disclosure of known or suspected potentially hazardous geologic processes affecting the project area.

1. Presence or absence of active or potentially active faulting at the site or in the vicinity, and the potential for renewed fault activity.
2. Effects on the site from ground shaking.
3. Potential for secondary effects from earthquakes, such as ground cracking and liquefaction.
4. Potential for subsidence of other regional effects.
5. The presence of creep or landsliding; and possible future movements.
6. Soil and rock conditions, such as swelling soils that could affect site use.
7. The presence of and possible effects from any other soil and rock defects.
8. Excavation methods.
9. Presence of contamination or any other man-imposed condition.
10. Potential for earthquake-induced flooding, including tsunamis and seiches.
11. Potential for volcanic hazards.
12. Conformance with state and federal statutory and regulatory requirements.

## G. Recommendations

1. Effect of fault locations on proposed structures at the site. Federal, state, or local law may dictate minimum standards.
2. Placement of structures to best take advantage of geologic conditions.
3. Methodology for excavating and moving materials.
4. Means of correcting site defects, such as buttressing landslides, installing special drainage devices, etc.
5. Correcting contamination or other man-induced site defects.
6. Other recommendations as appropriate for the proposed project.

## H. References

1. Literature and records cited and reviewed.
2. Aerial photographs or images interpreted, listing the type, scale, source, and index numbers, etc.
3. Compiled data, maps, or plates included or referenced.
4. Other sources of information, including well records, personal communications, or other data sources.

## I. Illustrations

1. Location map to identify the site locality, geographic features, or major regional geologic features.



2. Site development map, at an appropriate scale, to show the site boundaries, existing and proposed structures, graded areas, streets, and locations of exploratory trenches, borings, wells, geophysical traverses, and other data.
  3. Geologic map to show the areal distribution of geologic units, faults and other structures, geomorphic features, aerial photo features noted, along with surface water bodies and springs. The geologic map may be combined with the location and site development maps.
  4. Geologic cross sections illustrating significant or appropriate geologic features.
  5. Logs of exploratory trenches and borings to show the details of observed features and conditions.
  6. Geophysical data and the geologic interpretations of those data.
  7. Other, as appropriate.
- J. Supporting Data Not Already Provided
1. Non-confidential water well data (including bore-hole logs).
- K. Signature and Registration Number of the Responsible Professional(s)
1. Registered Geologist, Certified Engineering Geologist.

#### SELECTED REFERENCES

- California Department of Conservation, Division of Mines and Geology, 1997, Guidelines for Evaluating and Mitigating Seismic Hazards in California, DMG Special Publication 117, 71 p.
- California Department of Conservation, Division of Mines and Geology, 1986 (revised), Guidelines to geologic and seismic reports: DMG Note 42.
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EXHIBIT NO. 9

APPLICATION NO.  
A-1-CRC-00-033GENERAL GUIDELINES  
FOR REVIEWINGGEOLOGIC REPORTS  
(6 pages)

## DMG NOTE 41...

## GENERAL GUIDELINES FOR REVIEWING GEOLOGIC REPORTS

Mines &amp; Geology

(Similar guidelines were adopted by the  
State Mining and Geology Board for advisory purposes in 1996.)

G

These guidelines provide general guidance for geologists who review consultants' geologic reports on behalf of agencies having approval authority over specific developments. These general guidelines are modified from an article titled, "Geologic Review Process" by Hart and Williams (1978).

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The geologic review is a critical part of the evaluation process of a proposed development. It is the responsibility of the reviewer to assure that each geologic investigation, and the resulting report, adequately addresses the geologic conditions that exist at a given site. In addition to geologic reports for tentative tracts and site development, a reviewer evaluates Environmental Impact Reports (EIRs), Seismic Safety and Public Safety Elements of General Plans, Reclamation Plans, as-graded geologic reports, and final, as-built geologic maps and reports. In a sense, the geologic reviewer enforces existing laws, agency policies, and regulations to assure that significant geologic factors (hazards, mineral and water resources, geologic processes) are properly considered, and potential problems are mitigated prior to project development. Generally, the reviewer acts at the discretion or request of, and on behalf of a governing agency -- city, county, regional, state, federal -- not only to protect the government's interest but also to protect the interest of the community at large. Examples of the review process in a state agency are described by Stewart and others (1976). Review at the local level has been discussed by Leighton (1975), Berkland (1992), Larson (1992), and others. Grading codes, inspections, and the review process are discussed in detail by Scullin (1983). Nelson and Christenson (1992) specifically discuss review guidelines for reports on surface faulting.

### The Reviewer

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#### Qualifications

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In order to make appropriate evaluations of geologic reports, the reviewer should be an experienced geologist familiar with the investigative methods employed and the techniques available to the profession. Even so, the reviewer must know his or her limitations, and at times ask for opinions of others more qualified in specialty fields (e.g., geophysics, mineral exploitation and economics, ground water, foundation and seismic engineering, seismology). In California, the reviewer must be licensed by the State Board of Registration for Geologists and Geophysicists in order to practice (Wolfe, 1975). The Board also certifies engineering geologists and hydrogeologists, and licenses geophysicists. Local and regional agencies may have additional requirements.

The reviewer must have the courage of his or her convictions and should not approve reports if an inadequate investigation has been conducted. Like any review process, there is a certain "give-and-take" involved between the reviewer and investigator. If there is clear evidence of incompetence or misrepresentation in a report, this fact should be reported to reviewing agency or licensing board. California Civil Code Section 47 provides an immunity for statements made "in the initiation or course of any other proceedings authorized by law." Courts have interpreted this section as providing immunity to letters of complaint written to provide a public agency or board, including licensing boards, with information that the public board or agency may want to investigate (*King v. Borges*, 28 Cal. App. 3d 27 [1972]; and *Brody v. Montalbano*, 87 Cal. App. 3d 725 [1978]). Clearly, the reviewer needs to have the support of his or her agency in order to carry out these duties.

The reviewer should bear in mind that some geologic investigators are not accomplished writers, and almost all are working with restricted budgets. Also, the reviewer may be limited by his or her agency's policies, procedures, and fee structures. Thus, while a reviewer should demand that certain standards be met, he or she should avoid running rough-shod over the investigator. The mark of a good reviewer is the ability to sort out the important from the insignificant and to make constructive comments and recommendations.

A reviewer may be employed full time by the reviewing agency or part-time as a consultant. Also, one reviewing agency (such as a city) may contract with another agency (such as a county) to perform geologic reviews. The best reviews generally are performed by experienced reviewers. Thus, the use of multiple, part-time reviewers by a given agency tends to prevent development of consistently high-quality and efficient reviews. One of the reasons for this is that different reviewers have different standards, which results in inconsistent treatment of development projects. The primary purpose of the review procedure should always be kept in mind -- namely, to assure the adequacy of geologic investigations.

### **Other Review Functions**

Aside from his or her duties as a reviewer, the reviewing geologist also must interpret the geologic data reported to other agency personnel who regulate development (e.g., planners, engineers, inspectors). Also, the reviewing geologist sometimes is called upon to make investigations for his or her own agency. This is common where a city or county employs only one geologist. In fact, some reviewers routinely divide their activities between reviewing the reports of others and performing one or several other tasks for the employing agency (such as advising other agency staff and boards on geologic matters; making public presentations) (Leighton, 1975).

### **Conflict of Interest**

In cases where a reviewing geologist must also perform geologic investigations, he or she should never be placed in the position of reviewing his or her own report, for that is no review at all. A different type of conflict commonly exists in a jurisdiction where the geologic review is performed by a consulting geologist who also is practicing commercially (performing geologic investigations) within the same jurisdictional area. Such situations should be avoided, if at all possible.

## Geologic Review

### The Report

The critical item in evaluating specific site investigations for adequacy is the resulting geologic report. A report that is incomplete or poorly written cannot be evaluated and should not be approved. As an expediency, some reviewers do accept inadequate or incomplete reports because of their personal knowledge of the site. However, unless good reasons can be provided in writing, it is recommended that a report not be accepted until it presents the pertinent facts correctly and completely.

The conclusions presented in the report regarding the geologic hazards or problems must be separate from and supported by the investigative data. An indication regarding the level of confidence in the conclusions should be provided. Recommendations based on the conclusions should be made to mitigate those geology-related problems which would have an impact on the proposed development. Recommendations also should be made concerning the need for additional geologic investigations.

### Report Guidelines and Standards

An investigating geologist may save a great deal of time (and the client's money), and avoid misunderstandings, if he or she contacts the reviewing geologist at the initiation of the investigation. The reviewer should not only be familiar with the local geology and sources of information, he or she also should be able to provide specific guidelines for investigative reports and procedures to be followed. Guidelines and checklists for geologic or geotechnical reports have been prepared by a number of reviewing agencies and are available to assist the reviewer in his or her evaluation of reports (e.g., DMG Notes 42, 44, 46, 48, and 49). A reviewer also may wish to prepare his or her own guidelines or checklists for specific types of reviews.

If a reviewer has questions about an investigation, these questions must be communicated in writing to the investigator for response. After the reviewer is satisfied that the investigation and resulting conclusions are adequate, this should be clearly indicated in writing to the reviewing agency so that the proposed development application may be processed promptly. The last and one of the more important responsibilities of the reviewer should be implementation of requirements assuring report recommendations are incorporated and appropriate consultant inspections are made.

The biggest problem the reviewer faces is the identification of standards. These questions must be asked: "Are the methods of investigation appropriate for a given site?" and "Was the investigation conducted according to existing standards of practice?" Answers to these questions lie in the report being reviewed. For example, a reported landslide should be portrayed on a geologic map of the site. The conclusion that a hazard is absent, where previously reported or suspected, should be documented by stating which investigative steps were taken and precisely what was seen. The reviewer must evaluate each investigative step according to existing standards. It should be recognized that existing standards of practice generally set minimum requirements (Keaton, 1993). Often the reviewer is forced to clarify the standards, or even introduce new ones, for a specific purpose.

## **Depth (Intensity) of Review**

The depth of the review is determined primarily by the need to assure that an investigation and resulting conclusions are adequate, but too often the depth of review is controlled by the time and funds available. A report on a subdivision (e.g., for an EIR or preliminary report) may be simply evaluated against a checklist to make certain it is complete and well-documented. Additionally, the reviewer may wish to check cited references or other sources of data, such as aerial photographs and unpublished records.

Reviewers also may inspect the development site and examine excavations and borehole samples. Ideally, a field visit may not be necessary if the report is complete and well-documented. However, field inspections are of value, and generally are necessary to determine if field data are reported accurately and completely. Also, if the reviewer is not familiar with the general site conditions, a brief field visit provides perspective and a visual check on the reported conditions. Whether or not on-site reviews are made, it is important to note that the geologic review process is not intended to replace routine grading inspections that may be required by the reviewing agency to assure performance according to an approved development plan.

## **Review Records**

For each report and development project reviewed, a clear, concise, and logical written record should be developed. This review record may be as detailed as is necessary, depending upon the complexity of the project, the geology, and the quality and completeness of the reports submitted. At a minimum, the record should:

1. Identify the project, permits, applicant, consultants, reports, and plans reviewed;
2. Include a clear statement of the requirements to be met by the parties involved, data required, and the plan, phase, project, or report being considered;
3. Contain summaries of the reviewer's field observations, associated literature and aerial photographic review, and oral communications with the applicant and the consultant;
4. Contain copies of any pertinent written correspondence; and
5. Include the reviewer's name and license number(s), with expiration dates.

The report, plans, and review record should be kept in perpetuity to document that compliance with local requirements was achieved and for reference during future development, remodeling, or rebuilding. Such records can also be a valuable resource for land-use planning and real-estate disclosure.

## **Appeals**

In cases where the reviewer is not able to approve a geologic report, or can accept it only on a conditional basis, the developer may wish to appeal the review decision or recommendations. However, every effort should be made to resolve problems informally prior to making a formal appeal. An appeal should be handled through existing local procedures (such as a hearing by a County Board of Supervisors or a City Council) or by a specially appointed Technical Appeals and Review Panel comprised of geoscientists, engineers, and other appropriate professionals. Adequate notice should be given to allow time for both sides to prepare their cases. After an appropriate hearing, the appeals decision should be in writing as part of the permanent record.

Another way to remedy conflicts between the investigator and the reviewer is by means of a third party review. Such a review can take different paths ranging from the review of existing reports to in-depth field investigations. Third party reviews are usually done by consultants not normally associated with the reviewing/permitting agency.

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*This page was adapted from DMG NOTE 41 (1/98 edition) for the WWW  
by Ted Smith <[tsmith@consrv.ca.gov](mailto:tsmith@consrv.ca.gov)> and Lisa Chisholm.*

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July 25, 2000

From: Bhanu Patel  
710 N. Pebble Beach Drive  
Crescent City  
CA 95531

RECEIVED  
JUL 31 2000

To: Mr. Jim Baskin  
Coastal Commission Engineer  
California Coastal Commission  
North Coast District Office  
710 E Street, Suite 200  
Eureka, CA 95501

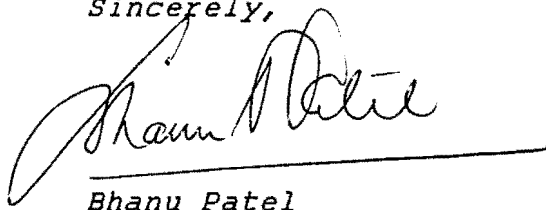
CALIFORNIA  
COASTAL COMMISSION

RE: PUBLIC HEARING, AUGUST 11, 2000  
PERMIT NUMBER A-1-CRC-00-033  
ITEM NO. F 5b

Dear Mr. Baskin,

Please distribute my attached letter to all Commissioners,  
alternates for Commissioners and the four non-voting members  
on the Commission. I appreciate your help.

