

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

W13

NORTH COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

April Meeting of the California Coastal Commission

MEMORANDUM

Date: April 11, 2012

TO: Commissioners and Interested Parties
FROM: Alison Dettmer, 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 April 11, 2012 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. 1-11-006-W Dolphin Isle Marina (Fort Bragg, Mendocino County)
2. 1-11-035-W William Daniel (Fort Bragg, Mendocino County)
3. 1-12-009-W Russ Ranch & Timber Company, L.L.C. (, Humboldt County)
4. 1-12-012-W City Of Arcata, Attn: Julie Neander (, Humboldt County)

IMMATERIAL AMENDMENTS

1. A-1-CRC-00-033-A2 Xiao Jin Yuan (Crescent City, Del Norte County)

EXTENSION - IMMATERIAL

1. A-1-EUR-01-029-A1-E5 Eureka Waterfront Partners, Attn: Dolores Vellutini (Eureka, Humboldt County)
2. A-1-HUM-05-041-E3 Ted Cooper (Manila, Humboldt County)

TOTAL OF 7 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>
1-11-006-W Dolphin Isle Marina	After-the-fact removal of a fallen tree from river and filling a fill hole in the riverbank resulting from the uprooting of the fallen tree with 10 cubic yards of rock.	along the Noyo River, at 32399 Basin Street, Fort Bragg (Mendocino County)
1-11-035-W William Daniel	Construct a 24-foot by 40-foot pre-fabricated metal garage structure to house heavy equipment associated with boat building, including forklifts and a man lift, on a concrete slab, with a maximum building height of 17 feet, to be located within the footprint of a previous building. No plumbing, sewer or grading is proposed. Development includes minor electrical installation to onsite, existing power panel. The building will be sited outside of a 15-foot-wide easement that is adjacent to a privately maintained road and which provides access to adjoining properties.	19200 South Harbor Drive, Fort Bragg (Mendocino County)
1-12-009-W Russ Ranch & Timber Company, L.L.C.	After-the-fact application for the placement in 2010 of up to 300 cubic yards of sediment excavated from a channelized reach of Russ Creek on an approximately 650-ft-long stretch of upland earthen berm habitat adjacent to the creek.	3592 Centerville Road (3/4 mile north of Centerville Road and 1/2 mile west of Russ Lane, Ferndale), Humboldt County
1-12-012-W City Of Arcata, Attn: Julie Neander	Replacement of interpretive and directional signage at the Arcata Marsh and Wildlife Sanctuary to replace and update the current signs with up to 24 new interpretive signs, and improve way-finding on the trails by installing up directional markers.	Arcata Marsh and Wildlife Sanctuary, Arcata, Humboldt County

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
A-1-CRC-00-033-A2 Xiao Jin Yuan	Convert the existing breakfast and lodge area into a 70-seat restaurant with full service kitchen and bar.	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)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
A-1-EUR-01-029-A1- Eureka Waterfront Partners, Attn: Dolores Vellutini	Develop two mixed-use, three-story buildings containing visitor-serving, retail commercial, and residential uses totaling 50,295 sq. ft. and two onsite parking lots providing 80 off-street parking spaces.	Along Humboldt Bay between D and F Streets, Eureka (Humboldt County)
A-1-HUM-05-041-E3 Ted Cooper	(1) Shift the proposed residence approximately 40 feet westward and 10 feet northward and modify its design (including narrowing the width) to increase the buffer between the house and the wetland to a minimum of ~83-100 feet (originally it was ~60 feet); (2) narrow the driveway to increase the buffer between the driveway and the wetland to a minimum of ~15-60 feet (from the original design of ~15-25 feet); (3) dedicate a 10-foot-wide public access easement across the property that connects with an existing beach access trail on the adjacent parcel; and (4) plant a vegetation buffer comprised of native, regionally appropriate species between all development and the wetland.	1401 Peninsula Drive, Manila (Humboldt County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 9, 2012
TO: Dolphin Isle Marina, Attn: Gregg Stevens, Manager
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-11-006-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: Dolphin Isle Marina, Attn: Gregg Stevens, Manager

LOCATION: 32399 Basin Street, Fort Bragg, Mendocino County (APN 018-320-02)

DESCRIPTION: Remove fallen tree from Noyo River, and fill a hole in the riverbank resulting from the uprooting of the fallen tree. Project includes: (1) obtaining authorization after-the-fact for placing approximately 5 cubic yards of rock in the hole; (2) additional placement of approximately 5 cubic yards of rock to completely fill hole; and (3) implementation of best management practices to stabilize the fill material.

