

# CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
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# W11a

**APPEAL NO. A-1-FTB-18-0021**

**(GEORGIA PACIFIC LLC)**

**JUNE 6, 2018**

**EXHIBITS**

**Table of Contents**

**Exhibit 1 – Regional Location Map**

**Exhibit 2 – Site Location Map**

**Exhibit 3 – Zoning Map**

**Exhibit 4 – Site Photos**

**Exhibit 5 – Historical Documentation Reports**

**Exhibit 6 – Structural Assessment**

**Exhibit 7 – Appeal**

**Exhibit 8 – Final Local Action**

**Exhibit 9 – Applicant Correspondence**



**EXHIBIT NO. 1**  
Appeal No. A-1-FTB-18-0021  
(Georgia Pacific LLC)  
**REGIONAL LOCATION MAP**



**EXHIBIT NO. 2**

CDP APPEAL NO.

A-1-FTB-18-0021  
Site Location Map

The boundaries of the Land Use Designations are general and schematic illustrating the policies of the various zoning districts. Refer to the Assessor's Parcel Map for updated parcel boundary maps.

Parcel Boundaries per Mendocino County Assessor Office 02/19/2016

### Inland Land Use Designations

Commercial Land Uses	Industrial Land Uses
<span style="color: red;">■</span> Central Business District - CBD	<span style="color: purple;">■</span> Light Industrial - IL
<span style="color: magenta;">■</span> Neighborhood Commercial - CN	<span style="color: darkpurple;">■</span> Timber Resources Industrial - IT
<span style="color: pink;">■</span> General Commercial - CG	<span style="color: darkblue;">■</span> Heavy Industrial - IH
<span style="color: lightpink;">■</span> Highway Visitor Commercial - CH	<b>Other Designations</b>
<span style="color: orange;">■</span> Office Commercial - CO	<span style="color: lightgreen;">■</span> Parks and Recreation - PR
<b>Residential Land Uses</b>	<span style="color: darkgreen;">■</span> Open Space - OS
<span style="color: yellow;">■</span> Suburban Residential - RS	<span style="color: lightblue;">■</span> Harbor District - HD
<span style="color: lightyellow;">■</span> Low Density Residential - RL	<span style="color: blue;">■</span> Public Facilities and Services - PF
<span style="color: tan;">■</span> Medium Density Residential - RM	<span style="color: magenta;">■</span> Scenic Corridor
<span style="color: brown;">■</span> High Density Residential - RH	<span style="color: green;">■</span> Coastal Zone
<span style="color: darkred;">■</span> Very High Density Residential - RVH	

