

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET, SUITE 200
EUREKA, CA 95501
(707) 445-7833 FAX (707) 445-7877

www.coastal.ca.gov

W8

NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

October Meeting of the California Coastal Commission

MEMORANDUM

Date: October 5, 2011

TO: Commissioners and Interested Parties
FROM: Peter Douglas, North Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the North Coast District Office for the October 5, 2011 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Coast District.

DE MINIMIS WAIVERS

1. 1-11-026-W Crescent City Harbor District, Attn: Richard Young & Ernest Perry (Crescent City, Del Norte County)
2. 1-11-036-W Cutter & Judith Wagley (Arcata, Humboldt County)

EMERGENCY PERMITS

1. 1-11-032-G Crescent City Harbor District, Attn: Richard Young, C.E.O./Harbormaster (, Del Norte County)

EXTENSION - IMMATERIAL

1. A-1-CRC-08-004-E1 C.C.P.T., Inc., Attn: Randy Baugh (Crescent City, Del Norte County)

TOTAL OF 4 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

| <i>Applicant</i> | <i>Project Description</i> | <i>Project Location</i> |
|---|---|--|
| 1-11-026-W Crescent City Harbor District, Attn: Richard Young & Ernest Perry | Construct an approximately 10-ft. by 17-ft.-high attached addition to an existing approximately 10-ft. by 17-ft.-high commercial-industrial structure to house a relocated pressurized water boiler currently situated within the existing building. | Leasehold Parcel No. 117-190-05 (Alber Seafood), situated between Citizen's Dock Road and Anchor Way, Crescent City (Del Norte County) |
| 1-11-036-W Cutter & Judith Wagley | Construct a 50-ft. by 100-ft., two-story, 32-ft.-high attached addition to an existing 110-ft. by 85-ft., one-story 24-ft.-height commercial-industrial structure, with associated off-street parking facilities, native plants landscaping and screening improvements, and replace an existing asphalt covered area with a bio-filtration swale. | 700 South G Street, Arcata (Humboldt County) |

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

| <i>Applicant</i> | <i>Project Description</i> | <i>Project Location</i> |
|---|---|--|
| 1-11-032-G Crescent City Harbor District, Attn: Richard Young, C.E.O./Harbormaster | Repair damage to portions of the Crescent City Harbor caused by the March 11, 2011 Tohoku Tsunami entailing: (a) excavation of the approximately 140,000 cubic yards (yd3) of tsunami-deposited sediment materials from within the Inner Boat Basin and Synchro-lift areas; (b) excavation and replacement of approximately 56,000 yd3 of engineered rock slope protection along the faces of the inner harbor, within their existing fill prism; (c) rehabilitation of the damaged outer 280-lineal feet of the Inner Boat Basin Breakwater; and (d) extrication of damaged dock piles and installation of approximately 150 new replacement piles and 1,500 lineal feet of temporary floating dock assemblies, as more fully described in detail within the Application for Emergency Permit, dated June 23, 2011, as subsequently revised August 19, 2011. | At numerous locations within and along the Inner Boat Basin and its breakwater, and Synchro-lift areas within the Crescent City Harbor, Del Norte County |

REPORT OF EXTENSION - IMMATERIAL

| <i>Applicant</i> | <i>Project Description</i> | <i>Project Location</i> |
|------------------|----------------------------|-------------------------|
|------------------|----------------------------|-------------------------|

A-1-CRC-08-004-E1
C.C.P.T., Inc., Attn: Randy
Baugh

Developing a two-story residential condominium complex of up to 41 dwelling units totaling +-70,612-sq.-ft. of floor area within a +-35,306-sq.ft. building envelope, and a ground level on-site parkign lot providing 62 off-street parking spaces.