Sincerely,



Bhanu Patel

EXHIBIT NO. 10

APPLICATION NO.  
A-1-CRC-00-033

CORRESPONDENCE  
(56 pages)

RECEIVED

JUL 31 2000

CALIFORNIA  
COASTAL COMMISSION

PUBLIC HEARING  
ITEM NO: F 5b  
PERMIT NO: A-1-CRC-00-033  
NAME: BHANU PATEL  
IN OPPOSITION TO THE PROJECT

CALIFORNIA COASTAL COMMISSION  
THE RESOURCES AGENCY  
STATE OF CALIFORNIA

Honorable Commissioners,

I am a Crescent City resident for over twelve years. I would like to oppose the decision to grant permit to Del Norte Healthcare District for development of 100 unit motel on a public piece of property for the following reasons:

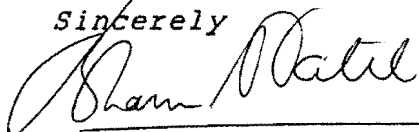
- a) The site is a public property located in a residential area of a quite coastal town. The site should be left as a public area for all of us to enjoy the coast. We the public, will loose direct beach access.
- b) This site is only one of rare coastal properties located near by Battery Point Lighthouse Reservation and Museum. This is a historical landmark and the proposed motel will have a negative impact as portion of A street is proposed to be blocked for public. Although the picture is not clear on the attached article, the picture shows the Lighthouse view from the property. This will be lost for ever.
- c) This public property should be developed as a small ocean side view point. The locals and the tourist will enjoy the beautiful scenic California coast and observe the most picturest sunset. We can all still enjoy watching whales migrating.
- d) Why develop an ordinary motel on a California Coatal jewel and ruine the coast, when a small town with a population of around 5000 has over 17 motels and over 700 rooms. On an average over 350 rooms remian vacant (50%).
- e) Local government's action of granting permit is purely based on greed and myth that this motel will generate additional transient occupancy tax. On these wrong belief the local government and the health district is subsidizing a motel project by giving away one of the most beautiful and rare public piece of land. In addition, the local government is set to give away public funds and abandone a portion of fully developed city street to a private developer.

- f) Just three city blocks away on the Front street, a new business which was subsidized by the local government is now closed. City officials at the time of funding that project used the same lines "It would be a major boon to the city's beleaguered downtown corridor, luring tourist off Highway 101 past struggling businesses." Do we want another business to fail? Do we want another concrete jungle or wrotting wooden structure on our beautiful California Coast? What gaurantee we have that this project will enhance our coastline when we know that this is an under funded project? The developer has no motel experience. Due to lack of funds and confidence in the project the developer is constructing the project in phases. Few years back a developer stopped construction of a hotel on the water front in Eureka leaving behind a concrete jungle.
- g) Just two years back Pebble Beach Drive was significantly erroded and over a million dollars were spent to save the road. The bluff is eroding and will continue to erode. It has been over 11 years since the last study was carried out.
- h) I am sure you all know about a project 17 miles north of Crescent City. The developer has misused the permit. The coast is contaminated and the developer needs to clean up.

If possible, before you make any decision, I urge you to visit our beautiful coastal town and see for yourself what a shame it will be to loose such a prime site for an ordinary motel development with no economic gains for the local community. In the minds of the local government official this is a routine appeal. I sincerely hope you see this otherwise and with your wisdom and foresight make a correct decision and ignore such shamefull remarks. I am impressed by the knowledge and awareness of Coastal Commission Engineer Jim Baskin. I admire the courage and vision of Commissioner Woolley and Commissioner Desser to forsee problems and make an appeal. I urge you to deny a permit to develop a motel and protect our beautiful California Coast for our future generation.

Thank you for hearing me.

Sincerely



Bhanu Patel  
710 N. Pebble Beach Drive  
Crescent City  
CA 95531

ENC: COPY OF TRIPLICATE ARTICLE

Vinay & ranjan  
220 m st  
crascent city  
ca. 95531

RECEIVED  
AUG 01 2000

july 28<sup>th</sup> 2000

to

mr. jim baskin  
coastal commission engineer  
ca. Coastal commission  
710 E st #200  
EUREKA CA. 95501

CALIFORNIA  
COASTAL COMMISSION

E; PER. NO A-1-CRC-00-033  
ITEM. NO F 5B

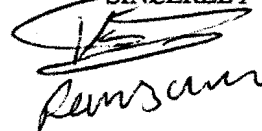
DERR MR BASKIN

ME AND MY WIFE ARE CRESCENT CITY REISDENTS OVER 25 YEARS WE CAME TO CRESCENT CITY TO RAISE CHILDERN IN THIS BEAUTIFUL COASTAL TOWN. I WRITE TO THE COMMISSNOR TO OPPOSE THE CURRENT PERMINT ISSUED BY LOCAL GOVERNMENT TO BUILT A MOTEL ON OUR COAST  
FOLLOWING ARE THE REASONS

- 1 WE DO NOT WANT TO LOOSE THE ACCESS TO OUR BEACH
- 2 WE FEEL THAT THIS PROJECT WILL CREATE TRAMENDOS amount OF ENVIRONMENTAL DAMAGE CAUSED BY THE NUMBER OF PEOPLE THAT WILL COME FROM OUTSIDE WITH NO RESPECT FOR OUR COAST
- 3 THERE IS VERY HIGH POSSIBILITY OF THE CONTINUS LAND ERROSION JUST TWO YEARS BACK THERE WAS A GREAT DEAL OF ERROSION ON THE SAME COAST AREA

I REQUEST THE COMMISSIONERS TO DENY  
PERMINT SO THAT OUR CHILDREN CAN ENJOY THE BEAUTIFUL COAST

THANK YOU  
SINCERELY

  
VINAY & RANJAN

RECEIVED

AUG 08 2000

CALIFORNIA  
COASTAL COMMISSION

Calif Coastal Commission

agenda # F 5 b

Item # F 5 b

Beverly Gillespie

absolutely oppose

Dear Commissioners:

In regards to the proposed resort construction of the beachfront property in Crescent City.

It is the manner in which the city went about approving this project.

1. Failed to adequately assess the amount of direct beach access that would be taken away by erecting a 100 room resort. Future development of land in a residential professional area does not seem to preserve balance in an environmentally sensitive area with commercial development. There is erosion to the existing beaches and bluffs in the area as I write.

2. Services that might be impacted as a result of the

as for having no more street access between First and Second on A street which we taxpayers pay for, seems a little ridiculous. Should they not explore other alternatives? When the Hospital was in that location they did not have to close the street off and it housed many more people than the proposed construction will.

I have noticed how many motels are almost empty  $\frac{3}{4}$  of the year. July and August seem to be their top months, so how will another motel impact their business?

This is a beautiful part of the country and I hope we can keep it that way.

Sincerely

Beverly Millerpie

850 Wendell

Crescent City, Ca. 95531

(707) 465 6046

## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



4 August 2000

## MEMORANDUM

To: James Baskin, Coastal Program Analyst  
From: Mark Johnsson, Senior Geologist  
Re: Redwood Oceanfront Resort Appeal

I have reviewed the following documents in reference to the proposed hotel, Redwood Oceanfront Resort, in Crescent City:

- 1) U.S. Army Corp of Engineers report "Interim Report on Crescent City Harbor, Crescent City, California for Navigation," U.S. Army Engineer District, San Francisco, Corps of Engineers, San Francisco, CA, February 1965
- 2) U.S. Army Corp of Engineers report "Final Report on Crescent City Harbor, Crescent City, California for Navigation," U.S. Army Engineer District, San Francisco, Corps of Engineers, San Francisco, CA, August 1972
- 3) Lee Tromble Engineering letter report "Soils and Foundation Investigation APN 118-020-28 (portion)" dated 23 August 1999, and signed by Lee Tromble
- 4) "Topographic Map of the Old Seaside Hospital Site" prepared by Lee Tromble Engineering, dated 20 August, 1999 and unsigned
- 5) "Site Plan (Phases 1 and 2): grading, drainages, and landscaping, for Hampton Inn and Suites" prepared by Philippe Laporte, Architects and dated 16 September, 1999, and unsigned
- 6) Richard B. Davis Co. report "Shoreline erosion study of Sutter Coast Hospital Site, Crescent City California" dated 7 February 1992 and signed by Peter Hovanes
- 7) Lee Tromble Engineering letter report "Coastal Commission Appeal of Redwood Oceanfront Resort Approval" dated 28 July 2000 and signed by Lee Tromble

The proposed development is to be set back only 30 feet from the short bluff top, leading to concerns regarding bluff retreat and coastal erosion. Unfortunately, very little data are presented with which to evaluate coastal erosion. The two Army Corp studies focus on the harbor, not on the coast to the north and south. They do report rather substantial erosion and accretion in alternate periods within the Crescent City harbor, however. Reference (3) contains poorly supported qualitative statements, based on examination of aerial photographs, suggesting that the bluff retreat rate is "very low."

After what would appear to be a fairly rigorous photogrammetric exercise, Richard Davis in reference (6) comes to a similar conclusion, but without presenting any actual data. In reference (4), the bluff edge is surveyed and areas of "high," "moderate," and "low" geologic risk are identified, corresponding simply to <20 foot setback 20-30 foot setback, and >30 foot setback. No data supporting these setback distances nor any indication of the meaning of the qualitative terms "low-," "moderate-," and "high geologic risk" are provided. In the absence of quantitative data concerning shoreline erosion over periods including the recent El Nino years, it is impossible to adequately address site stability.

As reported in reference (3), part of the site is underlain by artificial fills placed over loose, low-density silty-sand, posing a potential liquefaction hazard. Although mitigation measures are suggested (deeper pile foundations), no quantitative assessment of either liquefaction hazard or needed pile depths is provided. Liquefaction hazard should be evaluated by, at a minimum, Standard Penetration Test (SPT) data and, better, by the calculation of a liquefaction factor of safety for various depths based on the maximum credible earthquake and SPT or other data. From these data, adequate pile depths can be determined and supported.

Finally, it should be borne in mind that the site lies within the inundation zone of the 1964 tsunami. Given this history and the projects impact as a large public building, a more complete evaluation of the tsunami risk posed by a large earthquake, either distant or local-sourced, should be required. Specifically, how could a large tsunami be anticipated and planned for, in order to minimize risk to life and property?

I hope that this information is useful in formulating your recommendation. Please do not hesitate to contact me if you have further questions.

Sincerely,


Mark Johnsson  
Senior Geologist



## TRANSMITTAL

**DATE:** August 2, 2000

**TO:** Robert Merrill and Jim Baskin AICP  
California Coastal Commission - North Coast District Office  
P.O. Box 4908, Eureka, CA 95502-4908

**FROM:**  George Williamson AICP

**SUBJECT:** Redwood Oceanfront Resort Project - Crescent City

## TRANSMITTAL ITEMS

1. Draft Consistency Analysis for the Redwood Oceanfront Resort and Crescent City General Plan/ Local Coastal Plan,
2. Redwood Oceanfront Resort Coastal Access Survey,
3. Shoreline Erosion Study of Sutter Coast Hospital Site, Crescent City California,
4. Letter of July 26, 2000 from Lee Tromble Engineering regarding Coastal Commission Appeal of the Redwood Oceanfront Resort.

The enclosed items are submitted for your review, and discussion at our meeting this afternoon at 2:00 P.M.

**RECEIVED**  
AUG 02 2000

CALIFORNIA  
COASTAL COMMISSION

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**REDWOOD OCEANFRONT RESORT**

*DRAFT*

**CONSISTENCY ANALYSIS  
for the  
REDWOOD OCEANFRONT RESORT  
and  
CRESCENT CITY GENERAL PLAN/  
LOCAL COASTAL PLAN (LCP)**

prepared for the

**City of Crescent City  
and  
Xiao Jin Yuan,  
Redwood Oceanfront Resort, LLC**

prepared by

**J. Laurence Mintier & Associates**

**July 31, 2000**

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## **I. INTRODUCTION AND SUMMARY OF FINDINGS**

State law requires that virtually all developments project be consistent with the local general plan. Because the Redwood Oceanfront Resort property falls within the boundary of the Coastal Zone, the proposed project also has to be consistent with Local Coastal Plan policies, which in turn must comply with the Coastal Act.

This analysis assesses the consistency of the proposed Redwood Oceanfront Resort project with the City of Crescent City 2000 Draft General Plan/Local Coastal Plan and with the City's 1984 Local Coastal Plan, which the new plan will supersede. The analysis of the proposed project, conducted by Mintier & Associates (the principal author of the Draft General Plan/LCP), demonstrates that the project is consistent with the Land Use Diagram and the policies of the Draft General Plan. Following is a summary of the findings:

- The proposed project is consistent with the Draft General Plan/LCP designation Visitor and Local Commercial (VLC), which allows for hotels, motels, and restaurants.
- Phase 1 of the proposed project is consistent with the current zoning classification — Residential Professional (CZ-RP).
- Two of the key concepts or themes that serve as the foundation for policy formulation for the Draft General Plan/LCP are economic transition and the development of the Visitor and Local Commercial (VLC)-designated area. The proposed project is consistent with the Draft General Plan/LCP policies that promote tourism-oriented uses such as visitor-serving commercial.
- The proposed project is consistent with the numerous Draft General Plan/LCP policies that require adequate access to the coast.
- The proposed project is consistent with the General Plan/LCP in terms of protecting visual resources. The hotel structure is generally comparable to the previous use in terms of overall scale and would have roughly the same visual impact (from "A" Street looking west toward the ocean) as the former hospital facility. In addition, due to its location on the coast and with the proposed 30-foot setback, the project would preserve the views of Battery Point Lighthouse from access points along the coast such as the vista point along Pebble Beach.
- The proposed project is consistent with natural resource protection policies of the Draft General Plan/LCP in that it does not threaten sensitive environmental habitats either on the site or on adjacent land.
- The proposed project is consistent with geologic policies of the Draft General Plan/LCP in that the geology of the site is stable and is not experiencing ongoing bluff erosion that would limit or preclude development.

## **CRESCENT CITY GENERAL PLAN AND LOCAL COASTAL PLAN**

### **1976 General Plan and 1984 Local Coastal Plan**

The City adopted its current General Plan in 1976 as a component of the County's General Plan. The City adopted the Local Coastal Plan of its General Plan as part of its Local Coastal Program certification in 1984. That action formally divided the City's comprehensive planning approach by establishing two sets of policies — one for the city area outside the Coastal Zone (the 1976 General Plan) and one for the areas within the Coastal Zone, which were certified by the State Coastal Commission (the 1984 Local Coastal Plan).

### **Draft General Plan/Local Coastal Plan**

In 1998, the City began an update of the existing General Plan and LCP. The Draft General Plan updates and consolidates the City's planning policies and programs into a single document, unifying policies that had been separated since 1984. Therefore, the Draft General Plan will supersede the 1984 Local Coastal Plan. Policies subject to Coastal Commission certification are identified in the Draft General Plan by a wave symbol (☞). For the purposes of this report, the Draft General Plan will be referred to as the Draft General Plan/Local Coastal Plan (LCP). The Draft was released for public review in June 2000 and is expected to be adopted by the Crescent City City Council in late 2000 or early 2001 following public hearings.