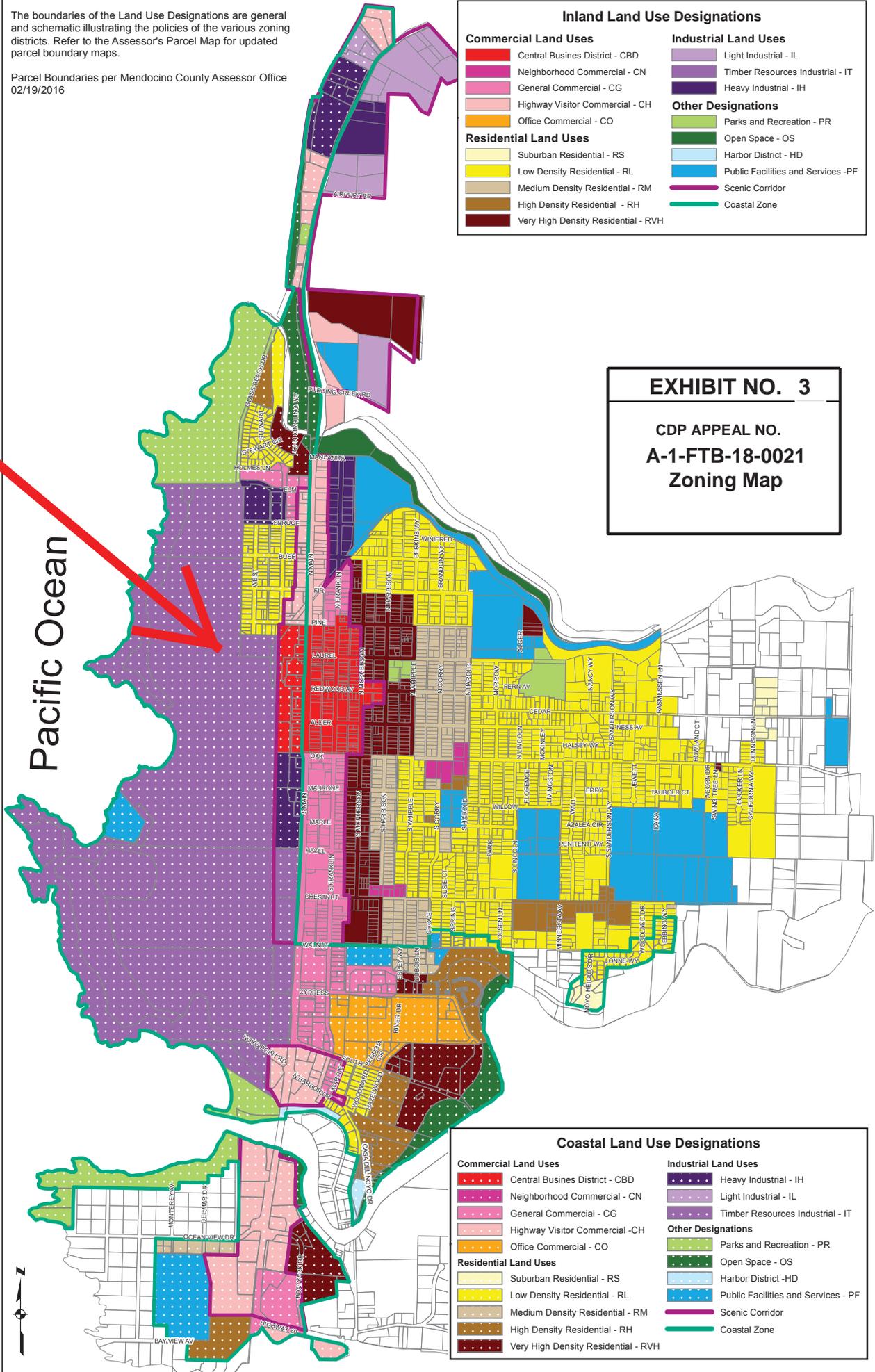
Project Location

**EXHIBIT NO. 3**

**CDP APPEAL NO. A-1-FTB-18-0021**

**Zoning Map**

Pacific Ocean



### Coastal Land Use Designations

Commercial Land Uses	Industrial Land Uses
<span style="color: red;">■</span> Central Business District - CBD	<span style="color: purple;">■</span> Heavy Industrial - IH
<span style="color: magenta;">■</span> Neighborhood Commercial - CN	<span style="color: lightpurple;">■</span> Light Industrial - IL
<span style="color: pink;">■</span> General Commercial - CG	<span style="color: darkpurple;">■</span> Timber Resources Industrial - IT
<span style="color: lightpink;">■</span> Highway Visitor Commercial - CH	<b>Other Designations</b>
<span style="color: orange;">■</span> Office Commercial - CO	<span style="color: lightgreen;">■</span> Parks and Recreation - PR
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<span style="color: brown;">■</span> High Density Residential - RH	<span style="color: green;">■</span> Coastal Zone
<span style="color: darkred;">■</span> Very High Density Residential - RVH	

**EXHIBIT NO. 4**

CDP APPEAL NO.  
A-1-FTB-18-0021  
Photographs





**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

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**EXHIBIT NO. 5**

CDP APPEAL NO.  
A-1-FTB-18-0021  
Historic Documents  
Report

July 13, 2017

In reply refer to: COE\_2017\_0130\_001

Rick M. Bottoms, Ph.D. – Chief,  
Regulatory Division  
U.S. Army Corps of Engineers  
San Francisco District  
1455 Market Street  
San Francisco, CA 94103-1398

RE: Section 106 Consultation for Georgia-Pacific Operable Unit E former wood products facility excavation and disposal activities at 90 Redwood Avenue in Fort Bragg, County, California (2009-00372N)

Dear Dr. Bottoms:

The Office of Historic Preservation (OHP) received your letter on June 12, 2017 continuing consultation on the Georgia-Pacific, LLC excavation and disposal project in Operable Unit E at the former wood products facility in Fort Bragg, Mendocino County, California. The U.S. Army Corps of Engineers (COE) is consulting with OHP to comply with Section 106 of the National Historic Preservation Act of 1966 (as amended) and its implementing regulations at 36 CFR Part 800. The COE is requesting review and concurrence on their Area of Potential Effects (APE), adequacy of their historic property identification efforts, and finding of no adverse effect to historic properties, as detailed in the following documents:

- *Operable Unit E Soil and Sediment Removal Action on the Former Georgia-Pacific Wood Products Facility in Fort Bragg, Mendocino County Draft Cultural Resources Inventory Report and Finding of Effect (ESA, April 2017)*
- Appendices and Attachments to ESA 2017
- *Transitions over Time: A Chronological Perspective of the Union Lumber Company Lumber Mill, Fort Bragg, Mendocino County, California (Garcia and Associates 2008)*
- Copies of Native American consultation correspondence

The COE is proposing to issue a permit under Section 404 of the Clean Water Act Georgia-Pacific, LLC (Applicant) to remediate contaminated soils through excavations within 19 removal action areas (RAAs) within the Operable Unit-E (OU-E) of the former Georgia-Pacific Wood Products Facility. OU-E is comprised of approximately 12 acres of man-made ponds and seasonal wetland areas across 45 terrestrial acres. The COE has defined the Area of Potential Effects (APE) as the 19 RAAs, a 20-foot wide buffer around each RAA, an area for establishment of approximately 0.59-acres of wetland north of Pond 7, and three designated staging areas. OHP has no comment on the APE at this time.