RATIONALE: Best management practices and erosion control measures will be implemented at the site to ensure the protection of the water quality resources of the Noyo River from sedimentation and runoff. Approximately 10 cubic yards of ¾-inch base rock will be backfilled in total into the hole created by the uprooted tree. Base rock fill will be graded to direct surface water flow away from the Noyo River and drain into an existing storm drain. Compaction of base fill material may occur using a vibratory plate. An erosion control blanket will be placed over the bank and part of the affected area nearest the river bank, and then covered with topsoil. Three 9-inch erosion control wattles will be staked in place horizontally atop the blanket. Disturbed areas will be seeded to stabilize soil and materials, with either rye (*Secale cereale*), native grasses, or short-lived cereal grasses. No invasive species such as annual (a.k.a. Italian) ryegrass (*Lolium multiflorum*) will be used. The bank repair near the Noyo River will not block views to and along the coast, nor be incompatible with the character of its surroundings. As proposed, the project would not adversely affect 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, April 11, in Ventura. 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: TAMARA L. GEDIK
Coastal Program Analyst

A handwritten signature in black ink, appearing to read 'TAMARA L. GEDIK', written over a horizontal line.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: March 26, 2012
TO: William Daniel
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-11-035-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: William Daniel

LOCATION: 19200 South Harbor Drive, Fort Bragg, Mendocino County (APN 018-150-46)

DESCRIPTION: Construct a 24-foot by 40-foot pre-fabricated metal garage structure to house heavy equipment associated with boat building, including forklifts and a man lift, on a concrete slab, with a maximum building height of 17 feet, to be located within the footprint of a previous building. No plumbing, sewer or grading is proposed. Development includes minor electrical installation to onsite, existing power panel. The building will be sited outside of a 15-foot-wide easement that is adjacent to a privately maintained road and which provides access to adjoining properties.

RATIONALE: The proposed prefabricated garage would be located on a slab foundation within the footprint of a previous building located within an established fishing village containing similar industrial buildings. The building site is located approximately 95 feet from the Noyo River, and the property is presently used as a marine boat building and repair yard and contains a 280-square-foot storage shed; a 216-square-foot welding shed; and a 400-square-foot "watchman" single-family dwelling unit. The proposed garage will not be used for containment of any buoyant material nor flammable material. Documentation provided by a licensed surveyor demonstrates the building will be sited at 11.75 feet, above the FEMA Base Flood Elevation of 10 feet identified in the submitted FEMA flood elevation certificate. The prefabricated building would not encroach into sensitive habitat areas. The garage as sited near the Noyo River will not block views to and along the coast, or be incompatible with the character of its surroundings. 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, April 11, in Ventura. 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: TAMARA L. GEDIK
Coastal Program Analyst

A handwritten signature in black ink, appearing to read 'T. GEDIK', written over a horizontal line.

Cc: Mendocino County Planning and Building Services
Thomas Ancona
Abbie Colbert

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 9, 2012
TO: Russ Ranch & Timber Company, L.L.C.
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-12-009-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: Russ Ranch & Timber Company, L.L.C.

LOCATION: 3592 Centerville Road (3/4 mile north of Centerville Road and 1/2 mile west of Russ Lane, Ferndale), Humboldt County (APN(s) 100-142-11)

DESCRIPTION: After-the-fact application for the placement in 2010 of up to 300 cubic yards of sediment excavated from a channelized reach of Russ Creek on an approximately 650-ft-long stretch of upland earthen berm habitat adjacent to the creek.

RATIONALE: In 2010 the applicant excavated an approximately 650-foot-long channelized reach of Russ Creek without the benefit of a coastal development permit and placed the excavated material along the upland berm adjacent to the creek. This reach of Russ Creek historically was channelized to follow property boundaries and/or to maximize the land available for livestock grazing and other agricultural uses. Russ Creek in this area is completely surrounded by undeveloped agricultural land and is lacking in riparian vegetation. The unpermitted creek excavation allegedly was undertaken to alleviate flooding associated with creek over-topping onto the adjacent pastureland, which contains irrigation equipment that the applicant was concerned would be impacted by sediment deposition associated with the flooding. Through a site visit and photographs provided by DFG, Commission staff confirmed that the excavated spoils were placed on upland areas of the existing berm that lines the channelized creek and reseeded with pasture grasses to prevent erosion and restore suitable cattle grazing land. Thus, the placement of the sediment on the berm did not require wetland fill, was performed in a manner to prevent erosion and protect water quality and the adjacent creek habitat, and the area was restored to agricultural use. In addition, the spoil pile was small and spread out so as not to adversely affect visual resources. Therefore, the proposed after-the-fact development involves no significant impacts on coastal resources or public access to the shoreline 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, April 11, 2012, in Ventura. 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

Robert S. Merrill
ROBERT S. MERRILL FOR MK
By: MELISSA KRAEMER
Coastal Program Analyst

cc: Local Planning Dept.