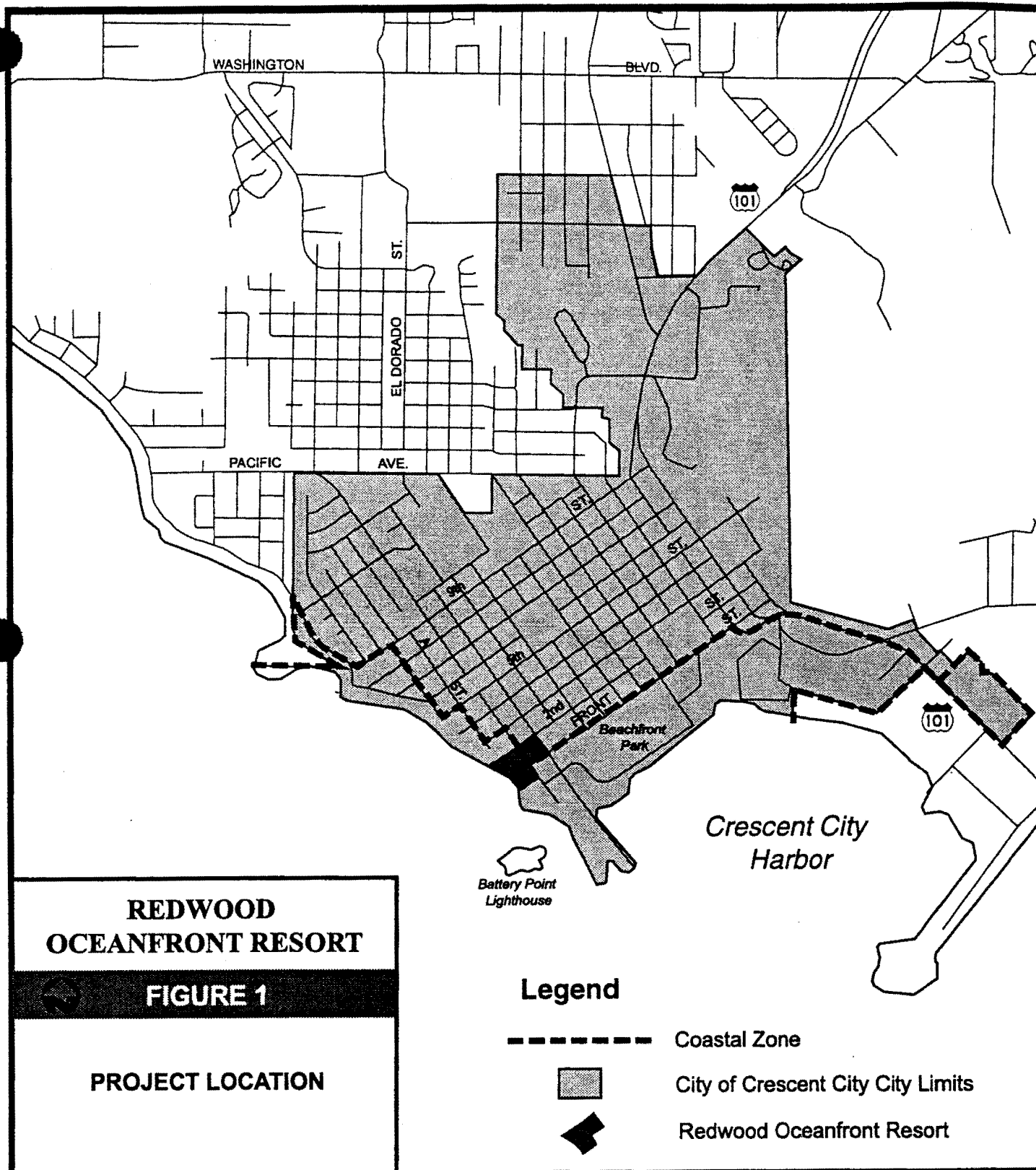
## **II. PROJECT DESCRIPTION**

The proposed project — the Redwood Oceanfront Resort — will be located on a 4.45 acre (194,056 square feet) L-shaped parcel on a low, flat terrace located in the southwest part of the city of Crescent City (see Figure 1). The project site is located to the west of "A" Street in the vicinity of Front and Second Streets, on a property bordered on the west by the Pacific Ocean. The proposed project site west of "A" Street falls within the Coastal Zone.

Uses adjacent to the project site include a beach, low coastal bluff and open ocean to the west; medical offices and clinics to the north; residential uses to the south; and vacant land to the east. Significant community and recreational resources surrounding the site include: Beachfront Park to the east; Marine Mammal Center to the southeast; and Battery Point Lighthouse to the south.

The proposed project (APN 118-020-28, 33, 34) is located on the site of the former Seaside (Sutter Coast) Hospital. The site has been vacant since the closing and demolition of the hospital in the mid 1990s. The former hospital consisted of a two-story main building, 156 feet long by 34 feet wide, with two 34-foot-by-35-foot, one story wings. The hospital was originally constructed in 1930. It burned down in 1945 but was later rebuilt and operated until 1992.

Redwood Oceanfront Resort is a 100-unit regionally-oriented destination resort with a 4,500 square foot restaurant. The project will be built in two phases. The first phase consists of 50 rooms, with a common area and services. The second phase consists of the additional 50 rooms and the 4,500



square foot restaurant. When both phases are completed, the hotel rooms, common areas, and restaurant will consist of a single structure approximately 445 feet in length and varying in width, from 45 to 85 feet. The phase 1 structure area is 34,985 square feet, and phase 2 is 22,615 square feet, for a total of 57,600 square feet. The structure will be three stories high, with a maximum height of 35 feet, except for the restaurant which will be two stories. The structure facade features a low roof line, variation through the use of balconies, windows and structure articulation, earth tone colors, wood and colored masonry materials, and an enameled or painted metal roof. Other proposed improvements include parking areas, landscaping, a covered entryway, walkways, signage, and exterior lighting.

Parking will be provided adjacent to the building and in a lot between Second and Front Streets. The parking lot will accommodate 58 cars and 4 buses. The project will require closure of "A" Street between Front and 2<sup>nd</sup> Streets, and vacation of the public right-of-way. "A" Street traffic would be rerouted to "B" Street. The main vehicle entries will be located at the 2<sup>nd</sup> and "A" Street intersection, and at the Front and "A" Street intersection.

### III. CONSISTENCY EVALUATION CRITERIA

The evaluation of consistency with the General Plan and Local Coastal Plan relies on the general rule for consistency contained in the State of California General Plan Guidelines (Governor's Office of Planning and Research, 1999) as follows:

*An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.*

The first step in the evaluation is to determine the applicability of individual General Plan policies to the proposed project. There are at least three ways in which General Plan policies may be applicable: (1) policies that are specific to the proposed project (S); (2) policies that are directly relevant because they address particular resources or features contained within the proposed project area (D); and (3) policies that are indirectly applicable due to their general nature (ID).

Consistency can take at least two forms: (1) active consistency, where a feature or characteristic responds directly to the General Plan policy; and (2) passive consistency, where the furthering of the General Plan policy cannot be clearly demonstrated, but where the project clearly does not obstruct the General Plan policy.

### IV. ANALYSIS OF GENERAL PLAN/LOCAL COASTAL PLAN

This analysis examines the consistency of the proposed project with the Land Use Diagram, Circulation Diagram, and the policies of the Draft General Plan/LCP. Secondly, the analysis discusses the relationship of the proposed project to the 1984 LCP, which will soon be superseded by the new General Plan/LCP.

## **CONSISTENCY WITH THE LAND USE DIAGRAM/ZONING MAP**

### **Land Use Designation**

#### ***Draft General Plan/LCP***

The Draft General Plan/LCP designates the site Visitor and Local Commercial (VLC). This designation specifically allows for hotels, motels, and restaurants, as described below:

#### ***Visitor and Local Commercial (VLC) (Draft General Plan/LCP designation)***

The Visitor and Local Commercial designation provides for a combination of commercial uses including visitor-serving commercial uses, local-serving commercial uses, and regional-serving commercial uses. Within the coastal zone, however, visitor-serving uses will have priority over all other allowable uses. The focus of this designation is on concentrating uses oriented toward tourism and drawing trade from the entire Del Norte County area. The maximum FAR for buildings in this designation is 0.50. The principal permitted uses under the VLC designation include, but are not limited to, commercial activities such as regional shopping and service centers including wholesale "club" stores and factory outlets; a full range of retail uses including apparel stores, specialty shops, durable goods, and home furnishings; travel and transportation services such as *motels/hotels* and gas stations; *restaurants*; entertainment centers; banks; savings and loans; and recreation facilities. Multiple-unit residential uses are permitted as a secondary/mixed use at a density of 6 to 15 units per acre. Uses requiring a conditional use permit include, but are not limited to, recreational vehicle parks, mini-storage, medical offices, and public facilities.

#### ***1984 LCP***

The existing Local Coastal Plan designates the project site as Medical Related (MR).

### **Zoning Classification**

Upon adoption of the General Plan/Local Coastal Plan, the City will need to revise the existing Zoning Ordinance so that it can implement the new plan. Under the existing Zoning Ordinance, the project site is zoned as Coastal Zone-Residential Professional (CZ-RP). Phase 1 of the project site is consistent with the Coastal Zone-Residential Professional (CZ-RP) zone, which provides as follows:

#### ***Residential Professional (CZ-RP) (current zoning classification)***

The CZ-RP district is intended to provide opportunities for the location of professional and commercial offices in close relationship to one another outside of commercial districts, and to protect such uses from the noise, disturbances, traffic hazards, and other objectionable influences which would adversely affect professional and business practices being carried

on. This district is also intended for application to those areas of the city where it is necessary and desirable to encourage the full development of properties which lie between existing residential and nonresidential districts and which, because of existing conditions, cannot be practically included within residential districts as provided by this title.

Under section 17.67.020 of the Crescent City Zoning Ordinance, motels and hotels are identified as permitted uses (17.67.020 H). Section 17.67.020 H contains a stipulation that precludes associated sales of food or drink. However, phase 1 will not include such uses since the construction of the adjoining restaurant is included in phase 2.

### **CONSISTENCY WITH THE CIRCULATION DIAGRAM**

The project will require closure of "A" Street between Front and 2<sup>nd</sup> Streets and vacation of the public right-of-way (see Figure 2). As a result of the project, "A" Street traffic would be rerouted to B Street. This is consistent with the Draft Circulation Diagram which designates this route as a collector. According to the traffic analysis conducted for the project, the rerouting will have no significant adverse impact on the level of service aside from the inconvenience of additional stop delay for both north- and southbound traffic.

The closure would necessitate rerouting of the Harbor-City Bicycle Path which follows the current route collector along "A" Street (see Figure 2). However, since nearly all of the city's existing bike routes follow either arterials or collectors, rerouting the bike route along the new collector from "A" Street-"B" Street-Front Street is a logical adjustment.

### **CONSISTENCY WITH POLICIES**

The City of Crescent City Draft General Plan/LCP includes 46 policies that are applicable to the proposed project (see Table 1) while the existing LCP includes 13 policies (see Table 2) that are applicable. Table 3 (Draft General Plan/LCP) and Table 4 (1984 LCP) show a list of those policies that were determined to be not applicable to the Redwood Oceanfront Resort project.

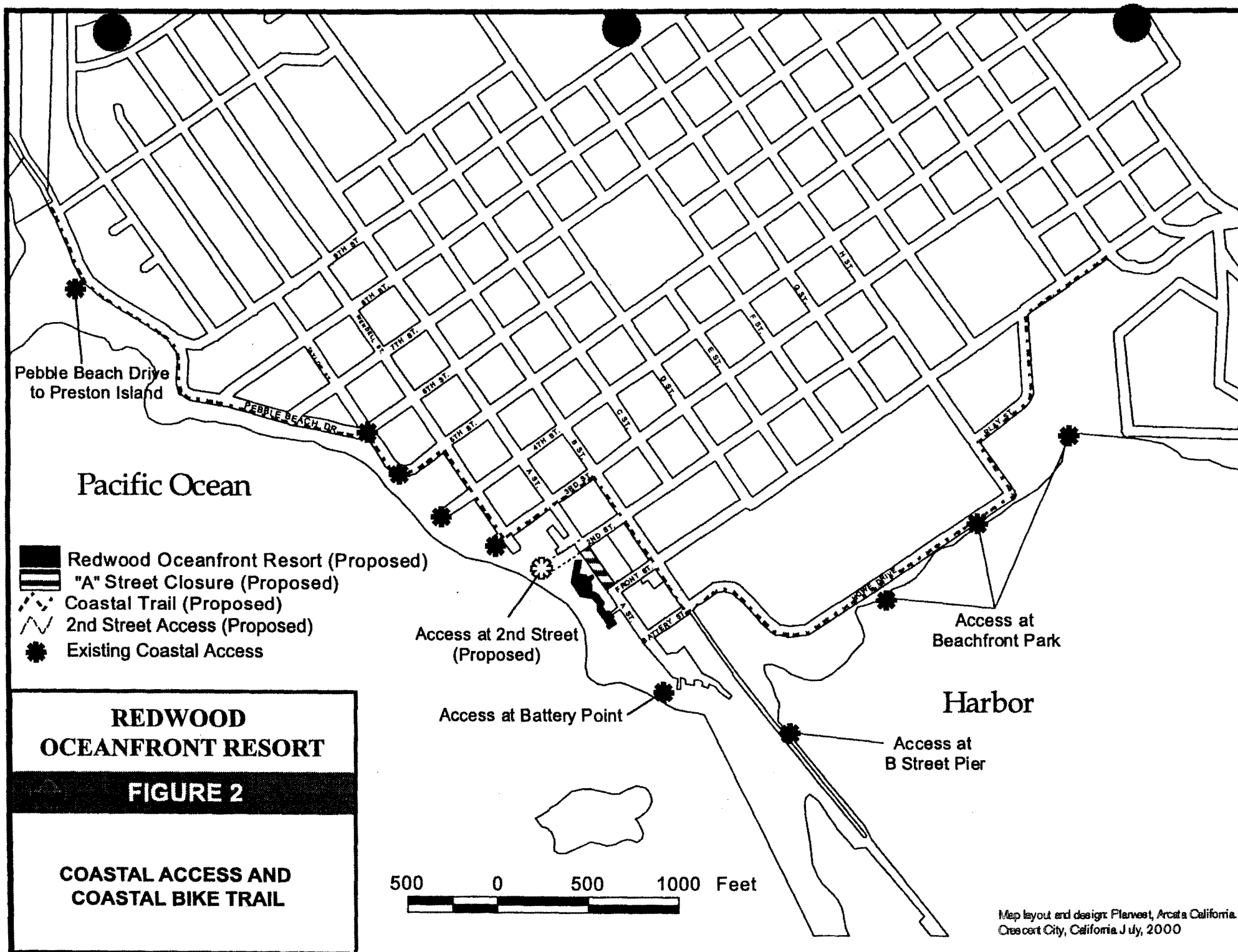
The following is an analysis of how the proposed project conforms with the Draft General Plan/LCP and 1984 LCP regarding the most sensitive issues concerning the project's development.