The COE's letter states that 16 cultural resources investigations were conducted at the Facility between 1974 and 2011. As a result, the Georgia-Pacific Lumber Mill Historic District (P-23-004385) and the Fort Bragg Native American Archaeological District (P-23-004491), comprised of 22 prehistoric archaeological sites, were recorded at the Facility and the immediate vicinity. According to the COE's letter, none of the contributing elements of the Fort Bragg Native American Archaeological District are located within the APE, although the APE is within the District's boundaries. The Georgia-Pacific Lumber Mill Historic District was originally recorded by TRC in 2003 as containing 22 contributing buildings and structures. It appears that the District was never evaluated through the Section 106 consensus process with this office, but was recommended eligible for listing on the National Register of Historic Places (NRHP) through an evaluation that was made under the California Environmental Quality Act (CEQA). Since the initial recording, 21 of the buildings have been demolished and the only remaining structure is Dry Shed #4, which is located outside of the APE. The COE is currently recommending the Georgia-Pacific Lumber Mill Historic District not eligible for listing on the NRHP due to lack of integrity.

Additional historic property identification efforts were conducted by ESA for the present undertaking and included a records search at the Northwest Information Center, a pedestrian survey of the APE, and excavation of 13 shovel test pits (STPs) in the vicinity of the proposed RAAs, in consultation with a Native American monitor with the Sherwood Band of Pomo Indians. No additional archaeological or historic resources were identified as a result of these efforts. The excavated STPs indicated that the proposed RAAs contain artificial fill or disturbed sediments. No STPs were excavated within the ponds or riparian area.

The COE contacted the Native American Heritage Commission (NAHC) and received a response on October 10, 2016 stating that a search of the Sacred Lands File yielded negative results within the APE. The Corps sent letters to the Native American contacts provided by the NAHC on November 04, 2016. The Sherwood Valley Band of Pomo Indians responded with a letter on December 01, 2016, which stated the importance of the project area as it is within the former Mendocino Reservation and that the project is located within an eligible archaeological district. A tribal monitor was present for excavation of the STPs for the current undertaking. The Sherwood Valley Band of Pomo Indians has also been consulting with the City of Fort Bragg for several years, and has been working with Georgia-Pacific and the California Department of Toxic Substance Control on a cultural resources protection plan for the Facility.

Based on the information provided, the COE are requesting concurrence on the adequacy of their historic property identification efforts and their finding of no adverse effect to historic properties for this undertaking. The following comments are provided:

- Pursuant to 36 CFR 800.4(b), the historic property identification efforts carried out for this undertaking appear to be adequate.
- The COE is proposing to treat the Fort Bragg Native American Archaeological District (P-23-004491) as eligible for the NRHP for the purposes of Section 106 for this undertaking. I do not object.

- Pursuant to 36 CFR 800.4(c)(2), the COE has recommended the Georgia-Pacific Lumber Mill Historic District (P-23-004385) as not eligible for listing on the NRHP, due to lack of integrity as most of the buildings are non-extant. I concur.
- Be advised that any unanticipated discoveries, including archaeological materials associated with the Georgia-Pacific lumber mill, that may be discovered during project implementation will need to be recorded and evaluated for their NRHP eligibility in consultation with OHP, pursuant to 36 CFR 800.13(b).
- It appears that no contributing elements of the Fort Bragg Native American Archaeological District are present within the APE and will be impacted by the undertaking, therefore I concur with the COE's finding of *no adverse effect*, pursuant to 36 CFR 800.5(b).

Be advised that under certain circumstances, such as an unanticipated discovery or a change in project description, the COE may have additional future responsibilities for this undertaking under 36 CFR Part 800. For more information or if you have any questions, please contact Koren Tippett at (916) 445-7017 or [koren.tippett@parks.ca.gov](mailto:koren.tippett@parks.ca.gov).

Sincerely,



Julianne Polanco  
State Historic Preservation Officer



# memorandum

date August 2, 2017

to Jeremie Maehr, PE | Principal Engineer  
Kennedy/Jenks Consultants

from Katherine Anderson, Architectural Historian (ESA)

subject Dry Shed #4 of Union Lumber Company Lumber Mill (Georgia-Pacific Wood Products Facility)

## Introduction

Between 1974 and 2011 a total of sixteen investigations for cultural resources at the Georgia-Pacific Wood Products Facility (Facility) have been conducted. As part of a Phase II evaluation of the site's built environment, following the Phase I analysis in 2003, TRC recommended that the Georgia-Pacific Mill had achieved significance as a historic district under the National Register of Historic Places (National Register) and California Register of Historical Resources (California Register) criteria A/1 through D/4 due to: (1) its 115-year association with the redwood lumber industry and with the urban development of Fort Bragg between 1885 and 1953; (2) its association with the lives of persons significant in the past; principally with the life of C.R. Johnson, a founder of the lumber company and Fort Bragg's first mayor; (3) its large collection of early twentieth-century buildings and equipment associated with the Mill's historic use; and (4) its potential to contribute important data regarding the relationship between the redwood lumber industry and associated urban development.<sup>1</sup>

The Georgia-Pacific Lumber Mill Historic District (P-23-004385) was described as including 22 contributing buildings and structures dating from 1885 to 1953. In order to mitigate significant adverse impacts to the proposed historic district, the Phase II report recommended preparation of a formal historical recordation of the entire property. A Site Specific Treatment Plan for Cultural Resources was developed by TRC for the project, including specific treatment to be implemented for built resources in documenting the significance of the site.<sup>2</sup>

These measures included:

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<sup>1</sup> TRC Companies Inc, n.d. "Phase II Determination of Significance Standing Structures Georgia Pacific Lumber Mill Fort Bragg, California: Draft Report." Prepared for the City of Fort Bragg.