200 A Street, Crescent City (Del Norte County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 3, 2011
TO: Crescent City
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-11-026-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Crescent City Harbor District

LOCATION: Leasehold Parcel No. 117-190-05 (Albers Seafood), situated between Citizen's Dock Road and Anchor Way within Crescent City Harbor, Del Norte County (APN 117-020-16)

DESCRIPTION: Construct an approximately 10-ft. by 17-ft., 17-ft.-high attached addition to an existing approximately 10-ft. by 17-ft., 17-ft.-high commercial-industrial structure to house a relocated pressurized water boiler currently situated within the existing building.

RATIONALE: The proposed site improvements would enhance worker safety by allowing for the relocation of dangerous industrial equipment from its current siting immediately adjacent to commercial fish processing line facilities. Upgrading the processing facilities would support priority coastal related uses within an established harbor. The installation of the building addition would not encroach into sensitive habitat areas. The proposed project will have no adverse impacts on coastal resources and is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, October 5, 2011, in Huntington Beach. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
CHARLES LESTER
Executive Director

By: JAMES R. BASKIN AICP
Coastal Planner

A handwritten signature of James R. Baskin, underlined, with a large, stylized flourish to the left.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: October 3, 2011
TO: Cutter and Judith Wagley
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-11-036-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: Cutter and Judith Wagley

LOCATION: 700 South G Street, Arcata, Humboldt County (APN 503-211-26)

DESCRIPTION: Construct a 50-ft. by 100-ft., two-story, 32-ft.-high attached addition to an existing 110-ft. by 85-ft., one-story 24-ft.-height commercial-industrial structure, with associated off-street parking facilities, native plants landscaping and screening improvements, and replace an existing asphalt covered area with a bio-filtration swale.

RATIONALE: The proposed site improvements would entail in-fill development within an existing commercial-industrial / public facilities designated area with all new impervious surface improvements being situated on existing paved or compacted gravel surfaces. The installation of the structural improvements would not encroach into sensitive habitat areas and the associated site landscaping, screening, and drainage amenities would contribute to improving water quality and visual character of the area. The proposed project will have no adverse impacts on coastal resources and is consistent with all applicable Chapter 3 policies of the Coastal Act.

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Wednesday, October 5, 2011, in Huntington Beach. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
CHARLES LESTER
Executive Director

By: JAMES R. BASKIN AICP
Coastal Planner

A handwritten signature in black ink, appearing to read "James R. Baskin", written over a horizontal line.

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**EMERGENCY PERMIT**

Richard Young, CEO/Harbormaster
Crescent City Harbor District
101 Citizen's Dock Road
Crescent City, CA 95531

Date: October 03, 2011
Emergency Permit No.: 1-11-032-G

LOCATION OF EMERGENCY WORK:

At numerous locations within and along the Inner Boast Basin and its breakwater, and Synchro-lift areas within the Crescent City Harbor, Del Norte County (APNs 117-020-16 and 117-170-11).

WORK PROPOSED:

Repair damage to portions of the Crescent City Harbor caused by the March 11, 2011 Tohoku Tsunami entailing: (a) excavation of the approximately 140,000 cubic yards (yd³) of tsunami-deposited sediment materials from within the Inner Boat Basin and Synchro-lift areas; (b) excavation and replacement of approximately 56,000 yd³ of engineered rock slope protection along the faces of the inner harbor, within their existing fill prism; (c) rehabilitation of the damaged outer 280-lineal feet of the Inner Boat Basin Breakwater; and (d) extrication of damaged dock piles and installation of approximately 150 new replacement piles and 1,500 lineal feet of temporary floating dock assemblies, as more fully described in detail within the *Application for Emergency Permit*, dated June 23, 2011, as subsequently revised August 19, 2011.

PERMIT RATIONALE:

This letter constitutes approval for continuation of the emergency work you or your representative has requested to be done at the locations listed above. I understand from your information and our site inspection that an unexpected occurrence in the form of tsunami inundation has resulted in extensive damage to the harbor's boat basin facilities including the deposition of a significant quantity of sediment within the Inner Boat Basin and synchro-lift areas. I also understand that the timely restoration of the inner boat basin facilities must occur before the high-demand fall-winter crabbing season to avoid significant impacts to the commercial fishing sector. Therefore, given the critical nature of the harbor in terms of serving as both a home and transient port to commercial fishing vessels and as a harbor-of-refuge to all mariners, immediate and expedited action is needed to conduct repairs to restore, repair, or maintain public service facilities.