#### **Land Use**

##### ***Draft General Plan/LCP***

Several key concepts or themes served as the foundation for policy formulation for the Draft General Plan/LCP. Two of the most important are economic transition and the development of the Visitor and Local Commercial (VLC)-designated area. Over the last two decades the city and county have undergone a change from a resource production economy to a more diversified economy. With this change has come the need for the City to promote new industries such as small business development and tourism. The Draft General Plan/LCP contains several policies (e.g., Policies 1.A.7 or 1.I.8) that promote tourism-oriented uses such as visitor-serving commercial.





The VLC -designated area and its policies were designed to create a focus or destination for tourists along Highway 101 and Front Street. The VLC designation calls for a variety of commercial uses with an emphasis on visitor-serving commercial uses such as quality lodging, dining, shopping, and entertainment. The General Plan/LCP policies actively promote uses like the Redwood Oceanfront Resort. For instance, Policy 1.D.2 states that "The City shall actively encourage, support, and provide incentives, where feasible, for locating visitor-serving development, particularly hotels and bed and breakfast inns, in the area designated VLC."

## Coastal Access

### *Draft General Plan/LCP*

The project applicant has entered into an agreement with the City to provide an improved coastal access on an extension of 2<sup>nd</sup> Street immediately north of the project site. This is consistent with Draft General Plan/LCP policies such as Policies 5.D.4 and 5.D.9 which encourage the attainment of maximum coastal access for the public, provided that there are no public safety issues or threats to fragile coastal resources.

Concerns have been raised by the California Coastal Commission as to how the site will provide for lateral access along the western edge of the property that could link two established coastal access points such as Battery Point Lighthouse and the 3<sup>rd</sup> Street access. Although the existing LCP suggests that the former Seaside Hospital might offer to dedicate to the City access along the western edge of the property, no such offer was ever made or accepted. Thus, this policy was not carried forward into the Draft General Plan/LCP. The only policy in the Draft General Plan/LCP that addresses lateral access is Policy 5.D.12. This policy states that the City will not approve any development that obstructs lateral access on the immediate shoreline, inland of the mean tide line to the first line of vegetation or to the crest of the paralleling bluff. The proposed access would not obstruct lateral access on the immediate shoreline.

### *1984 Local Coastal Plan*

Coastal Access Policy P-2 states that:

*The City may accept Seaside Hospital's offer for dedication of the western edge, provided funding can be obtained prior to accepting any access. The City will not oppose any other agency, so approved by the Executive Director of the Coastal Commission, from accepting offers of dedication.*

Although this policy discusses dedication of lateral access along the western edge of the property, there is no language stating that dedication of such an access is a requirement. Furthermore, dedication was never executed by any agency at any time before or after the hospital site was abandoned. Currently (July 2000), there is no lateral accessway on the bluff top on either side (north or south) of the project site. Therefore, the project site is not obstructing an existing lateral accessway along the blufftop. Instead of lateral access along the bluff top, the project applicant is developing a new public beach access point on 2<sup>nd</sup> Street which provides direct access to the coastline. Figure 2 shows the proposed 2<sup>nd</sup> Street coastal access, as well as other coastal access

points along the western and southwestern coastline. This functional access satisfies the intent of CAP P-2 which recognizes the importance of access to the coast.

## Visual Resources

### *Draft General Plan/LCP*

Policies 1.G.1 and 1.J.5 require that all new development in the city be of quality design. This project provides high quality design that will likely make it one of Crescent City's most visually appealing buildings. In addition, the exterior materials and treatments of the hotel will make it compatible with other structures along the coast.

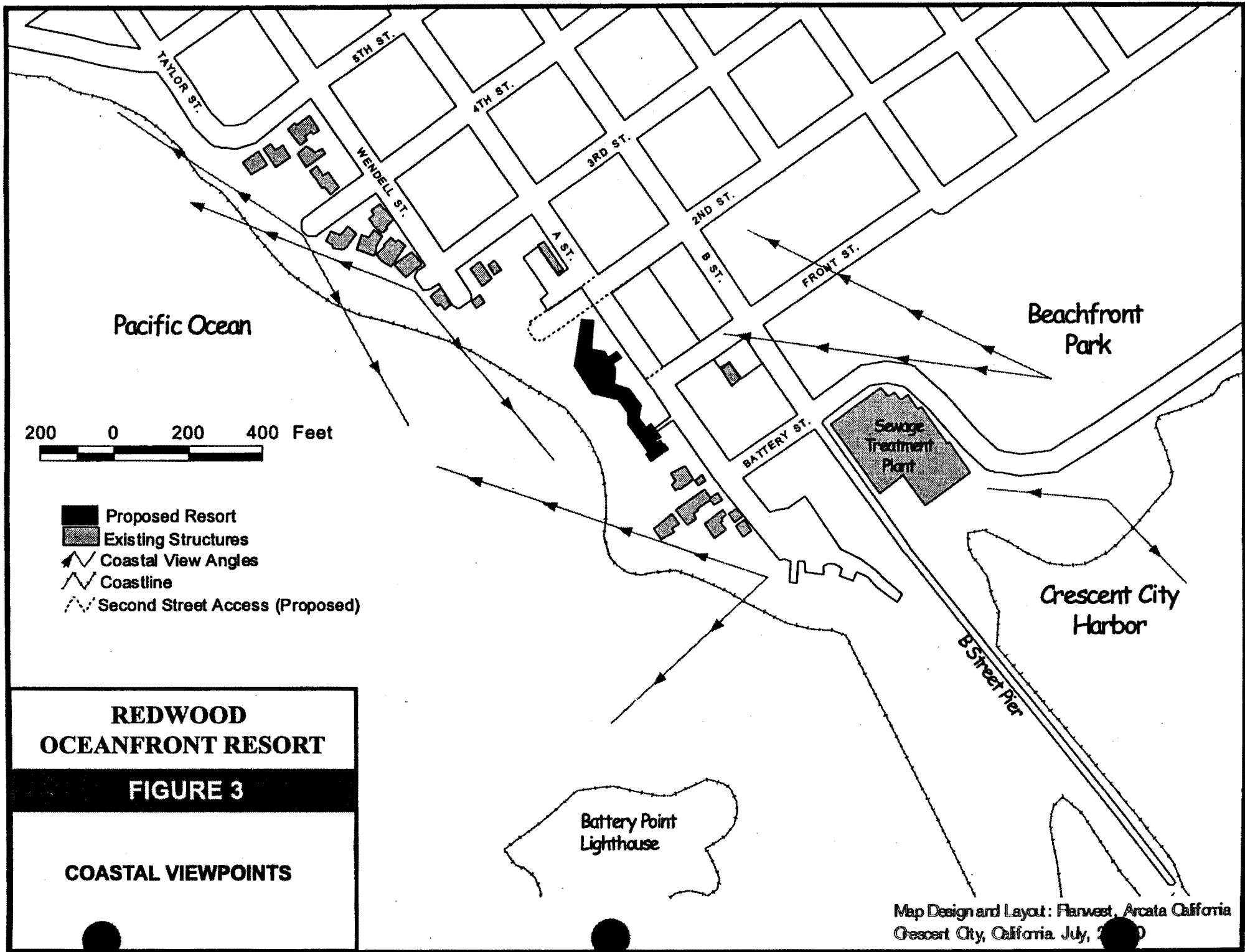
### *1984 Local Coastal Plan*

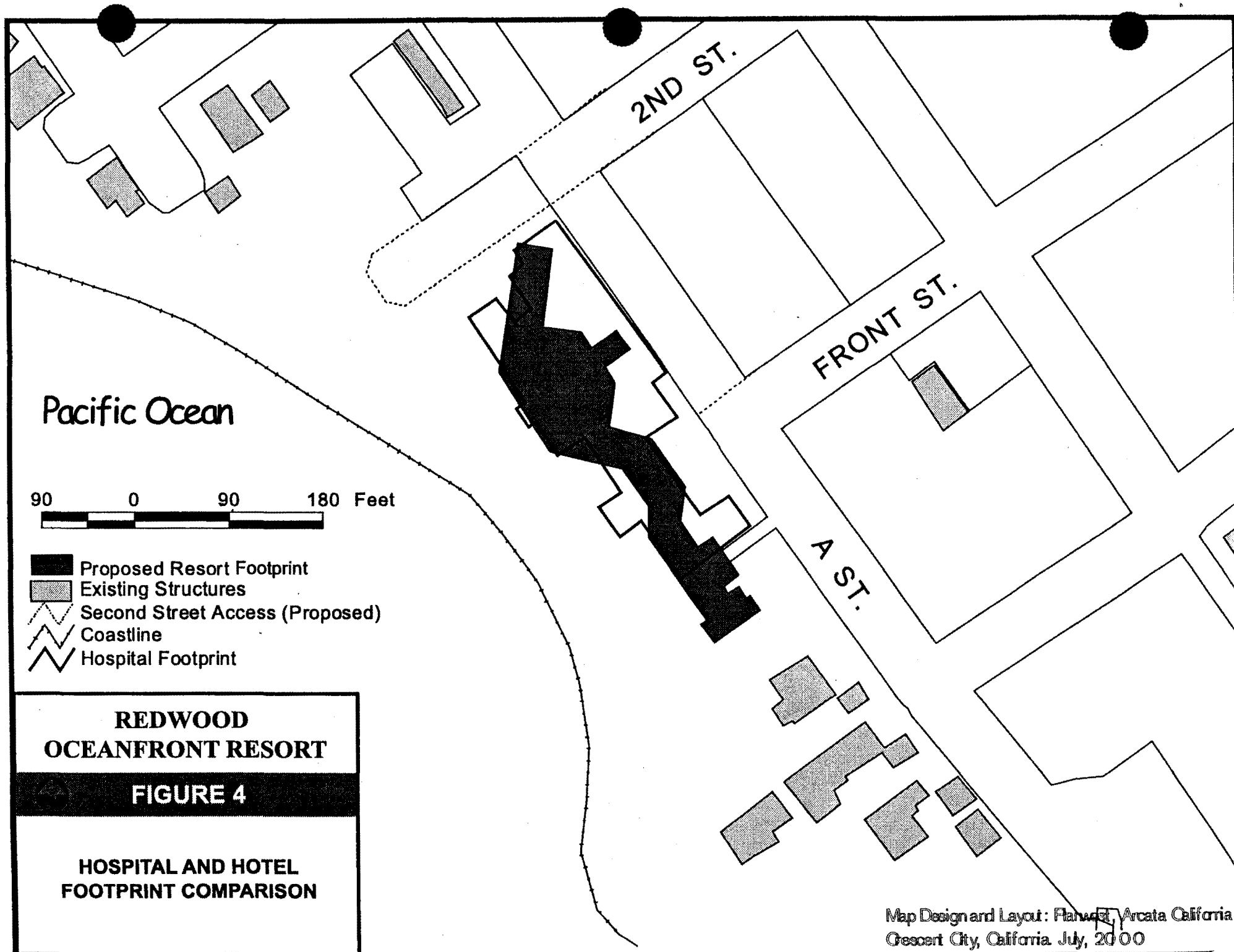
Coastal Act Section 30251 as incorporated in the City's Visual Resources and Special Communities LCP policies states that:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural landforms, to be compatible with surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas.*

Even without a structure on the project site, residents/visitors looking west along Front Street are unable to view the ocean due to the gradual rise in topography from east to west. Therefore, the proposed structure would not obstruct a western view of the ocean for pedestrians or motorists along Front Street. Additionally, the structure is set back 30 feet from the bluff top, which would preserve views along the coastline. This would preserve the views of Battery Point Lighthouse from access points along the coast such as the vista point along Pebble Beach. Figure 3 shows coastal viewpoints relative to the completed hotel complex.

The hotel structure is generally comparable to the previous building on site in terms of overall scale. The former hospital, which was demolished in the mid 1990s, had roughly the same visual impact (from "A" Street looking west toward the ocean) as the proposed project. Figure 4, which superimposes the hospital footprint over the footprint of the project hotel, shows that the area covered by these projects is roughly the same. The vertical scale of both of the structures is also similar. The proposed hotel would be three stories or 35 feet in height while the old Seaside Hospital was two stories and an estimated 30 feet in height.





## **Geologic Hazards**

### ***Draft General Plan/LCP***

Policy 6.A.15 requires geologic studies for new construction located on bluff tops. Lee Tromble Engineering, the project engineer, conducted a soils and geologic investigation in August 1999. The study concluded that the structure would be subject to acceptable, low geologic risks and soil hazards. Due to the highly vegetated area along the bluff, the rate of bluff retreat is considered low.

Supporting the Tromble study is the Shoreline Erosion Study of Sutter Coast (Seaside) Hospital Site conducted in February 1992. The purpose of the report was to study the position of the shoreline next to the old Seaside (Sutter Coast) Hospital building to determine if the shoreline was eroding. Based on analysis of five sets of aerial photographs taken from 1963 to 1989, the study concluded that the coastline erosion had reversed and that the shoreline was in fact growing outward. The study found that the stability of the shoreline area was due to the application of sand, rip-rap, and rock to the shoreline. Additionally, some areas of the shoreline near the property have experienced considerable growth due to the direct application of fill to the area.

## **Natural Resources**

### ***Draft General Plan/LCP***

There are several natural resource-oriented policies in the Draft General Plan/LCP that seek to protect fragile habitats along the coastline. According to a marine wildlife impact evaluation conducted by Crescent Coastal Research in December 1999, visitor use will increase after completion of the project and degradation of intertidal habitat from foot traffic from hotel guests is considered a possibility. However, the diversity of the intertidal habitat is considered low and there are no species present that would be subject to crushing.

The study also raised the issue of Harbor seals being displaced by approaching people, since these seals are sensitive to human presence. The study suggests posting an advisory sign to keep people away from the animals, particularly from April to June. With this mitigation, the impacts of hotel guests on the coastal habitat is considered minimal.