<sup>2</sup> TRC, nd\_b, Site Specific Treatment Plan for Cultural Resources: Georgia Pacific Lumber Mill, Fort Bragg, California. Prepared for the City of Fort Bragg.

- A. The entire property should be historically recorded. This would include:
  - a. Large format photography
  - b. Copies of construction drawings
  - c. Production of a detailed history of lumber operations on the property
- B. The collection of historic company photographs, and the historic blueprints and construction drawings of the mill property that are currently stored at Noyo Hill House should be cataloged and stored in a permanent facility that allows for historical research
- C. Interviews should be recorded with (ex) employees at the mill, describing its operations and importance within the community
- D. A biography of C.R. Johnson should be produced describing his importance within the redwood lumber industry and the town of Fort Bragg
- E. A publically accessible document should be produced that described the importance of the mill with regards to the lumber industry and to local history.

Of these proposed measures, Measure E) appears to have been completed through the documentation of the site by Garcia and Associates in 2008, who drafted a detailed public history of the Union Lumber Company Lumber Mill (the historic name of the Facility), providing a written record of the importance of the company in relation to the lumber industry and local history.<sup>3</sup>

By 2013, nearly all the buildings and structures at the Facility had been demolished, with the exception of Dry Shed #4. As part of the 2014 Subsequent Environmental Impact Report completed by the City of Fort Bragg, the Georgia-Pacific Lumber Mill Historic District was recommended as no longer eligible for the National or California Register due to a lack of integrity through loss of its contributing resources. Only one of what once were 22 contributing resources remained, and the setting had been greatly altered by the demolition of the other related buildings.<sup>4</sup>

### **Dry Shed #4, Description and Evaluation**

TRC's circa 2003 Phase II report completed for the project described Dry Shed #4 (below, and **Figure 1**), and recommended the building eligible as a contributor to the (now defunct) Georgia-Pacific Lumber Mill Historic District.

Dry Shed #4 is a two-story warehouse-type property that appears to be four separate buildings joined at the east/west and north/south facades. The property was constructed circa 1960 and is located on the north end of the mill site, near the railroad tracks.

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<sup>3</sup> Garcia and Associates, 2008. "Transitions Over Time: A Chronological Perspective of the Union Lumber Company Lumber Mill: Fort Bragg, Mendocino County, California." Prepared for ARCADIS and the Georgia-Pacific Corporation. July 2008.

<sup>4</sup> City of Fort Bragg, Coastal Restoration and Trail Project Phase II, Subsequent Environmental Impact Report (EIR). November 2014.

The building features a gambrel roof covered with rolled asphalt, exterior plywood panel walls, and a poured concrete foundation. The south façade has two open loading bays. There is no fenestration at the east façade. The north façade features one enclosed loading bay and one loading bay that retains an overhead track door. The west façade features two shed wings, one of which (at the north end) appears to hold an office. Both of the shed wings feature sing-door entrances that face west. Also at the west facade is an enclosed single-door entry (facing west).

The Phase II report did not, however, provide an individual recommendation for the building. The following text from the Phase II report provides a brief context for the lumber industry in the latter half of the twentieth century.

The 1950s and 1960s saw an increase in the consolidation of the redwood industry into large corporations such as Georgia Pacific. The increasing costs of maximizing efficiency, by investing in new technology to increasing automation, continued the trend of companies requiring large amounts of investment capital in order to remain competitive. Most of the family owned businesses were sold to the larger corporations.

In 1955 lumber output in Mendocino reached its peak at over 1 billion b.f. per year. Production was high throughout the 1950s, but declined in the subsequent decades. Within ten years of reaching its peak output, production had dropped by half. Despite a recovery in the late 1980s, output continued to drop and by the 1990s it was only 250 million b.f per year (TRC, 2003).

Archival review associated with Dry Shed #4 recommends the building as not eligible under Criteria A/1, as the extant building was constructed well after World War II, and is not directly associated with the early development of or prominent years of the lumber industry in the area (significant patterns of development). Nor is Dry Shed #4 eligible under Criteria B/2, for direct associations with persons important in history. Although the larger mill site property was associated with C. R. Johnson from its inception in 1885 until his death in 1940, the extant building was constructed after his death and has no direct association with Johnson. The structure is not eligible under Criteria C/3, as the building is a common industrial building, not remarkable example of a style, and does not exhibit extraordinary design or craftsmanship. As described in TRC's report, the post-1945 buildings, especially those post-dating the period of significance of the district (1885-1953) such as the 1960 Dry Shed #4, are generally simple, post-war utilitarian warehouses and office buildings. Finally, Dry Shed #4 is not eligible under Criteria D/4, as it is not expected to yield useful information important to history.

## Conclusion

Dry Shed #4 is recommended not eligible for listing as either an individual resource, nor a contributor to a historic district, to the California or National Registers. As noted above, the Georgia-Pacific Lumber Mill Historic District no longer retains sufficient integrity to function as a historic district, and as such Dry Shed #4 can no longer function as a contributor. The State Historic Preservation Officer concurred with the finding that the district is no longer eligible for listing based on the current conditions.<sup>5</sup> Additionally, Dry Shed #4 does not possess the historically significant associations to be considered eligible as an individual historical resource. No further mitigation is necessary for Dry Shed #4 as a built cultural resource.

