

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE      MAILING ADDRESS:  
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# F6c

June 23, 2006

**TO:** Commissioners and Interested Parties

**FROM:** Peter M. Douglas, Executive Director  
Robert S. Merrill, District Manager – North Coast District  
Jim Baskin, Coastal Program Analyst – North Coast District

**SUBJECT: COUNTY OF DEL NORTE LCP AMENDMENT NO. DNC-MAJ-1-05 (HENDERSON):** Concurrence with the Executive Director's determination that the action of the County of Del Norte accepting the Commission's certification of LCP Amendment No. DNC-MAJ-1-05 is legally adequate. (For Commission review at the meeting of July 16, 2006 in San Diego)

A. BACKGROUND:

The Commission acted on Del Norte County LCP Amendment No. DNC-MAJ-1-05 on March 10, 2006. The proposed amendment as submitted would have amended the County's Implementation Program (IP) by changing the zoning on lands adjacent to wetlands.

The Commission rejected the amendment as submitted, but certified the proposed amendment to the LCP if modified with two suggested modifications. The suggested modifications included: (1) modifying the proposed application of Designated Resource Conservation Area – Riparian Vegetation (RCA-2(r)) zoning around the 50-foot-wide periphery of a tributary of Elk Creek to instead comprise a 100-foot-wide Resource Conservation Area – Wetland Buffer zoning designation (RCA-2(wb)); and (2) limit the areal extent of lands proposed to be rezoned to Medium Density Rural Residential Agriculture – One Dwelling Unit per Two Acres Density with Manufactured Housing Combining Zone (RRA-2-MFH) (i.e., within 50 feet of the outer edges of the riparian corridor) to only those areas outbound of the 100-foot-wide wetland buffer around the Elk Creek tributary.

B. EFFECTIVE CERTIFICATION:

On June 13, 2006, the County of Del Norte Board of Supervisors held a public hearing and adopted Resolution No. 2006-044 acknowledging receipt of the Commission's resolution of certification, accepted and agreed to the Coastal Commission's modifications, agreed to issue

permits in conformance with the modified LCP, and formally approved the necessary changes to the County's Implementation Program (see Attachment No. B).

As provided in Section 13544 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the County of Del Norte's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of Del Norte County LCP Amendment No. DNC-MAJ-1-05 shall become effective upon the filing of a Notice of Certification for the LCP amendment with the Secretary of Resources, as provided in Public Resources Code Section 2180.5(2)(V).

C. STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the determination of the Executive Director that the actions of the County of Del Norte to accept the Commission's certification of Del Norte County LCP Amendment No. DNC-MAJ-1-05 to adopt the necessary changes to the County's Implementation Program are legally adequate, as noted in the attached letter, Attachment A (to be sent after Commission concurrence).

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July \_\_, 2006

Ernie Perry, Director  
County of Del Norte – Community Development Department  
981 H Street, Suite 110  
Crescent City, CA 95531

**SUBJECT:** Effective Certification of County of Del Norte LCP Amendment No. DNC-MAJ-1-05 – Amendment to Implementation Program Zoning Map No. B-9 (Henderson)

Dear Mr. Perry:

The Executive Director of the Coastal Commission has reviewed Board of Supervisors Resolution No. 2006-044 and Ordinance No. 2005-06 for effective certification of the County of Del Norte LCP Amendment No. DNC-MAJ-1-05 (Henderson).

The County's resolution indicates that the County acknowledges receipt of and accepts the Commission's resolution for certification and that the County agrees to issue permits in conformance with the modified certified local coastal program.

The Executive Director has found that the County's resolution fulfills the requirements of Section 13544(a) of the California Code of Regulations. In accordance with Section 13544(b) of the regulations, the Director has determined that the County's actions are legally adequate.

The Coastal Commission concurred with this determination at its meeting of July 1\_, 2006 in San Diego. Commission approval and the amendment process are now complete. If you have any questions, please contact James R. Baskin in our Eureka office at (707) 445-7833 or [jbaskin@coastal.ca.gov](mailto:jbaskin@coastal.ca.gov).

Sincerely,

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ROBERT S. MERRILL  
District Manager

RSM:jb/lt

**ATTACHMENT A**