TABLE 1				
DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT				
Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
<b>Land Use Element</b>				
1.A.2.	The City shall encourage infill development that makes efficient use of existing public infrastructure and is compatible with existing development.	N	ID	Project is infill development that uses existing public infrastructure
1.A.7.	Among urban uses, the City shall ensure that visitor-serving uses have priority within the Coastal Zone.	N	D	Project is a visitor-serving use
1.B.1.	The City shall work jointly with the Redevelopment Agency to promote the development of a compact downtown of concentrated commercial, residential, civic, cultural, and recreational activities.	N	ID	Project contributes to a compact downtown
1.B.2.	The City shall actively encourage, support, provide incentives, where feasible, for the types of development it prefers in the VLC area including: mixed use projects; regional anchor stores, tourism-related uses; projects that reinforce viable existing uses; and projects that reinforce the identity of the VLC area.	N	ID	Project is a tourism-related use and reinforces the identity of the VLC-designated area
1.B.3.	The City shall work jointly with the Redevelopment Agency to promote the VLC area as the city's primary pedestrian, commercial, entertainment center, and gathering place for residents and tourists.	N	D	Project strengthens role of VLC as a pedestrian and commercial center
1.D.2.	The City shall actively encourage, support, and provide incentives, where feasible, for locating visitor-serving development, particularly hotels and bed and breakfast inns, in the area designated as Visitor and Local Commercial (VLC).	N	D	Project is ideal use for the VLC-designated area
1.D.4.	The City shall support improved pedestrian, bicycle, and transit facilities in the VLC area to provide greater access and mobility for visitors/tourists.	N	ID	Project increases access for tourists by developing 2 <sup>nd</sup> Street coastal access

TABLE 1

## DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT

Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
1.G.1.	The City shall promote high quality design, visual attractiveness, proper location, adequate sites, sufficient off-street parking, and a convenient circulation system for commercially-designated areas of the city.	N	D	Project provides high quality design, visual attractiveness, proper location, and sufficient off-street parking
1.G.2.	The City shall discourage isolated and sprawling commercial activities along major roads and instead reinforce the vitality of the area designated as Visitor and Local Commercial (VLC).	N	ID	Project reinforces vitality of VLC-designated area
1.G.5.	The City shall require major commercial development to consolidate and control access to avoid congestion, confusion, and traffic conflicts.	N	ID	Project does not create congestion or other traffic-related problems/conflicts
1.I.8.	The City shall promote economic expansion based on Crescent City's unique recreational opportunities and natural resources.	N	ID	Project promotes increased tourism
1.I.12.	The City further encourages the private development of visitor-serving facilities and supports private/public partnerships that build such facilities or that facilitate visitor activities.	N	ID	Project is a privately developed visitor-serving facility
1.J.5.	The City shall ensure that all new development in the Crescent City area be of quality design and provide an adequate level of amenities.	N	ID	Project provides high quality design adequate amenities such as landscaping
1.K.13.	The City of Crescent City shall, in conjunction with the Harbor District, County of Del Norte, Del Norte Hospital District, Coastal Commission staff, and the Department of Fish and Game, develop a sand management program for any dispersal of sand on the beach area west of the old Seaside Hospital site. The plan shall include, but not be limited to, the amount of sand to be placed yearly, months of the year when placement is possible, hours of operation, and the need for an annual sand budget.	Y	ID	The project would in no way limit the ability of the said agencies to carry out this function.



TABLE 1				
DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT				
Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
1.K.14.	<p>The City's second priority for use of any additional dredged sand is to be for the Battery Point Recreational Area development. The placement of sand in this area shall conform with the duly adopted sand management plan and the following restrictions:</p> <p>The following uses for said sand are prohibited: the development of a parking and picnic area; and the filling between Battery Point and the mainland.</p>	Y	ID	The project would in no way limit the ability of the said agencies to carry out this function.
<b>Transportation and Circulation Element</b>				
3.A.9.	The City shall expand and maintain its road system according to the classifications and designations shown in Tables 3-1, 3-2, and 3-3.	N	ID	2 <sup>nd</sup> Street meets local road standards in Table 3-1 of the Draft General Plan/LCP
3.A.10.	The City shall require that all developers of commercial, industrial, and multi-family residential development provide public road access, unless the development is part of a private planned development for which special road management provisions are approved.	N	ID	Public roadway access to the site already exists
3.A.12.	The City shall endeavor to manage its roadway system so as to maintain Level of Service C operation, except for when streets intersect with Highway 101, where Level of Service D shall be acceptable.	N	ID	Project will not increase traffic levels beyond adopted levels of service
3.A.15.	The City shall continue to require all new development to provide off-street parking, either on-site or in consolidated lots.	N	ID	The project provide adequate off-street parking
3.C.8.	The City should consider bicycle use in the improvement of existing streets and the construction of new streets. Development and construction of bicycle facilities should be based on actual need and use in relation to the cost involved. Facilities should follow destination routes.	N	ID	Existing bike path will be rerouted to follow new collector street

TABLE 1

## DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT

Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
3.D.2.	The City shall ensure that pedestrian walkways are separated, safe, and protected from automobile traffic.	N	ID	Improvements to 2 <sup>nd</sup> Street will meet City standards as determined by the Public Works Department
3.D.6.	The City shall require developers to finance and install pedestrian walkways in new development projects in compliance with the Americans with Disabilities Act (ADA).	N	ID	Project will comply with provisions of the ADA
<b>Public Facilities and Services Element</b>				
4.A.1.	The City shall ensure through the development review process that adequate public facilities and services are available to serve new development when required. The City shall not approve new development where existing facilities are inadequate unless the applicant can demonstrate that all necessary public facilities will be installed or adequately financed and maintained (through fees or other means).	N	ID	Adequate public facilities and services will be available to serve the hotel
4.A.2.	The City shall encourage new development to contribute its fair share to providing all public services and infrastructure necessary to serve that development.	N	ID	Project applicant will contribute his fair share of infrastructure improvements
4.B.3.	The City shall approve new development only if an adequate water supply to serve such development is demonstrated and require that water supplies serving new develop meet State water quality standards.	N	ID	Water supply is available and meets water quality standards
4.E.4	The City shall promote sound soil conservation practices and carefully examine the impact of proposed urban developments with regard to water quality and effects on drainage courses.	N	ID	The engineering report adequately addresses this issue

<p align="center"><b>TABLE 1</b></p> <p align="center"><b>DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT</b></p>				
<b>Policy Number</b>	<b>Policy</b>	<b>Coastal Policy Y/N</b>	<b>Applicability S/D/ID*</b>	<b>Comments</b>
4.E.5.	The City shall encourage new project designs that minimize drainage concentrations and impervious coverage and maintain, to the extent feasible, natural site drainage conditions.	N	ID	Project applicant will submit detailed drainage plans that meet City standards
<b>Recreational and Cultural Resources Element</b>				
5.C.2.	If the City pursues the Battery Point Recreation Area project, the City shall assure conformance of such development with the provisions of the sand management program and conditions prescribed in Policy 1.K.14 of this General Plan.	Y	ID	The project would in no way limit the ability of the said agencies to carry out this function.
5.C.7.	The City shall allow visitor-serving and commercial-recreational facilities on ocean-front parcels only when such development provides an increased opportunity for shoreline access and coastal recreation and enhances scenic and environmental values of the area.	Y	D	Project provides new coastal functional access (2 <sup>nd</sup> street)
5.D.1.	The City recognizes the importance of access to and along the shoreline. Therefore, all City-owned beachfront property, including its dry sand beaches, shall be maintained in a manner to protect all existing accessways. If, in the future, the City finds that existing public accessways are inadequate to meet recreational needs, it shall encourage the development of additional accessways consistent with the City's ability to pay maintenance costs and obtain adequate funding to develop said areas.	Y	D	Project provides new functional coastal access (2 <sup>nd</sup> street)
5.D.4.	The City shall work actively towards the attainment of maximum coastal access for the public, where it is consistent with public safety, property owner rights, and the protection of fragile coastal resources.	Y	D	Project provides new functional coastal access (2 <sup>nd</sup> street)

TABLE 1

## DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT

Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
5.D.7.	The City shall ensure that the design and construction by any public entity of shoreline access facilities (e.g., parking, trails, stairways, etc.) considers public safety potentials for vandalism and the protection of fragile coastal resources.	Y	ID	Accessway will be constructed to City standards
5.D.9.	The City shall ensure that the development along the immediate shoreline provides public access to the shoreline except where: findings are made consistent with Section 30212 of the Coastal Act that access is inconsistent with public safety or that agriculture would be adversely affected; access would have unavoidable adverse impacts on environmentally-sensitive habitat areas; an existing vertical accessway, adequate to meet anticipated access needs, is located one-half mile or less from the development; the parcel is too small to allow for an adequate vertical access corridor without passing within twenty-five feet of a proposed dwelling; or project site is too small for the proposed development and the access with improvement related to its use (i.e., parking).	Y	D	Project provides new functional coastal access (2 <sup>nd</sup> street).
5.D.10.	The City shall discourage accessways to rocky beaches in areas where public safety is of concern or where increased visitor pressure on biological areas or areas of unique character, sensitive to visitor pressure, will be degraded.	Y	D	Second Street access will not jeopardize public safety nor degrade biological resources
5.D.11.	The City shall ensure that existing lateral access be maintained by seeking lateral access easements, inland of the mean high tide line to the first line of vegetation or to the crest of the paralleling bluff in areas of coastal bluffs, for the immediate shoreline.	Y	D	There is no officially-recognized lateral access on the project site

TABLE 1				
DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT				
Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
5.D.12.	The City shall issue no permit for a project that obstructs lateral access on the immediate shoreline, inland of the mean tide line to the first line of vegetation, or the crest of the paralleling bluff. The City will, however, grant exceptions for the placement of navigational aids or shoreline protective devices to protect existing structures (i.e., houses, roadways, and parking areas).	Y	D	Project would not obstruct access on the immediate shoreline
5.F.4.	The City encourages the maintenance of existing facilities and the development of commercial and public visitor activities and services. The commercial area along Highway 101 (near Crescent City Harbor/South Beach) is recognized for its historic visitor use and potential visitor use.	Y	D	The project furthers the City's goals of expanding visitor serving uses.
<b>Natural Resources/Conservation Element</b>				
6.A.2.	The City shall protect those areas that are designated as environmentally sensitive so that these habitats and their resources are maintained, and any development shall be consistent with adjacent areas and with Section 30240 et seq of the California Coastal.	Y	ID	The project does not disturb any environmentally-sensitive habitat
6.A.11.	In order to discourage all but light recreational use of tidepool regions, the City shall ensure that shoreline access and recreational facilities are located so as to direct use towards the open, sandy beaches of the city.	Y	ID	The project provides access to a open, sandy beach area

TABLE 1

## DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT

Policy Number	Policy	Coastal Policy Y/N	Applicability S/D/ID*	Comments
6.A.15.	<p>The City shall require geologic studies for new construction within the area of demonstration on bluff tops to determine: their suitability for development; and the necessary setbacks required to avoid hazards associated with bluff failure.</p> <p>Note: The area of demonstration of stability includes the base, face, and top of all bluffs and cliffs. The extent of the bluff top considered should include the area between the face of the bluff and a line described on the bluff top by the intersection of a plane inclined at a 20 degree angle from horizontal passing through the toe of the bluff or cliff, or 50 feet inland from the edge of the cliff or bluff, whichever is greater. The City may, however, designate a smaller area of demonstration in specific areas of known geologic stability (as determined by adequate geologic evaluation and historic evidence) or where adequate protective works already exist. The City may designate a larger area of demonstration or exclude development entirely in areas of known high instability.</p>	Y	D	The project engineer conducted a geologic evaluation of the project site and determined that with suggested mitigation, the project will have acceptable levels of risk
6.D.5.	The City shall require that new development avoid, as much as possible, ecologically-fragile areas (e.g., areas of rare or endangered species of plants).	N	D	The project does not disturb environmentally-sensitive habitat
<b>Health &amp; Safety Element</b>				
7.B.4.	The City shall require site-specific investigations prior to the construction of all high intensity and/or public use structures. Site-specific investigations should assess the potential for liquefaction induced ground failures and suggest measures to mitigate the hazards from vertical and/or horizontal displacement. If it is found that engineering techniques cannot mitigate the hazards to within acceptable risk levels appropriate with the intended land use, the location of the proposed development shall be reconsidered.	N	ID	The project engineer conducted a geologic evaluation of the project site and determined that with suggested mitigation, the project will have acceptable levels of risk

<p style="text-align: center;"><b>TABLE 1</b></p> <p style="text-align: center;"><b>DRAFT GENERAL PLAN/LCP CONSISTENCY WITH PROPOSED PROJECT</b></p>				
<b>Policy Number</b>	<b>Policy</b>	<b>Coastal Policy Y/N</b>	<b>Applicability S/D/ID*</b>	<b>Comments</b>
7.C.1.	Any development proposed adjacent to a coastline erosion area should be preceded by: an assessment of the rates of coastal retreat; in the case of bluffs, a detailed examination of underlying geology by a registered geologist or engineering geologist; and an analysis of the potential for tsunami run-up.	Y	D	The project engineer conducted a geologic evaluation that examined coastal retreat, detailed the geology underlying the bluffs, and analyzed tsunami run-up
7.C.2.	In lieu of the above, the City may establish specific area setbacks of sufficient distance to mitigate potential coastal erosion hazards.	Y	D	The City has not yet established any general setback standards. The proposed hotel, however, will have a 30-foot setback from the bluff edge.
7.C.4.	The City shall petition appropriate Federal and State agencies to aid in a study of coastal bluff erosion and its impact on the Crescent City Harbor. The study should include: the source of harbor deposition material, specifically the impact of beach erosion north of Battery Point; the impact harbor deposition has on beach sand replenishment south of Crescent City Harbor; the impact of harbor dredging practices on the former hospital site west of Front and A St.; the impact of harbor dredging on potential tsunamis hazard; the direct and indirect costs of harbor dredging to the City; and the economic benefit of harbor dredging to the City.	N	ID	The project engineer prepared a geological evaluation for the City
*S = Specifically Applicable; D = Directly Applicable; ID = Indirectly Applicable				

TABLE 2

**1984 LOCAL COASTAL PLAN CONSISTENCY  
WITH PROPOSED PROJECT**

Policy Number	Policy	Applicability S/D/ID*	Policy carried forward into Draft General Plan/LCP Y/N	Comments
<b>Local Coastal Policies</b>				
CDA P-9	All new development in the Crescent City area should be of quality design and provide an adequate level of amenities.	ID	Y	The project is of high quality design and provides amenities such as coastal access.
ED P-14	The City should encourage the concentration of medical services adjacent to Seaside Hospital and urge the construction of a medical clinic in that vicinity.	S	N	Seaside Hospital moved to Washington Blvd in 1992.
ED P-15	The City should encourage placement of a motor inn near the Cultural and Convention Center.	D	Y	The proposed project lies six blocks from the Cultural and Convention Center.
CAP P-1	The City recognizes the importance of access to and along the shoreline. Therefore, all City- owned beachfront property, including its dry sand beaches, shall be maintained in a manner to protect all existing accessways. If, in the future, the City finds that existing public accessways are inadequate to meet recreational needs, it shall encourage the development of additional accessways consistent with the City's ability to pay maintenance costs and obtain adequate funding to develop said areas.	S	Y	The project applicant and the City have agreed to develop an additional beach accessway on 2 <sup>nd</sup> Street.
CAP P-2	The City may accept Seaside Hospital's offer of dedication along the western edge, providing funding can be obtained prior to accepting any access. The City will not oppose any other agency, so approved by the Executive Director of the Coastal Commission, from accepting offers of dedication.	D	N	No such dedication ever occurred



<p style="text-align: center;"><b>TABLE 2</b></p> <p style="text-align: center;"><b>1984 LOCAL COASTAL PLAN CONSISTENCY WITH PROPOSED PROJECT</b></p>				
Policy Number	Policy	Applicability S/D/ID*	Policy carried forward into Draft General Plan/LCP Y/N	Comments
ESHAWMR P-2	The City shall protect those areas that are designated as environmentally sensitive so that these habitats and their resources are maintained, and any development shall be consistent with adjacent areas and with Section 30240. et seq of the California Coastal Act as described herein on page 24.	D	Y	Increased beach usage from guests of the proposed hotel will not diminish the quality of environmentally-sensitive habitats
DDFSS P-3	<p>The City of Crescent City shall, in conjunction with the Harbor District, County of Del Norte, Del Norte Hospital District, Coastal Commission staff, and the Department of Fish and Game, develop a sand management program or any dispersal of sand on the beach area west of Seaside Hospital. The plan shall include, but not be limited to, the amount of sand to be placed yearly, months of the year when placement is possible, hours of operation, and the need for an annual sand budget.</p> <p>The City established a priority for placement of such dredge sand to be west of Seaside Hospital, in order to arrest the erosion of the bluffs within this location, as long as such placement is in conformance with the finalized sand management program.</p>	ID	Y	The project would in no way limit the ability of the said agencies to carry out this function.