Western Timber Services, Inc., Attn: Charlie Holthaus

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 9, 2012
TO: City of Arcata
FROM: Charles Lester, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 1-12-012-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: City of Arcata

LOCATION: Arcata Marsh and Wildlife Sanctuary and McDaniel Slough Restoration Area

DESCRIPTION: Installation of 31 interpretive panels and/or directional signs to both replace and update seven existing signs and construct 24 new interpretive signs along the five-mile network of trails within the 307-acre complex of the Arcata Marsh and Wildlife Sanctuary, situated along the northern shoreline of Humboldt Bay.

RATIONALE: The proposed signage amenities would enhance public coastal access. Additional directional markers installed at parking lot trailheads and path junctions will improve way-finding through the marshes. Furthermore, updated and new interpretative panels will enhance the coastal visitor experience by providing information on the various estuarine and riparian resources, facilitating nature study of the area. The paths are existing and work is limited to the installation of the trailside signage amenities with no expansion in their size or intensity of use proposed. No signage is proposed in wetlands. The sign elements are low profile in height, modest in bulk, and constructed of materials which would be compatible with the visual character of the surrounding areas.

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, April 11, 2012, in Ventura. 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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NOTICE OF PROPOSED PERMIT AMENDMENT

TO: All Interested Parties
FROM: Charles Lester, Executive Director
DATE: April 6, 2012
SUBJECT: **Coastal Development Permit No. A-1-CRC-00-033-A2**
Granted to: Del Norte Healthcare District

ORIGINAL DESCRIPTION

For: **Redwood Oceanfront Resort** – Entailing phased development of a 94-room destination resort hotel and restaurant complex comprising 19,790 sq. ft. of building coverage, 56,210 sq. ft. of floor area, and extending to a 35-ft.-height at full build-out, and including a parking lot, covered entry, walkway, signage, and landscaping improvements.

At: **100 "A" Street, at the intersection of Front Street (Highway 101) and A Street, in the City of Crescent City, Del Norte County. (APNs 118-020-34 & -35, 118-040-33, and -42.)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above-referenced permit, which would result in the following changes:

Modify the interior of the hotel building by converting an existing 70-seat capacity complimentary breakfast serving and seating area to a commercial kitchen/licensed premises and 70-seat capacity restaurant by: (1) remodeling the existing breakfast preparation and serving area into a commercial kitchen; (2) installing a lounge bar island; and (3) renovating the tables, flooring, and wall treatments within the existing seating area.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten (10) working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

The conversion of guest-only ancillary internal food service area to commercial kitchen and publicly accessible restaurant/licensed premises alter the overall character of the visitor-serving uses authorized by the original coastal development permit. The physical additions to the building are limited to the interior of the structure and would not affect established public access facilities, including the availability of on- or off-street parking, or result in impacts to environmentally sensitive habitat areas, including intertidal wetland areas adjoining the site. The new interior improvements would be obscured from exterior view behind the structure's walls and windows. The amended project would continue to be subject to the conditions of the originally approved permit requiring numerous best management practices for the protection of water quality and other performance standards for protection against natural hazards. No coastal resources would be adversely affected by the proposed changes to the project and the amended project as conditioned is consistent with all applicable policies of the certified LCP.

If you have any questions about the proposal or wish to register an objection, please contact James R. Baskin at the North Coast District office.

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April 9, 2012

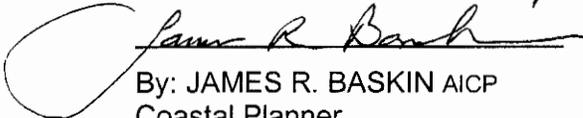
NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: Eureka Waterfront Partners, LLC
has applied for a one year extension of: Coastal Development Permit No. A-1-EUR-01-029-A1
granted by the California Coastal Commission on: October 14, 2004
for: Develop two mixed-use, three-story buildings containing visitor-serving, retail commercial, and residential uses totaling 56,855 sq. ft. and two on-site parking lots providing 72 off-street parking spaces.
at: Along Humboldt Bay between D and F Streets, Eureka (Humboldt County) (APNs 001-054-24 & -25).

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 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



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April 9, 2012

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **Ted Cooper**

has applied for a one year extension of Permit No: **A-1-HUM-05-041-E3**

granted by the California Coastal Commission on: **March 7, 2008**

for **(1) Shift the proposed residence approximately 40 feet westward and 10 feet northward and modify its design (including narrowing the width) to increase the buffer between the house and the wetland to a minimum of ~83-100 feet (originally it was ~60 feet); (2) narrow the driveway to increase the buffer between the driveway and the wetland to a minimum of ~15-60 feet (from the original design of ~15-25 feet); (3) dedicate a 10-foot-wide public access easement across the property that connects with an existing beach access trail on the adjacent parcel; and (4) plant a vegetation buffer comprised of native, regionally appropriate species between all development and the wetland.**

at **1401 Peninsula Drive, Manila (Humboldt County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." 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: MELISSA KRAEMER
Coastal Program Analyst