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<sup>5</sup> State Historic Preservation Officer (SHPO), Letter to Rick M. Bottoms, Ph.D. – Chief, Regulatory Division U.S. Army Corps of Engineers regarding Section 106 Consultation for Georgia-Pacific Operable Unit E former wood products facility excavation and disposal activities at 90 Redwood Avenue in Fort Bragg, County, California (2009-00372N). Dated July 13, 2017.

**Figure 1. Dry Shed #4**



# Kennedy/Jenks Consultants

## Engineers & Scientists

303 Second Street, Suite 300 South  
San Francisco, California 94107  
415-243-2150  
FAX: 415-896-0999

31 January 2017

Michael Hassett, P.E.  
Senior Manager - Remediation  
Georgia-Pacific LLC  
133 Peachtree Street, NE  
Atlanta, GA 30303

Subject: Structural Assessment of Storm Damage  
Dry Shed No. 4  
Georgia-Pacific  
Fort Bragg, California  
K/J 1665018\*04

<b>EXHIBIT NO.</b>	<b>6</b>
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<b>CDP APPEAL NO.</b> A-1-FTB-18-0021 Structural Assessment
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Dear Mr. Hassett:

Kennedy/Jenks Consultants is pleased to be able to provide engineering services associated with a limited structural condition assessment following the early January 2017 storm related damage to the Georgia-Pacific Dry Shed No. 4 in Fort Bragg, California. Summarized below are results of key observations and preliminary recommendations regarding the condition and safety of the building.

### Purpose and Scope

The purpose of this letter report is to document observations and recommendations related to the evaluation of the Dry Shed No. 4 building structure following recent storm related damage. This letter provides initial information regarding the current condition of the existing building structure and its suitability to perform its intended function of storing materials in the south half of the building until approximately the end of April 2017. During that time the building may be subject to additional distress from environmental factors that may further change and degrade the condition of the building. Persons who enter the building or the area around the building should use care to be aware of further changes to the building condition that may require additional assessment or actions to protect personnel. The recommendations in this report reflect the judgement of Kennedy/Jenks Consultants and the engineer responsible for the evaluation.

The report is provided to evaluate damage resulting specifically from the recent storm activity. The evaluation of all past problems and distress to portions of the building resulting from

Michael Hassett, P.E.  
Georgia-Pacific LLC  
31 January 2017  
Page 2

exposure conditions, weathering, or inadequate maintenance are beyond the scope of this report. Seismic evaluation of the existing building structure is considered beyond the scope of this report. It should be recognized that there is no absolute measurement of structural safety in an existing building, particularly in buildings that have deteriorated due to prolonged exposure to the environment.

## Review of Background Documents

No background documents (drawings, specifications, construction records) were received or reviewed as part of the assessment. Georgia-Pacific indicated detailed structural drawings of the building were not identified among accessible records. If Georgia-Pacific is able to provide drawings of the existing building structural capacity checks on the framing members of the walls or roof could be performed. It is believed the building was constructed in the late 1970's or early 1980's. No information was reviewed associated with design of the building in conformance with building code requirements applicable at the time of construction. No soils or foundations information was reviewed and no review was made of the building foundations or floor slab.

## Observations of Building Conditions and Storm Damage

A walk-through of Dry Shed No. 4 was performed by Donald L. Barraza, P.E. with Kennedy/Jenks Consultants on 24 January 2017. Access to the site and building was provided by Mr. James Gross, Site Coordinator, for Georgia-Pacific. Based on input received from Mr. Gross the building is approximately 450'-0" long by 150'-0" wide and has approximately 75,000 square feet of floor area. The building was constructed in the late 1970's or early 1980's (approaching 40 years in age). The building is of wood framed construction with plywood sheathing. The building has an M-shaped modified gambrel roof configuration with a roof drain cricket running the length of the building to direct interior rainwater drainage to the north and south ends of the building. Observations were made of the interior and exterior of the building and portions of the roof were observed from the drain cricket. Based on observations made at the time of the assessment, the following deficiencies were observed:

1. The physical properties of the construction materials have degraded significantly with water related damage to the plywood sheathing and wall and roof structural wood framing members. The modified bitumen roof waterproofing material has blown off of many areas of the south half of the building.
2. An approximately 16'-0" x 8'-0" damaged open area in the plywood sheathing and roof purlins was observed in the roof of the building near the southeast corner of the building. See Photos 2, 3, 4, 5, 7, 8, and 9. The damaged section of plywood sheathing and 2x4 roof purlins is still lying on the roof and could blow off the roof in the next storm.