**TABLE 2**  
**1984 LOCAL COASTAL PLAN CONSISTENCY**  
**WITH PROPOSED PROJECT**

Policy Number	Policy	Applicability S/D/ID*	Policy carried forward into Draft General Plan/LCP Y/N	Comments
DDFSS P-4	<p>The City's second priority for use of any additional dredged sand is to be for the Battery Point Recreational Area development. The placement of sand in this area shall conform with the duly adopted sand management plan and the following restrictions:</p> <p>The following uses for said sand are prohibited: the development of a parking and picnic area; and the filling between Battery Point and the mainland.</p> <p>If the recreational boating marina takes place, the placement of sand for a jetty shall be the least amount needed to provide for a single-wide roadway on top of the jetty.</p>	ID	Y	The project would in no way limit the ability of the said agencies to carry out this function.
PW P-2	The City shall reserve, for the expansion of Seaside Hospital, and related medical facilities, the specific area between Battery Street on the south, to Second Street on the north, to "C" Street on the east, and to the Pacific Ocean on the west.	S	N	The hospital moved to Washington Blvd in 1992, and therefore this policy is no longer applicable.
<b>Coastal Act Policies Referenced in the LCP</b>				
Section 30210	In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.	ID	Y	The project will provide access to the coast and will not contribute to overuse of the coast.

<p style="text-align: center;"><b>TABLE 2</b></p> <p style="text-align: center;"><b>1984 LOCAL COASTAL PLAN CONSISTENCY WITH PROPOSED PROJECT</b></p>				
<b>Policy Number</b>	<b>Policy</b>	<b>Applicability S/D/ID*</b>	<b>Policy carried forward into Draft General Plan/LCP Y/N</b>	<b>Comments</b>
Section 30211	Development shall not interfere with the public's right of access to the sea where required through use or legislative authority, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.	D	Y	The project will provide access from 2 <sup>nd</sup> Street to the coastline.
Section 30212	Public access from the nearest public roadway to the shoreline and long the coast shall be provided in new development projects except where: it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; adequate access exists nearby; or agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until such an agency or private association agrees to accept responsibility for maintenance and liability of the accessway.	D	Y	See comment above
Section 30251	The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and where feasible, to restore and enhance visual quality in visually degraded areas.	D	Y	The project is visually compatible with the character of the surrounding areas. The project would not obstruct views anymore than the previous use — Seaside Hospital — did.
*S = Specifically Applicable; D = Directly Applicable; ID = Indirectly Applicable				

TABLE 3				
DRAFT GENERAL PLAN/LCP POLICIES NOT APPLICABLE TO THE PROPOSED PROJECT				
Land Use Element				
1.A.1.	1.B.13.	1.F.3.	1.I.9.	1.K.2.
1.A.2.	1.B.14.	1.G.3.	1.I.10.	1.K.3.
1.A.3.	1.B.15.	1.G.4.	1.I.11.	1.K.4.
1.A.4.	1.B.16.	1.G.6.	1.J.1.	1.K.5.
1.A.5.	1.C.2.	1.H.1.	1.J.2.	1.K.6.
1.A.6.	1.C.3.	1.H.2.	1.J.3.	1.K.7.
1.B.1.	1.C.4.	1.H.3.	1.J.4.	1.K.8.
1.B.4.	1.D.1.	1.H.4.	1.J.6.	1.K.9.
1.B.5.	1.D.3.	1.H.5.	1.J.7.	1.K.10.
1.B.6.	1.E.1.	1.H.6.	1.J.8.	1.K.11.
1.B.7.	1.E.2.	1.I.1.	1.J.9.	1.K.12.
1.B.8.	1.E.3.	1.I.2.	1.J.10.	1.K.15.
1.B.9.	1.E.4.	1.I.4.	1.J.11.	1.L.1.
1.B.10.	1.E.5.	1.I.5.	1.J.12.	1.L.2.
1.B.11.	1.F.1.	1.I.6.	1.J.13.	1.L.3.
1.B.12.	1.F.2.	1.I.7.	1.K.1.	1.L.4.
Transportation and Circulation Element				
3.A.1.	3.A.16.	3.B.3.	3.C.7.	3.E.4.
3.A.2.	3.A.17.	3.B.4.	3.D.1.	3.E.5.
3.A.3.	3.A.18.	3.B.5.	3.D.3.	3.F.1.
3.A.4.	3.A.19.	3.B.6.	3.D.4.	3.F.2.
3.A.5.	3.A.20.	3.B.7.	3.D.5.	3.F.3.
3.A.6.	3.A.21.	3.C.1.	3.D.7.	3.F.4.
3.A.7.	3.A.22.	3.C.2.	3.D.8.	3.F.5.
3.A.8.	3.A.23.	3.C.3.	3.D.10.	3.F.6.

TABLE 3				
DRAFT GENERAL PLAN/LCP POLICIES NOT APPLICABLE TO THE PROPOSED PROJECT				
3.A.11.	3.A.24.	3.C.4.	3.E.1.	3.G.1.
3.A.13.	3.B.1.	3.C.5.	3.E.2.	3.G.2.
3.A.14.	3.B.2.	3.C.6.	3.E.3.	3.G.3.
Public Facilities and Services Element				
4.B.1.	4.C.5.	4.E.1.	4.F.2.	4.G.3.
4.B.2.	4.D.1.	4.E.2.	4.F.3.	4.G.4.
4.B.4.	4.D.2.	4.E.3.	4.F.4.	4.G.5.
4.B.5.	4.D.3.	4.E.4.	4.F.5.	4.G.6.
4.C.1.	4.D.4.	4.E.6.	4.F.6.	4.H.1.
4.C.2.	4.D.5.	4.E.7.	4.F.7.	4.H.2.
4.C.3.	4.D.6.	4.E.8.	4.G.1.	
4.C.4.	4.D.7.	4.F.1.	4.G.2.	
Recreational and Cultural Resources Element				
5.A.1.	5.A.13.	5.C.6.	5.D.16.	5.G.4.
5.A.2.	5.A.14.	5.C.8.	5.D.17.	5.G.5.
5.A.3.	5.A.15.	5.C.10.	5.E.1.	5.G.6.
5.A.4.	5.B.1.	5.C.11.	5.E.2.	5.G.7.
5.A.5.	5.B.2.	5.C.12.	5.E.3.	5.G.8.
5.A.6.	5.B.3.	5.D.2.	5.E.4.	5.G.9.
5.A.7.	5.B.4.	5.D.3.	5.F.1.	5.G.10.
5.A.8.	5.B.5.	5.D.5.	5.F.2.	5.G.11.
5.A.9.	5.C.1.	5.D.8.	5.F.3.	5.G.12.
5.A.10.	5.C.3.	5.D.13.	5.G.1.	5.G.13.
5.A.11.	5.C.4.	5.D.14.	5.G.2.	5.G.14.
5.A.12.	5.C.5.	5.D.15.	5.G.3.	

TABLE 3				
DRAFT GENERAL PLAN/LCP POLICIES NOT APPLICABLE TO THE PROPOSED PROJECT				
Natural Resources/Conservation Element				
6.A.1.	6.A.17.	6.D.5.	6.D.19.	6.E.7.
6.A.2.	6.A.18.	6.D.6.	6.D.20.	6.E.8.
6.A.3.	6.A.19.	6.D.7.	6.D.21.	6.E.9.
6.A.4.	6.B.1.	6.D.8.	6.D.22.	6.E.10.
6.A.5.	6.B.2.	6.D.9.	6.D.23.	6.F.1.
6.A.6.	6.B.3.	6.D.10.	6.D.24.	6.F.2.
6.A.7.	6.B.4.	6.D.11.	6.D.25.	6.F.3.
6.A.8.	6.C.1.	6.D.12.	6.D.26.	6.G.1.
6.A.9.	6.C.2.	6.D.13.	6.E.1.	6.G.2.
6.A.10.	6.C.3.	6.D.14.	6.E.2.	6.G.3.
6.A.12.	6.D.1.	6.D.15.	6.E.3.	6.G.4.
6.A.13.	6.D.2.	6.D.16.	6.E.4.	6.G.5.
6.A.14.	6.D.3.	6.D.17.	6.E.5.	6.G.6.
6.A.16.	6.D.4.	6.D.18.	6.E.6.	
Health & Safety Element				
7.A.1.	7.B.12.	7.D.8.	7.G.3.	7.H.10.
7.A.2.	7.B.13.	7.E.1.	7.G.4.	7.H.11.
7.A.3.	7.C.3.	7.E.2.	7.G.5.	7.H.12.
7.B.1.	7.C.5.	7.E.3.	7.G.6.	7.H.13.
7.B.2.	7.C.6.	7.E.4.	7.H.1.	7.H.14.
7.B.3.	7.C.7.	7.E.5.	7.H.2.	7.H.15.
7.B.5.	7.D.1.	7.F.1.	7.H.3.	7.H.16.
7.B.6.	7.D.2.	7.F.2.	7.H.4.	7.H.17.
7.B.7.	7.D.3.	7.F.3.	7.H.5.	7.H.18.
7.B.8.	7.D.4.	7.F.4.	7.H.6.	7.H.19.

**TABLE 3**

**DRAFT GENERAL PLAN/LCP POLICIES NOT APPLICABLE TO  
THE PROPOSED PROJECT**

7.B.9.	7.D.5.	7.F.5.	7.H.7.
7.B.10.	7.D.6.	7.G.1.	7.H.8.
7.B.11.	7.D.7.	7.G.2.	7.H.9.

TABLE 4				
1984 LCP POLICIES NOT APPLICABLE TO THE PROPOSED PROJECT				
Local Coastal Policies				
GDP P-1	ED P-11	CAP P-5	ESHAWMR P-3	IDEF P-5
GDP P-2	ED P-12	RVSEFP P-1	ESHAWMR P-4	PW P-1
GDP P-3	ED P-13	RVSEFP P-2	ESHAWMR P-5	PW P-3
GDP P-4	ED P-16	RVSEFP P-3	DDFSS P-1	PW P-4
CDA P-5	ED P-17	RVSEFP P-4	DDFSS P-2	
CDA P-6	ED P-18	CVRSC P-1	IDEF P-1	
CDA P-7	ED P-19	CVRSC P-2	IDEF P-2	
CDA P-8	CAP P-3	CVRSC P-3	IDEF P-3	
ED P-10	CAP P-4	ESHAWMR P-1	IDEF P-4	
Coastal Act Policies				
Section 30212.5	Section 30222	Section 30233	Section 30253	Section 30261
Section 30213	Section 30230	Section 20235	Section 30254	Section 30262
Section 30220	Section 30231	Section 30240	Section 30255	Section 30263
Section 30221	Section 30232	Section 20250	Section 30260	Section 30264



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# REDWOOD OCEANFRONT RESORT

## DRAFT COASTAL ACCESS SURVEY



Prepared by:

Planwest

July 31, 2000

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# COASTAL ACCESS SURVEY for the PROPOSED REDWOOD OCEANFRONT RESORT PROJECT CRESCENT CITY, CALIFORNIA

## INTRODUCTION

A coastal access survey was conducted to determine visitor use levels along the portion of the Crescent City oceanfront closest to the proposed Redwood Oceanfront Resort Project. The survey area is the most central of three coastal access areas in or adjacent to the City. The other two areas, which were not part of this survey, are the Pebble Beach/Point St. George area to north and the Crescent City Harbor/South Beach area to the south.

The survey area covers approximately ½ mile of the Coastal Zone waterfront, from Howe Drive (in Beachfront Park) at the southeast limit to the intersection of Fourth Street and Taylor Street at the northwest limit.

This portion of the Crescent City coastline is characterized by a low bluff and gently sloping sandy beaches south of the Battery Point Lighthouse and adjacent to the Crescent City Harbor, at the southern limit of the survey area; and a higher bluff with relatively narrow beach and rocky and steeper shoreline north of the Battery Point Lighthouse.

