



CHAPTER 3 -- THE LAND USE PLAN: RESOURCES AND DEVELOPMENT ISSUES AND POLICIES

3.10 HARBORS AND COMMERCIAL AND SPORT FISHING

[Policies](#)

Coastal Act Requirement

The Act's policies support coastal-dependent development, stressing protection of fishing, boating and necessary support facilities. These policies include:

Section 30233(a). The diking, filling or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) new or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities; (2) maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps; (3) in wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland; provided, however, that in no event shall the size of the wetland area used for such boating facility, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than 25 percent of the total wetland area to be restored; (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities; (5) incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines; (6) mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas; (7) restoration purposes; (8) nature study, aquaculture, or similar resource-dependent activities.

Section 30233(d). Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which 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 such purposes are the method placement, time of year of placement, and sensitivity of the placement area.



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Section 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30234. 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 30235. 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 erosions 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 fish kills should be phased out or upgraded where feasible.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland....

Issues: Harbor, Commercial and Sport Fishing

Members of the fishing community have expressed concern about the future of their industry in light of Coastal Act mandates because Sections 30224 and 30234 encourage recreational boating without clearly delineating the status of recreation relative to commercial fishing facilities.

Limited space for expansion at both Noyo and Albion create a need for policies ensuring that commercial fishing potential will not be limited by compelling demands for space. Both Noyo and Albion need improved or expanded ice house facilities, fueling docks, haulout and repair facilities and services for transient boats such as a grocery store, showers, and laundry, as well as space for more boats.

The Fishing Village (FV) land use classification as described in Section 2.2 protects the fishing industry at Noyo and Albion but does not address competitors for space with recreational boating, as do the policies below.

Policies relating to Noyo Harbor are found in Section 4.4, and policies applying to Albion in Section 4.9. Development of harbors at other locations in the unincorporated portion of the



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coastal zone is not anticipated. There is a potential conflict in competing for harbor space between off-shore oil development and fish and recreation industries of the Mendocino Coast.