

CALIFORNIA COASTAL COMMISSION

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

**December 12, 2014**

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:

This filing status letter follows our teleconference call with Mark Scheer on December 9, 2014 during which we discussed the status of your request for authorization to install a new hoist on Johnson Pier at Pillar Point Harbor. Staff originally proposed issuance of waiver; however, it was removed from the Deputy Director's Report for the November hearing because new information was presented by the fishing community as to the proposed hoist's potential effect on operations and economic conditions for the fishing community in the area of Johnson Pier/Pillar Point Harbor. A Notice of the Executive Director's Changed Recommendations regarding the issuance of a waiver was sent to you and distributed to the public on November 6, 2014. We are, therefore, going to proceed with processing your CDP application and expect to bring your request for the installation of a new hoist to the Commission for hearing and action in February 2014.

The CDP application 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 (see attachments). The application cannot be deemed complete in accordance with the Commission's Administrative Regulations (Title 14 CCR § 13056). Please provide the following information, some of which we discussed during the November 6, 2014 telephone call.

1. **Appendix D – Declaration of Posting.** Please re-post the notice (on yellow paper) that includes the North Central Coast District Office address and submit evidence of the posting. I have enclosed the applicable form for you to use.
2. **Economic, Commercial, and Recreational Needs of Commercial Fishing Industry.** Provide an analysis of the proposed new hoist's impact on current commercial fishing operations and businesses on Johnson Pier. Provide a detailed description of baseline/current conditions on the pier, such as congestion and the cause(s). The analysis must address loading and unloading at the location, and assess whether or not the new hoist at the proposed location has the potential to

impede movement of equipment and or affect other harbor-associated activities in the vicinity, e.g. fueling and use of the pump-out for vessel holding tanks. Include in the analysis a discussion of potential impacts to other members of harbor/fishing community and businesses under conditions with and without the new hoist.


The analysis must include as much quantified information as possible, such as estimated delays in time that may occur with loading and offloading products and equipment. Your discussion should also address the potential effect on offload revenues.

3. **Alternatives Analysis.** Provide an Alternatives Analysis that identifies other locations for the installation of the hoist and possible modifications that could possibly be made to operations.
4. **Local Approval.** Evidence of required local approval received.

Please submit the above-requested information to me by the first full week of January, preferably no later than January 7, 2015. We will hold your application for six months from today's date (i.e., until Friday, June 12, 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 June 12, 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,



Renée 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

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where the improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

(Amended by: Ch. 673, Stats. 1978; Ch. 43, Stats. 1982; Ch. 1167, Stats. 1982; Ch. 454, Stats. 1983; Ch. 294, Stats. 2006.)

Section 30234 Commercial fishing and recreational boating facilities

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30234.5 Economic, commercial, and recreational importance of fishing

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

(Added by Ch. 802, Stats. 1991.)

Section 30235 Construction altering natural shoreline

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible.



To: Renee Ananda – California Coastal Commission

From: Lisa Damrosch- Half Moon Bay Seafood Marketing Association

Re: CDP Waiver #2-14-1592-W and CDP Waiver # 2-14-1170W

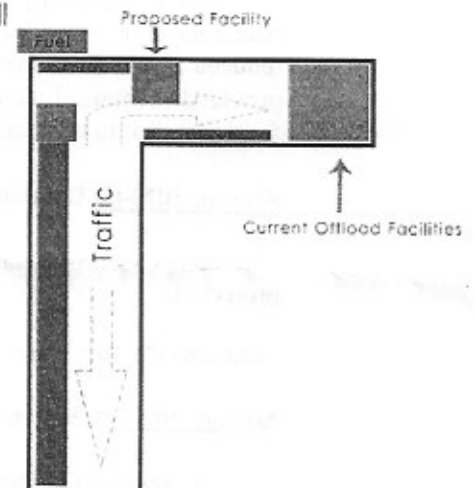
As you know, the members of HMBSMA have expressed concern regarding the waivers of the above referenced Coastal Development Permits. We are particularly concerned about the potential for significant economic loss to our members and others operating businesses at Pillar Point Harbor.

More than 100 commercial fishing vessels and three buying/offloading businesses operate out of Pillar Point Harbor. In 2013, 18.7 million pounds representing \$17.1 million dollars of seafood was unloaded over Johnson Pier.

Johnson Pier is an L shaped pier that is wide enough for approximately 3 vehicles on the East/West span and approximately 2 vehicles on the North/South side. This pier must accommodate the public as well as commercial fishing activity, including offloading, and storage of offloading equipment. Traffic on the pier includes small cars and trucks, foot traffic, forklifts, and semi-trucks.

For the past 30 years, all offloading has been conducted on the northernmost part of the pier as referenced in the drawing to the right. This drawing is for general reference only and is not to scale.

The efficiency of this infrastructure is critical to the financial viability of our fleet. We believe that changes to this infrastructure without adequate study could be economically damaging and potentially reduce offload revenue by up to 20%-30%.



Specifically, the installation of a new hoist in a new location that has not previously supported offloading activity will have an indisputable impact on traffic patterns on the pier and could delay offloads for vessels. There is also a potential for access to fuel and to be impacted which will also result in delays to fishing activity.

PO Box 872 Half Moon Bay, CA 94019 hmsmaboard@gmail.com
www.halfmoonbayseafood.org

For individual fishing vessels, delays at the dock translate directly into lost revenue. Delays are already experienced due to congestion from existing infrastructure, adding to this without a complete process and adequate study could result in even greater delays.

Every hour spent waiting to unload, are hours that cannot be spent fishing. Because fishing activities are weather dependent, extra time at the dock can sometimes result in multiple missed fishing days due to bad weather.

An example, based on Dungeness Crab: in 2013, 2.4 million pounds, representing more than 7.5 million dollars were offloaded over Johnson Pier. A 20%-30% loss in revenue due to delays could equate to 2 million dollars.

It is estimated that close to 70% of the total Dungeness Crab harvested is caught in the first 10 days of the season. Therefore a delay of a single fishing day could result in a loss of close to 10% of the projected total season revenue for a Dungeness Crab fisherman. Depending on the size and capacity of the vessel, losses could amount to \$5,000-\$40,000 per day.

The other fish buying businesses on the pier could also suffer significant economic losses if they cannot adequately move product from the vessels to the trucks, and if trucks cannot get off of the dock in a timely fashion.

Seafood is a perishable product, and Dungeness Crab are also sold live, the timeliness and efficiency of delivery is imperative for the quality of the product and payment to the vessels. (Boats are not paid for dead crab)

Other considerations are the efficient loading and offloading of equipment. During the Dungeness Crab season, 50,000-60,000 traps are loaded on and off of vessels. The inability to load vessels efficiently can further delay fishing activities.

Commercial fishing operations are very complex, and while HMBSMA members are hopeful for infrastructure changes to improve offloading facilities, the implications of any changes require study and careful consideration. Commercial fishermen are participating in a strategic planning process, which is currently underway with the hope that it will help inform these decisions in the future. Meanwhile, we cannot risk the economic loss that could be caused by changes that are not adequately studied.