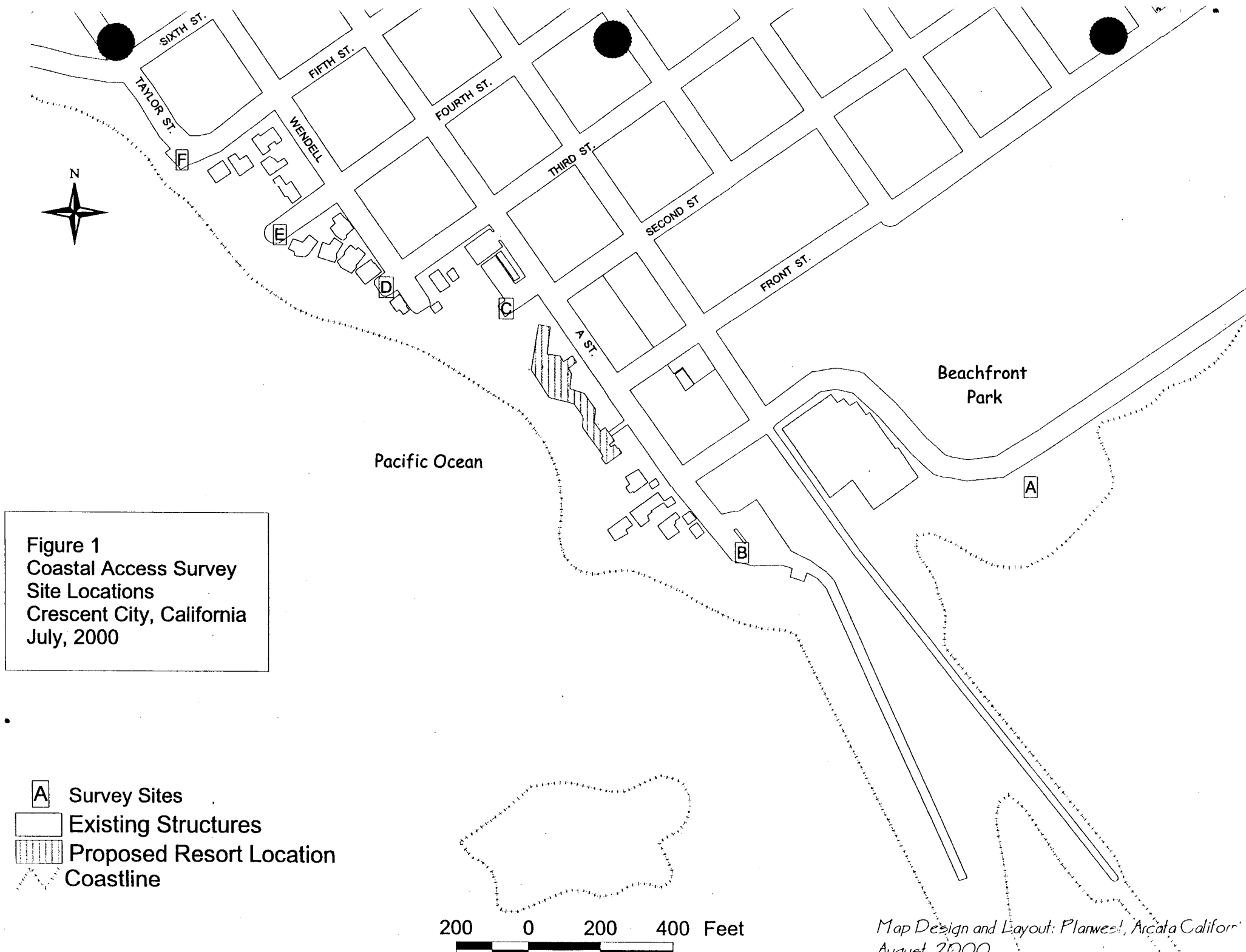
## SURVEY LOCATIONS

Six locations were chosen based on access to the beach, letter symbols A-F denote the specific survey locations (Figure 1):

**Location A - Howe Drive in Beachfront Park.** This location is at the west end of Crescent City's largest park, with parking and picnic tables adjacent to a gentle sloping sandy beach on the Crescent City Harbor. The close proximity of the road allows visitor parking that is a short walk to picnic tables and a protected beach.

**Location B - Battery Point Lighthouse/Park.** The Lighthouse parking area is located at the south end of A Street. There is a designated parking lot for up to 28 vehicles, with some available space for vehicles beyond the paved sections of the lot. The site is located on a bluff that slopes toward the shoreline with maintained trail access that leads to the lighthouse and the jetty. The location also has public restrooms. There are private residences to the northwest, a view of the lighthouse and coast to the west, and coastline and harbor views to the south.

**Location C - Proposed 2nd Street Access.** This survey location is on the coastal side of the 2nd Street & A Street intersection. To the north there is a medical clinic parking lot. There is no City maintained access, but an informal dirt trail has been created by foot traffic accessing the beach. The site is on top of the bluff above the high tide line, and the coastline at this location is steep and rocky. This is the closest location to the proposed Redwood Oceanfront Resort Project.



**Location D - Third Street Access.** This location at the end of Third Street has unmarked but available parking for 2-3 cars and a maintained staircase and trail leading to the beach. It is located on top of the coastal bluff and above the high tide line. There are private residences north and south of the parking area, with a view of the coast primarily to the west.

**Location E - Fourth Street Access.** This site is at the end of Fourth Street. There is unmarked but available space for parking of 2-3 vehicles, no maintained access to the beach but there is an informal and unmarked footpath leading from the street through brush to the beach. There are private residences to the north and south with a view of the coast primarily to the west.

**Location F - Fifth Street Access.** This is the northernmost site in the survey. There is unmarked but available space for parking of 3-4 vehicles. There is also pedestrian access to the beach via a set of stairs. There are private residences to the south and northwest, with coastal views to the west.

## METHODOLOGY

The Coastal Access Survey was conducted over a two-day period, July 28<sup>th</sup>, and 29<sup>th</sup>, 2000. Three observations taken at each of the six locations, on a weekday (Friday) and a weekend day (Saturday). The three observation times for each day were chosen based on the tides, access to the lighthouse and exposed beaches, and estimated maximum visitor utilization of the coastal area.

The morning survey was taken between 9:00AM and 10:00AM, the mid day survey between 12:00PM and 1:50PM and the afternoon survey between 3:00PM and 4:30PM. Vehicle counts were taken each time at each location and on adjacent streets to get as complete a count of visitors as possible. Pedestrian counts were also taken each time at each location, resulting in a "snapshot" of pedestrian traffic at each time of the survey. The results of the surveys are presented in Table 1.

TABLE 1 – SURVEY RESULTS

ACCESS POINT A - HOWE DRIVE IN BEACHFRONT PARK			
Time and Day	# of Cars	# of Pedestrians	Notes
10:00 AM Friday	2	2	
12:30 PM Friday	6	7	Pedestrians utilizing picnic tables at the park.
3:30 PM Friday	3	11	Pedestrians utilizing picnic tables at the park and dispersed along the beach.
10:00 AM Saturday	2	5	
12:30 PM Saturday	8	24	Pedestrians utilizing picnic tables at the park and dispersed along the beach.
4:20 PM Saturday	5	17	Pedestrians utilizing picnic tables at the park and dispersed along the beach.

TABLE 1 – SURVEY RESULTS (continued)

<b>ACCESS POINT B - BATTERY POINT LIGHTHOUSE PARKING LOT</b>			
<b>Time and Day</b>	<b># of Cars</b>	<b># of Pedestrians</b>	<b>Notes</b>
10:00 AM Friday	9	28	People utilizing parking lot to access jetty as well as lighthouse.
12:35 PM Friday	30	75	Parking lot at capacity of 28 slots.
3:40 PM Friday	19	86	Pedestrian count includes tour group.
10:05 AM Saturday	20	26	Pedestrians dispersed from jetty to just north of parking lot.
12:35 PM Saturday	11	10	High tide, no access to lighthouse.
4:25 PM Saturday	32	58	Lot full, low tide access to lighthouse.
<b>ACCESS POINT C – 2ND ST. CLINIC PARKING LOT</b>			
<b>Time and Day</b>	<b># of Cars</b>	<b># of Pedestrians</b>	<b>Notes</b>
10:00 AM Friday	17	2	Large number of cars due to clinic patrons.
1:10 PM Friday	9	4	Lunch time for clinic employees and patrons.
3:45 PM Friday	13	11	Pedestrians around clinic parking lot, not on beach.
10:10 AM Saturday	0	1	Clinic closed on Saturday, no vehicles in parking lot.
12:40 PM Saturday	0	0	Clinic closed on Saturday, no vehicles in parking lot.
4:30 PM Saturday	0	8	Pedestrians on beach in front of proposed resort.

TABLE 1 – SURVEY RESULTS (continued)

ACCESS POINT D – END OF 3RD STREET			
Time and Day	# of Cars	# of Pedestrians	Notes
10:00 AM Friday	2	12	Group of 8 leaving beach using stairs at end of street.
1:20 PM Friday	2	0	
3:50 PM Friday	3	9	Two separate groups of people at the beach.
10:15 AM Saturday	1	0	
12:45 PM Saturday	2	6	Two groups and random walkers.
4:35 PM Saturday	1	4	
ACCESS POINT E – END OF 4TH STREET			
Time and Day	# of Cars	# of Pedestrians	Notes
10:00 AM Friday	1	0	One mobile home and no cars.
1:30 PM Friday	0	5	
4:00 PM Friday	1	4	
10:20 AM Saturday	1	1	Same vehicle as Friday.
12:50 PM Saturday	0	0	
4:40 PM Saturday	0	0	

TABLE 1 – SURVEY RESULTS (continued)

ACCESS POINT F – END OF 5TH STREET			
Time and Day	# of Cars	# of Pedestrians	Notes
10:00 AM Friday	2	0	Vehicles likely to be residents.
1:35 PM Friday	1	0	
4:30 PM Friday	1	4	Family of four on the beach.
10:25 AM Saturday	0	2	
12:55 PM Saturday	0	1	
4:45 PM Saturday	1	4	Random people walking the beach.

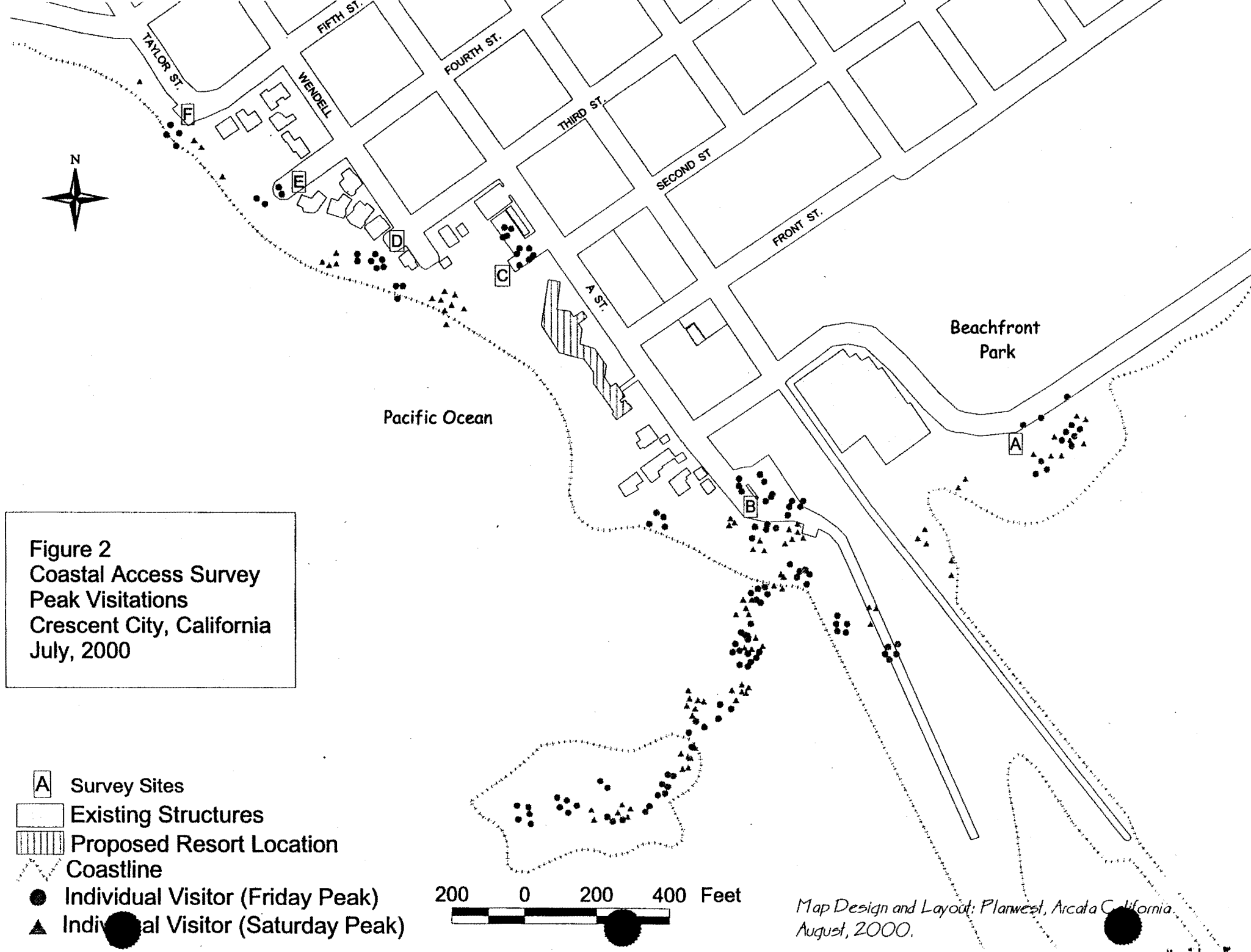
## RESULTS

The Survey sampled visitor use at six of fourteen potential access points identified in the Crescent City Local Coastal Plan. With the exception of the Battery Point Lighthouse, visitor use has been observed to be higher at coastal access points to the north and south of the survey area. This is due to the presence of larger, more accessible, beaches and more visitor amenities.

Most of the visitors observed during the survey were at the Battery Point Lighthouse location, this is due to the historical value of the light house, parking and amenities such as restrooms and picnic tables. Howe Drive in Beachfront Park was the next most frequented, possibly due to the sandy beach and close parking. The areas at the east end of Beachfront park typically have higher use levels, due to closer proximity to Kidtown, the pool, and other visitor amenities. Access points in the survey area with fewer visitor amenities and more limited beach area had proportionally fewer visitors. During the survey period only 2 individual visitors and one group of six were spotted utilizing the coastal area in front of the proposed Redwood Oceanfront Resort site. Figure 2 shows locations of visitors at the peak periods on Friday and Saturday. Peak visitor times were mid-day on Friday and early afternoon on Saturday.

