

# ARARs Matrix - Mill Pond (Pond 8)

Former Georgia-Pacific Mill Site, Fort Bragg, California

Agency California Coastal Commission

Coastal Commission					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	California Coastal Act	Public Resources Code Division 20	Establishes permitting requirements and conditions for any "development" which remedial activities qualify as.	Most of the remedial activities would constitute "development" (e.g., the "No Action" alternative would not)	Location/Action
Agency	California Coastal Act	Chapter 2, Definitions, Section 30108: Feasibility	Defines feasible as: capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.		TBC
Agency	California Coastal Act	Article 2, Public Access Section 30212(b)(4): New development projects	Public access from the nearest public road to the shoreline shall be provided in new development projects, unless inconsistent with public safety, fragile coastal resources, or adequate access exists nearby, etc. The policy states "new development" does not include reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.	See also Coastal Act sections 30210, 30211, 30212 (other sections not cited herein), 30213, 30214, and 30220 through 30223	Location

## Coastal Commission

Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	California Coastal Act	Article 4, Marine Environment, Section 30233(a): Diking, filling or dredging continued movement of sediment and nutrients	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. Such development shall be limited as stated in that section and includes new or expanded port, energy, and coastal-dependent industrial activities, boating facilities and public piers that provide public access and recreational activities, incidental public service purposes, restoration purposes, and nature study, aquaculture, or similar resource dependent activities.	See also Coastal Act section 30230, 30231, 30232, and other applicable sections of 30233	Location

Coastal Commission					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	California Coastal Act	Article 4, Marine Environment, Section 30235: Construction altering natural shoreline	Revetments, 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.	Cited "when required" in the policy language implicates the need for (1) establishing that there is an imminent erosion threat necessitating the construction, and (2) demonstrating that there are no other alternatives available that would avoid the need for the construction. In addition, any such construction must be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. See also Coastal Act sections 30250(a) and 30251, among others (also relevant ARARs)	Location
Agency	California Coastal Act	Article 4, Marine Environment, Section 30236: Water supply and flood control	Channelizations, dams or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development.	I note that the policy is cited only in part	Location

Coastal Commission					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	California Coastal Act	Article 4, Marine Environment, Section 30253(b): Minimization of adverse impacts	New development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability... or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.  (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.	The description to the left blends parts of Coastal Act sections 30253 and 30240. See entirety of both policies for language of each, as each has additional relevant language not cited in the description, and the mixing of policy language as shown is confusing	Location
Agency	California Coastal Act	Article 8, Sea Level Rise, Section 30270: Sea level rise	The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and to the extent feasible, avoid and mitigate the adverse effects of sea level rise		Location

Coastal Commission					
Level	Standard, Requirement, Criteria, Limitation	Citation	Description	Agency Comments	Type
Agency	Sea Level Rise Policy Guidance - Draft 2024 Update	Chapter 6. Addressing Sea Level Rise in Coastal Development Permits	Provides general guidance for addressing SLR in the project design and permitting process, including establishing SLR range for project, determining how SLR may impact project site, determining how project may impact coastal resources over time with SLR, identifying alternatives to both avoid coastal resource and project impacts.		TBC