Pursuant to Title 14 of the California Code of Regulations, Section 13009, the Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit; and
- (b) Public comment on the proposed emergency action has been reviewed as time allows; and
- (c) As conditioned, the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the conditions listed on the attached page.

If you have any questions about the provisions of this Emergency Permit, please contact the Commission's North Coast District Office.

Sincerely,

CHARLES LESTER
Executive Director

A handwritten signature in black ink, appearing to read "Robert S. Merrill", written over a horizontal line.

By: Robert S. Merrill
North Coast District Manager

CL:RSM:JRB/jb/lt

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the APPLICANT and returned within 15 days.
2. Only work specifically described in this permit and for the specific property listed above is authorized. The project shall be undertaken in accordance with the plans and other information submitted to the Coastal Commission. Any additional work requires separate authorization from the Executive Director.
3. To avoid impacts to adjoining coastal waters and environmentally sensitive habitat areas, the emergency work shall be performed consistent with: (a) the Best Management Practices identified within the emergency permit application transmitted on behalf of Crescent City Harbor District by Stover Engineering, dated June 2, 2011, June 3, 2011, and June 16, 2011; (b) the special conditions attached to the U.S. Army Corps of Engineers' authorization letter for Nationwide Permit Nos. NWP3 and NWP11, File No. 2011-00203N, dated August 3, 2011; and (c) the conditions attached to the U.S. Environmental Protection Agency's *Post-Tsunami Dredging Suitability Determination and Concurrence for Ocean Disposal*, dated August 17, 2011, with respect to performance standards for dredging of the sediment deposits and their transport through state waters to the Humboldt Open Ocean Disposal Site (HOODS).
4. A report describing the actual repairs performed shall be submitted to the Executive Director within 30 days of the completion of the emergency work and no later than December 31, 2011.
5. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless of any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including the U.S. Army Corps of Engineers, the California Department of Fish and Game, the County of Del Norte, or the City of Crescent City.

The emergency work is considered to be TEMPORARY work done in an emergency situation. If the property owner wishes to have the emergency work become a permanent development, a Coastal Development Permit or amendments to previously issued Coastal Development Permits must be obtained. A regular permit or permit amendment would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as an offer to dedicate an easement) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.

If you have any questions about the provisions of this emergency permit, please call the Commission's North Coast District Office at the address and telephone number list on the first page.

Cc: County of Del Norte Community Development Services Dept., 981 H Street, Suite 110, Crescent City, CA 95521
City of Crescent City Planning Department, 377 J Street, Crescent City, CA 95531

Encl: Emergency Permit Acceptance Form, Regular Permit Application Form

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September 22, 2011

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: CCPT, Inc (formerly Randy Baugh DBA: DCI, Inc.)
has applied for a one year extension of: Coastal Development Permit No. A-1-CRC-08-004
granted by the California Coastal Commission on: November 4, 2009
for: Developing a two-story residential condominium complex of up to 41 dwelling units totaling ±70,612-sq.-ft. of floor area within a ±35,306-sq.ft. building envelope, and a ground level on-site parking lot providing 62 off-street parking spaces.
at: 200 "A" Street, Crescent City, Del Norte County; APN 118-020-34.

Pursuant to Section 13169 of the Commission's Administrative Regulations (14 CCR §13000 *et seq.*), the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission's Regulations state that "the time for commencement of development shall be extended for one year from the expiration date of the permit if both of the following occur: (1) no written objection to the executive director's determination is received within 10 working days after mailing notice, and (2) three commissioners do not object to the executive director's determination." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
CHARLES LESTER
Executive Director



By: JAMES R. BASKIN AICP
Coastal Planner