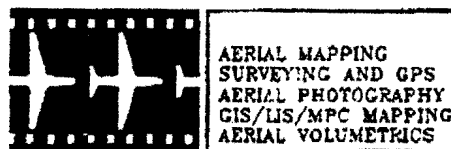
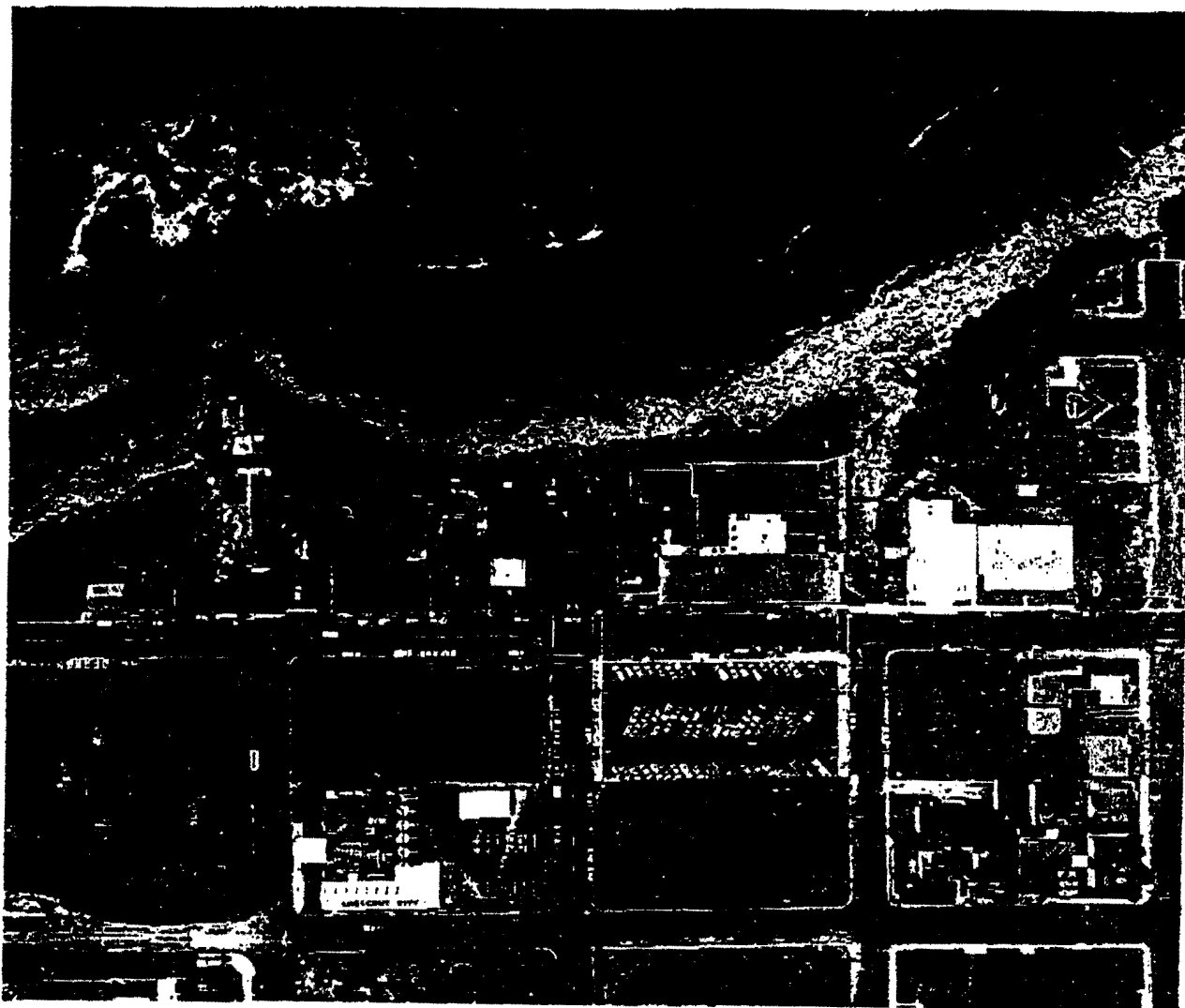
While the parking lot at Battery Point Lighthouse was full on several occasions, the coastal access was not crowded and the public facilities do not show signs of deterioration from overuse. Given the open character of the area between the parking lot and the lighthouse, there is additional capacity for additional visitors at this location. None of the sites in the survey area were observed to be at capacity.

Guests at the proposed Redwood Oceanfront Resort would be within approximately two blocks of the lighthouse access, and within four blocks of all the access points surveyed and could easily walk to these locations. Increased use from hotel guests is not expected to exceed capacity of existing coastal access points in the survey area. The additional coastal access proposed at Second and A Streets, as well as the proposed onsite amenities will increase opportunities in this area.





SHORELINE EROSION STUDY  
OF  
SUTTER COAST HOSPITAL SITE  
CRESCENT CITY, CALIFORNIA



Richard B. Davis Co.

P.O. Box 950, 140 Rowdy Cr. Rd. Smith River, Ca. 95567  
(707) 487-MAPS • • • • • (1-800-AIR-MAPS)

REPORT ON STUDY OF OCEAN SHORELINE IN FRONT OF SUTTER COAST  
HOSPITAL.

Purpose of Study

The Del Norte County Hospital District hired the Richard B. Davis Co. to study the position of the shoreline next to the Sutter Coast Hospital building located at 100 "A" Street in Crescent City, Ca., to determine if the shoreline is eroding.

Apparently some erosion has been experienced in the past. During the building of the current Crescent City boat harbor in 1973 large amounts of sand and rock were pumped from the current harbor site to build up the beach in the area of study. It was hoped that the application of this material and the placement of "rip-rap" to the base of the bluff which defines the shoreline would halt any subsequent erosion. It was the purpose of this study to determine whether or not erosion is currently a problem at this site.

Definition of the Term "Shoreline"

For the purposes of this study the shoreline is defined by the low bluff which drops down to the beach, not the beach itself. The reason for this is twofold.

- 1: The edge of the beach is difficult to define because of the changing tides. During a very high tide most, if not all, of the beach is underwater. During a low tide much more of the beach is visible. It would be difficult, if not impossible, to come up with a clear definition of where the shoreline is, due to tidal changes.

Since the bluff drops directly down to the beach (and in fact defines the beach) is the only logical feature which can be used to define the shoreline.

The method of determining the shoreline position from year to year is dependant of the use of vertical aerial photography. Not all of the photography available was taken at either a high or low tide.

- 2: If an erosion problem exists, it would be clearly indicated by a change in the position of either

the top (the point at which the land suddenly drops toward the beach) or the toe (the base) of the bluff. This change would be clearly seen from the various aerial photographs which were used in the study.

### Techniques Used in the Study

Photogrammetric methods were used to determine if there is an erosional trend in the shoreline. A brief explanation of the photogrammetric method follows:

Photogrammetry is the science of measuring the position of features which are visible in "stereo" photography.

Just as we see something in three dimensions because we are looking at it from two different points of view (two eyes equals two point of view), we can use two vertical aerial photographs (which are taken from two different positions over a site and have an overlap of approx. 60%) to see features on the ground in three dimensions. An optical instrument known as a stereoplotter can be used to view these photographs and take very accurate measurements from within the resulting "stereo model".

In order to make accurate measurements of objects or features which appear in the stereo model we must have reference points of a known location. These points are known as "control points". These control points are often large crosses (known as aerial targets) placed on the ground or painted on the highway. Control points can also be easily identifiable, clearly seen features such as the corner of a building, the end of a sidewalk, etc. As long as a feature's position is known, it can be used as a control point.

Once a stereo model is set in the stereoplotter, the operator sees a small dot which appears to float in space within the 3d image he or she sees. The operator can use the controls of the instrument to move this dot around and place it so it appears to be "on" any part of the 3d image. In this way the operator can "point" to different features. The control points are pointed to and their position is read into a computer file.

After the control is read into the computer in this manner, the position of any other feature in the stereo model can be computed. At the same time the features

geographic position is being computed, a computer graphics file is being created. This computer drawing is then used in creating a final map.

This was the basic method which we employed in studying the position of the shoreline next to the Sutter Coast Hospital.

For our vertical aerial photography we used photographs which were taken in 1963, 1966, 1969, 1975, 1976 and 1989. For control points, we determined the position of several easily identified features which appeared in all of the photography (the corners of buildings, etc.). The geographic position of these control points was determined by measurement from mapping which was done in the area in 1976 by our firm.

The hospital area was then mapped at a scale of 1"=50'. In our base map we placed the position of the major buildings, roads, sidewalks, rocks in the ocean, etc. After these major features were mapped, we mapped the top and toe of the bluff. A different line style/color combination was applied in the computer to this information so we could differentiate the position of the shoreline from year to year.

After the shoreline position for each year was mapped, we plotted the results together, thus creating a map showing the movement (if any) of the shoreline.

The resulting map has an accuracy level of plus or minus 3'. This means that, at most, our indication of the shoreline position could be off by that amount.

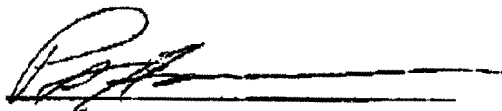
There is of course some operator judgement involved when pointing to either the top or toe of the bluff. This judgement involves such decisions as to where the toe of the bluff ends and the beach begins (in areas the slope changes gradually). The top of the bluff is much more easily discerned, although there are some areas where judgement is called for.

### Conclusions

It is our conclusion, based on our photographic "window" from 1963 through 1989, that erosion is currently not a problem in the study site. In some areas the shoreline has actually seemed to "grow" outward. This is quite the opposite of what we expected to see. We attribute this growth to the application of sand, rock and rip-rap to the shoreline. One part of the site (to the south of the Hospital building, on a private residential property) appears to have experienced considerable growth. This is due to the deliberate application of fill to the area. In the 1976 photography we could clearly see a freshly dumped pile of dirt in this area. We did not notice any dumping of this type on the shoreline directly adjacent to the Hospital.

Shorelines are very dynamic and subject to change. The shoreline adjacent to the Sutter Coast Hospital property at 100 "A" St. in Crescent City, CA. appears to have reached a state of equilibrium in general and slight growth in certain spots. Erosion does not currently appear to be a problem.

Peter Hovanes,



Manager, Aerial Mapping  
Feb. 7, 1992

**LEE TROMBLE ENGINEERING**

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July 26, 2000

George Williamson  
c/o City of Crescent City  
377 "J" Street  
Crescent City, CA 95531

re: Coastal Commission Appeal of the  
Redwood Oceanfront Resort Approval

Dear Mr. Williamson:

This is in response to the California Coastal Commission Appeal No. A-1-CRC-00-033, dated July 13, 2000. That completed appeal form outlined the issues on which the appeal was based. This is to provide you with supplemental information relative to the Geologic/Bluff Stability concerns outlined in that July 13 appeal.

Coastal Bluff stability and retreat were addressed in my Soils and Foundation Investigation (dated 8/23/99) report for the project. The references used in the preparation of the study are attached. Furthermore, please find attached copies of the site plan on which I have highlighted the top of bluff and noted the approximate bluff height. The height of the bluff varies from about 4 to 7 feet through the Phase 1 development area, and 7 to 15 feet north to south through the Phase 2 development area.

Excepting the southerly 50 feet or so of the embankment, a driftwood log and rock berm lies west of the toe of slope. West of the berm and the embankment is a steep, rounded rock and pebble beach. Presently the beach elevation at the toe of slope is at approximate elevation 11 to 14 feet MSL. Storm surges concurrent with high tides, which are relatively frequent along the Crescent City coastline, do, at times, alter the beach elevation near the toe of the slope. However, over the past 25 to 30 years, it appears that only the aforementioned southerly coastal bluff area has experienced beach level variations directly adjacent to the toe of slope.

The appellants site the LCP diking, dredging, filling and shoreline structures chapter discussion which concludes that "The bluff along the Seaside Hospital will continue to erode and that the building will again be in danger is a distinct possibility." Further, as noted in the appeal, the City of Crescent City, in conjunction with the Harbor District did, in 1973, pump dredge spoils onto the beach north of the north jetty. The fact that a majority of the sand did not remain on the beach is not surprising as a good part of the dredge spoils were fine grained sands, typically carried in suspension and transported offshore. That is, the storm surf at this location

on the beach will sort the sediments according to particle diameter, from coarse in the surf zone to finer offshore. One only has to visit this site to see that the beach sediments are rounded rock and small pebbles. Dredging fine grained sand onto this high energy beach has little or no permanent structural benefit to the coastline at this location. At present, it is my understanding that the Harbor District, which has difficulty obtaining dredging permits, dredges the bay spoils into diked dredge spoil ponds, where the spoils are periodically excavated and hauled off-site. I know of no plans to place sand on the beach area west of the hospital. In fact, due to environmental concerns, it would undoubtedly be next to impossible to resume dredging spoil placement on the beach.

In contrast to the LCP prediction of continued bluff retreat, reference should be made to "Shoreline Erosion Study of Sutter Coast Hospital Site, Crescent City, CA" dated February 7, 1992. This report was prepared by Richard B. Davis Co. That study, which is based on aerial photogrammetry, (photos dating from 1963 to 1989) concludes that erosion is currently not a problem at the site. In fact, that report states "in some areas the shoreline has actually seemed to grow outward.... The shoreline adjacent to the Sutter Coast Hospital property at 100 "A" Street in Crescent City, CA appears to have reached a state of equilibrium in general and slight growth in certain spots". This was confirmed by my comparison of a 1984 aerial photograph to the present topographic survey.

The presence of dense vegetation along and adjacent to the bluff edge indicates that the bluff has not experienced recent erosion or undermining. Bedrock and large concrete chunks buttress a good part of the bluff at the site.

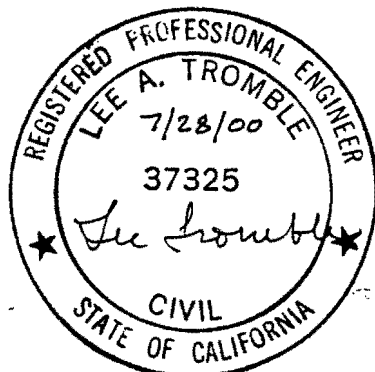
Based on my research, relative height of the bluff, the existing buttressed bluff face, bedrock outcrops and review of reports and aerial photographs, I can conclude that the risk that a steady state bluff retreat over the 40 year project life span will damage a structure behind our setback line is low. The setback line is 30 feet (minimum) east of the bluff edge.

The proposed project, and the aforementioned Soils and Foundation Investigation, do not propose or contemplate construction of seawalls or other structural reinforcement of the coastal bluff.

I trust this provides you with the supplemental information necessary to address coastal bluff stability concerns as expressed by the commission. If you have any questions or if you need any additional information regarding this matter, please call.

Very Truly Yours,

Lee Tromble



EXP: 6/30/04

## REFERENCES:

Geologic Mapping prepared by the USGS and California Division of Mines and Geology

Preliminary Soil Investigation for the Redevelopment of a portion of Crescent City, CA (Woodward-Clyde-Sherard & Associates, December 16, 1964).

Soil Investigation for the Crescent City Sewage Treatment Plant Additions (Yoder-Trotter-Orlob and Associates, June 7, 1971).

Foundation Investigation exploration on Front Street block between "B" and "C" Street, (L. Tromble, July 1996).

Foundation Investigation for the Jefferson State Brewery on Front street block between "D" and "E" Street, (L. Tromble, 1996).

Foundation Investigation for the Crescent city Marine Mammal Center, Howe Drive (L. Tromble).

Several Geologic and Soils Hazards Reports along the Coastal Bluff in Crescent City (Prepared by others).