Michael Hassett, P.E.  
Georgia-Pacific LLC  
31 January 2017  
Page 3

3. An approximately 8'-0" x 8'-0" damaged open area in the plywood sheathing and roof purlins was observed in the roof of the building near the southeast corner of the building. See Photos 6, 7, 8, and 10.
4. Besides the loss of the plywood sheathing and purlins one of the girders supporting and attaching the south transverse wall to the building has pulled out of its beam hanger and has failed. See Photo 11.
5. The loss of the plywood at two openings in the roof as well as the loss of the girder in the beam seat on the southeast corner of the building removes the strength of the roof diaphragm connection to the south wall of the building in the southeast corner. It also appears that another approximately 16'-0" x 8'-0" section of roof is about to be lost from the building in the southeast corner. The remaining roof girders appeared to be in adequate condition still supporting and attaching the south gable wall to the remainder of the roof.
6. The 10x12 posts and the 4x12 walers supporting the 2x4 studs and plywood sheathing in the south gable end wall were intact with no observed splitting.
7. An approximately 20'-0" x 16'-0" damaged open area in the plywood sheathing, wall studs, and walers was observed on east wall of the building near the northeast corner of the building. See Photos 16, 17, and 18. This area was reportedly not damaged in the recent storms. The area is missing one 3x10 waler and the second 3x10 waler is split. The 2x4 studs and plywood sheathing have been lost in this area.
8. There is a large area on the south half of the building where the modified bitumen roof material has blown off and has collected and blocks the roof drainage depression between the two roofs. There is extensive modified bitumen roofing material debris along the entire length of the south half of the roof drain cricket. The APP Modified Bitumen roofing material used on the building roof was manufactured by Dibiten. See Photo 12.
9. There is extensive loss of the modified bitumen roofing material over the south half of the building. The roofing material has been removed from both the east and west halves of the building with more extensive loss on the areas of the roof exposed to the west (ocean) side. Water has ponded in the roof drain cricket on the south half of the building and is prevented from freely draining to the downspout on the south end of the building.
10. There is minimal debris in the roof drain cricket on the north half of the building. Water was freely draining to the downspout on the north end of the building. The roofing

Michael Hassett, P.E.  
Georgia-Pacific LLC  
31 January 2017  
Page 4

material on the north half of the building did not show observable signs of damage or deterioration as observed from the roof drain cricket area.

11. The interior redwood trusses did not show observable signs of significant damage or deterioration. The gable end truss on the south side of the building near the roof damage appeared to be intact with connections to the posts and roof girders supporting the truss.
12. Water damage was observed over many areas of the interior roof to plywood and 2x4 purlins and girders with some holes in the plywood sheathing where the modified bitumen roofing material had blown off.
13. There is plywood and 2x4 roof purlin debris over the southeast corner of the roof which could blow off the roof in the next storm.

A photo contact sheet with all 114 photographs taken during the observations of building conditions is enclosed with the letter.

### Limitations and Further Investigations

The structural assessment of recent storm related damage to the building was limited in its scope and is not considered to be a comprehensive structural or seismic condition assessment of the building structure. Field measurements and member dimensions were limited to those areas of observed damage in the southeast corner of the building and accessible from the ground. The evaluation of all past problems and distress to portions of the building resulting from exposure conditions, weathering, or inadequate maintenance are beyond the scope of this report. No nondestructive testing, exploratory removal, sampling, testing or physical measurements of the overall structure were performed. Based on the remaining useful life of the building, intent to terminate lease of the building for storage of materials by April 2017, it is not recommended that further or more detailed investigations be performed. If the Owner is concerned about the wind load capacity of the roof or wall framing in deteriorated areas additional structural capacity checks could be performed; however, it is unlikely that the existing wall and roof wood framing would be judged to be adequate using typical design loads and contemporary analysis methods and building codes.

### Conclusions and Recommendations

The recent storm related roof damage in the southeast corner of the building has seriously weakened the roof framing in the southeast corner of the building and support for the gable end at the southeast corner of the building. The loss of roof framing in the southeast corner and the potential for future loss of roof and wall framing in the southeast corner of the building pose an unsafe and potential hazardous condition to operations, personnel, equipment, and vehicles

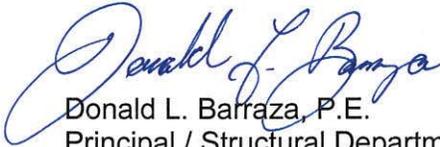
Michael Hassett, P.E.  
Georgia-Pacific LLC  
31 January 2017  
Page 5

inside and outside the building in the general vicinity. The loss of additional roof framing or damage to wall framing could cause the south wall of the building to become unstable requiring shoring or bracing. The Owner should take measures to restrict activities in the general vicinity shown in Figure 1. Do to the limited intended remaining use of the building we would not recommend further non-destructive testing of building materials or exploratory removal, sampling, testing or physical measurements of the overall structure. As previously noted, it is clear that the physical properties of the construction materials have degraded significantly with water and wind related damage to the plywood sheathing and wall and roof structural wood framing members. The loss of the modified bitumen roof waterproofing material from many areas of the south half of the building has contributed to the degradation of the wood roof framing.

If you have any questions or need additional information please call Don Barraza at (415) 243-2483 or Jeremie Maehr at (415) 243-2472.

