

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICES
43 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105
PHONE: (415) 904-5260
FAX: (415) 904-5400
WEB: WWW.COASTAL.CA.GOV



February 11, 2015

Mr. Larry Fortado
Three Captains
P.O. Box 1971
El Granada, CA 94018

Mr. Mark Scheer
Young de Normandie
Second and Seneca Building
1191 Second Avenue, Suite 1901
Seattle, Washington 98101

**RE: Incomplete Filing Status of Coastal Development Permit (CDP) Application No. 2-14-1592
(Three Captains, Half Moon Bay, San Mateo County)**

Dear Mr. Fortado and Mr. Scheer:

Thank you for your submittal dated January 9, 2015 and received in our San Francisco office on January 16, 2015. We received information you submitted to the San Francisco office on January 29, 2015 that was provided in support of your request for a CDP. Staff is proceeding with the processing of your CDP application as we informed you in our letter to you dated December 12, 2014 and during our telephone discussion today (February 11, 2015). As conveyed to you previously in the December 12th letter there may be additional materials necessary for filing purposes dependent upon the nature of the information you provide in response to the letter-request. The CDP application, as we discussed today, is incomplete because there is additional information needed for our review, in light of the issue that has been brought to staff's attention with respect to Coastal Act §§ 30234 and 30234.5. The application cannot be deemed complete in accordance with the Commission's Administrative Regulations (Title 14 CCR § 13056).

Commission Jurisdiction

In response to your statements regarding permit jurisdiction, the Commission has permit jurisdiction as provided by Coastal Act Section 30601. The proposed development/hoist is installed on Johnson Pier, at Pillar Point Harbor, which is located between Highway 1 and the sea. The area is under the retained jurisdiction of the Coastal Commission. Coastal Act Section 30601 states in relevant part below.

Section 30601: *Prior to certification of the local coastal program and, where applicable, in addition to a permit from a local government pursuant to subdivision (b) or (d) of Section 30600, a coastal development permit shall be obtained from the commission for any of the following:*

(1) *Developments between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach,*

whichever is the greater distance. (2) Developments not included within paragraph (1) located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

Information Required

Please provide the following information.

1. **Appendix D – Declaration of Posting.** Your submittal, received in our office on January 16, 2015 does not include evidence of the required posting. Please post the notice (on yellow paper) that includes the North Central Coast District Office address and submit evidence of the posting, as we previously requested.
2. **Economic, Commercial, and Recreational Needs of Commercial Fishing Industry.** We previously asked you to provide a detailed description of baseline conditions (prior to installation of the hoist) and current conditions (after installation of the hoist) on the pier, such as any congestion issues and the cause(s). You indicate in your submittal that that there will not be any change to the baseline conditions on the pier and further state that more fishermen can unload at one time. If there is more frequent turn-around time for the fishing boats (that would use the new hoist) would this create an opportunity for those fishing boats to go back out to sea and return with additional catch/product resulting in an increase in activity and the transporting of product to and on the pier? Would the additional and more frequent product being brought to the pier as a result, cause more congestion unloading and transporting the project on the pier? Please demonstrate that traffic flow on the pier would not change significantly with the new hoist. The new hoist includes a required 8 foot by 8 foot red-marked area adjacent to it. What is the purpose of this area and how does it relate to the free and clear area that the Harbor District requires on the pier? Will this 8 by 8 foot area worsen (or contribute to) congestion on the pier?

You state that the difference with the existing conditions and conditions with the new hoist is that it would be more convenient for fishermen to deliver to Three Captains and for loading equipment because they will not need to go through the existing fish buyers building to access the hoist. Please discuss if and how congestion or conflicts currently occur with the other tenants and or activities being conducted on the pier prior to and after installation of the new hoist. As we previously requested, include in your discussion/analysis as much quantified information as possible, such as estimated delays in time that may occur with loading and off-loading products and equipment, and time delays that may occur to other tenants due to congestion related to the location of the new hoist. You state that the new hoist will allow the same product to move through Johnson Pier faster. How much time does it take to unload boats from the original hoist location; and how much quicker will it be with the new hoist?

3. **Alternatives Analysis.** You provide evidence that the Harbor District, in-line with the conditions of the lease with Three Captains Sea Products, approved the location of the new hoist. This is supported by the September 24, 2014 letter to Three Captains. The September 24, 2014 letter however does not specifically mention the fueling dock used by the fishermen and recreational

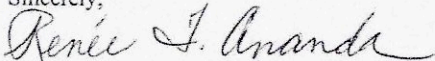
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boaters located at Johnson Pier in the vicinity of the new hoist. Please confirm if the location of the new hoist with respect to the fueling facility was considered through this approval and whether or not the new hoist affects access to or use of the fueling dock.

Please submit the above-requested information to me by no later than Wednesday February 18, 2015. We will hold your application for six months from today's date (i.e., until August 11, 2015) pending receipt of the information listed above. The application will again be reviewed after all of the above-listed materials have been received, and will be filed as complete if all is in order pursuant to Government Code Section 65943(a). Please submit all of the requested materials at the same time. There may be additional materials necessary for filing purposes dependent upon the nature of the information you provide in response to this letter request.

Please note that if staff does not receive all of the above-listed materials within six months, application number 2-14-1592 will be considered withdrawn and returned to you. This submittal deadline may be extended for good cause if you submit/make a request prior to August 11, 2015. Feel free to contact me at the address and phone number listed in the letterhead if you have any questions regarding this CDP application.

Sincerely,



Renee T. Ananda
Coastal Program Analyst
North Central Coast District

Enclosure

Cc: Stuart Grunow
David Holbrook, Senior Planner, San Mateo County Planning
Scott Grindy, Acting Harbor Master, Pillar Point Harbor
Lisa Damrosch, Half Moon Bay Seafood Marketing Association

APPENDIX D
(Permit Application)

DECLARATION OF POSTING

Prior to or at the time the application is submitted for filing, the applicant must post, at a conspicuous place, easily read by the public and as close as possible to the site of the proposed development, notice that an application for the proposed development has been submitted to the Commission. Such notice shall contain a general description of the nature of the proposed development. The Commission furnishes the applicant with a standardized form to be used for such posting. If the applicant fails to post the completed notice form and sign the Declaration of Posting, the Executive Director of the Commission shall refuse to file the application. 14 Cal. Code Regs. Section 13054(d).

Please sign and date this Declaration of Posting form when the site is posted; it serves as proof of posting. It should be returned to our office with the application.

Pursuant to the requirements of California Administrative Code Section 13054(b), I hereby certify that on, _____ I or my authorized representative posted the Notice
(date of posting)

of Pending Permit for application to obtain a coastal development permit for the development of _____

(description of development)

Located at _____

(address of development or assessor's parcel number)

The public notice was posted at _____

(a conspicuous place, easily seen by the public and as close as possible to the site of the proposed development)

(signature)

(date)

NOTE: Your application cannot be processed until this Declaration of Posting is signed and returned to this office.

FOR OFFICE USE ONLY

PERMIT NUMBER _____

RECEIVED _____

DECLARATION COMPLETE _____