Very truly yours,

KENNEDY/JENKS CONSULTANTS



Donald L. Barraza, P.E.  
Principal / Structural Department Head



Enclosure (2)

1. Appendix with 18 photographs.
2. Photo contact sheet with all 114 photographs taken on 01/24/2017.

cc: Jeremie Maehr, Kennedy/Jenks Consultants

Michael Hassett, P.E.  
Georgia-Pacific LLC  
31 January 2017  
Page 6

Figure 1: Building Restriction Area





**Photo #1:**  
Dry Shed #4



**Photo #2:**  
Dry Shed #4 East Side with  
Roof Damage in Southeast  
Corner



**Photo #3:**  
Dry Shed #4 East Side with  
Roof Damage in Southeast  
Corner; 16'-0" x 8'-0"  
Opening



**Photo #4:**

Dry Shed #4 East Side with  
Roof Damage in Southeast  
Corner; 16'-0" x 8'-0"  
Opening



**Photo #5:**

Dry Shed #4 East Side with  
Roof Damage in Southeast  
Corner; 16'-0" x 8'-0"  
Opening



**Photo #6:**

Dry Shed #4 Roof Damage  
and 16'-0" x 8'-0"  
Opening  
in Southeast Corner



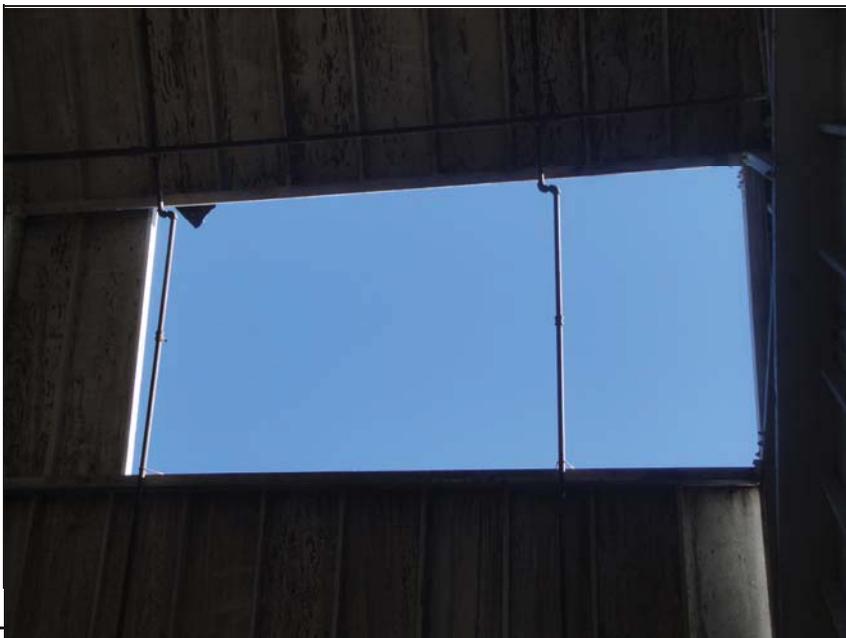
**Photo #7:**

Dry Shed #4 East Side with Roof Damage in Southeast Corner; Two Opening in Roof, Loss of 2x4 Purlins, Plywood Sheathing, and Modified Bitumen Roofing Material



**Photo #8:**

Dry Shed #4 East Side with Roof Damage in Southeast Corner; Two Opening in Roof, Loss of 2x4 Purlins, Plywood Sheathing, and Modified Bitumen Roofing Material



**Photo #9:**

Dry Shed #4 Roof Damage and 16'-0" x 8'-0" Opening in Southeast Corner; Loss of Plywood Sheathing and 2x4 Purlins



**Photo #10:**

Dry Shed #4 Roof Damage and 8'-0" x 8'-0" Opening in Southeast Corner; Loss of Plywood Sheathing and 2x4 Purlins



**Photo #11:**

Dry Shed #4 East Side with Roof Damage in Southeast Corner; Rafter Pullout from Beam Seat



**Photo #12:**

Dry Shed #4 West Side with Loss of Modified Bitumen Material on Half of Roof



**Photo #13:**  
Dry Shed #4 South Half  
Roof with Modified Bitumen  
Material in Roof Drain  
Cricket



**Photo #14:**  
Dry Shed #4 South Half  
Roof with Modified Bitumen  
Material in Roof Drain  
Cricket and Blocked  
Downspout Inlet



**Photo #15:**  
Dry Shed #4 Roof Damage  
and 16'-0" x 8'-0" Plywood  
and 2x4 Purlin Debris on  
Roof



**Photo #16:**

Dry Shed #4 East Side with Wall Damage in Northeast Corner; 20'-0" x 16'-0" Opening; Loss of Plywood Sheathing, 2x4 Studs



**Photo #17:**

Dry Shed #4 East Side with Wall Damage in Northeast Corner; 20'-0" x 16'-0" Opening; Loss of Plywood Sheathing, 2x4 Studs



**Photo #18:**

Dry Shed #4 East Side with Wall Damage in Northeast Corner; 20'-0" x 16'-0" Opening; Loss of Plywood Sheathing, 2x4 Studs; Split 3x10 Waler

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CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521

APR 13 2018



VOICE (707) 826-8950 FAX (707) 826-8960

CALIFORNIA  
COASTAL COMMISSION  
NORTH COAST DISTRICT

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Gabriel Quinn Maroney § 8th Agency (We the People)  
Mailing Address: 25800 Fen View Ln  
City: Fort Bragg Zip Code: 95437 Phone: (707) 357-4732

SECTION II. Decision Being Appealed

EXHIBIT NO. 7  
CDP APPEAL NO.  
A-1-FTB-18-0021  
Appeal

1. Name of local/port government:

Fort Bragg City

2. Brief description of development being appealed:

Coastal Development Permit to demolish & remove 75,000 SF (also quoted as 67,500 sq ft) above ground structure, known as Dry Shed #4 (Legacy Shed). All below ground foundations will be left in place.

3. Development's location (street address, assessor's parcel no., cross street, etc.):

90 W Redwood Ave, Fort Bragg, CA 95437  
(APN(s): 008-020-13, 008-053-34)

4. Description of decision being appealed (check one.):

- Approval; no special conditions
- Approval with special conditions:
- Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A-1-FTB-18-0021

DATE FILED: \_\_\_\_\_

DISTRICT: \_\_\_\_\_

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: March 26, 2018 (Received 4/2/18)

7. Local government's file number (if any): CDP 11-12/17 (CDP 2-17)

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant: Michael Hassett  
Georgia-Pacific LLC  
133 Peachtree Street, NE  
Atlanta, GA 30303

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Ammemarie Weibel P.O. Box 566 Albrion  
CA 95410

(2) JACOB PATTERSON PO BOX 2814, FORT BRAGG, CA 95437

(3)

(4)

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)**

**SECTION IV. Reasons Supporting This Appeal**

**PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

\* Please see attached pages.

# APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

## SECTION IV. Reasons Supporting This Appeal



### INTRODUCTION:

Local process regarding Fort Bragg permit # CDP 2-17 (Coastal Development Permit to demolish and remove Dry Shed #4), have been flawed throughout and the required findings were not supported by substantial evidence. The local findings are not supported by and are contrary to substantial evidence in the record. In colloquial terms, portions of the process was a slow moving train wreck of cherry picked "facts," mistaken procedures, inaccuracies, misunderstandings, and propaganda by exaggeration. Many members of the public and stakeholders remain disappointed about the process that transpired thus far and are concerned with the fate of the associated invaluable and simply irreplaceable coastal resource; which by all appropriate standards requires further consideration and enhanced protection. **The proposed development as described in the application and accompanying materials, as modified by conditions of approval, is not in conformity with the City of Fort Bragg's certified Local Coastal Program and will adversely affect coastal resources.** With this grievance I submit on behalf of myself and the 8th Agency (We the People), this appeal to the Honorable California Coastal Commission.

**ELEMENT A) PRIMARY FINDINGS:** Primary Findings are distilled reasons supporting the appeal that are further developed assertions from the original appeal to local government.

Grounds for appeal of an approval of local permit # CDP 2-17 to demolish and remove the approximately 75,000 sq ft (also quoted at 67,500 sq ft) structure (including above ground foundation with special condition) at address 90 W Redwood Ave, Fort Bragg, CA 95437, known as Dry Shed #4 are rooted in findings that show the development does not conform to the standards set forth in the certified Local Coastal Program and the public access policies of the Coastal Act.

Furthermore, the spirit of established 1976 California Coastal Act supports the denial of said demolition permit as it remains a, "comprehensive plan to **protect resources** and regulate development along California's Coast." Goals set forward by the Coast Act for for a Local Coastal Program (LCP) include to, "protect, maintain, and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and **artificial resources**...Assure orderly, balanced utilization and conservation of

Coastal Zone resources taking into account the **social and economic needs** of the people of the state...Maximize public access to and along the coastal and **maximized public recreational opportunities** in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners." The heart of the Coastal General Plan, its Mission and Vision, also support this protection: "to **preserve** and enhance the small town character and natural beauty that make the City a place where people want to live and visit, and to improve the economic diversity of the City to ensure that it has a strong and resilient economy which supports its residence." Noted articulated concepts within the vision includes, "a city that values its roots in the fishing and **timber industries** and seeks to maintain a **connection to its past**, while preparing for the future...A city with strong connections to its heritage and a **commitment to the preservation of historic resources**...A city which strives to create an environment where business and commerce can grow and flourish." Dry Shed #4 is a dramatically important coastal resource to the local economy, history, and society; because this structure is so important to the past and future legacy of Fort Bragg California coast and surrounding areas, it deserves and is qualified for enhanced protection. This is why there is reference to Dry Shed #4 as: **The Legacy Shed**.

The local Coastal Development Permit ("CDP") decision is, on its face, contrary to the following requirements of the Coastal Act, which constitutes a prima facie error in the local government's action, as explained below. The Coastal Commission should hear and grant this appeal and deny the CDP for the demolition of Dry Shed #4 granted by the City of Fort Bragg.

#### DEMOLITION CONFLICTS WITH PRC § 30001:

In enacting the Coastal Act in 1976, the California state legislature found and declared, in relevant parts that "the permanent protection of the state's natural and scenic resources is a paramount concern to present and future residents of the state and nation" (Pub. Res. Code sec. 30001(b), and "existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone" (Pub. Res. Code sec. 30001(d).

The requested CDP conflicts with the Coastal Act provision that "existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone." (Pub. Res. Code sec. 30001(d).) Dry Shed #4 is clearly an existing developed use as the last remaining mill building on the Fort Bragg mill site that was in use until the applicant evicted the tenants last summer in anticipation of this application for a demolition permit. Demolishing this existing developed use, which would be impossible to replicate under current regulatory conditions, deprives the people of this state,

including those employed within the coastal zone, with the "economic and social well-being" that Dry Shed #4 provided and can continue to provide.

This was stressed by various members of the public at all stages of the administrative review of the project and was not addressed by the City of Fort Bragg staff, the majority of the Planning Commission who voted to grant the permit, or the majority of the City Council who voted to grant the permit. In fact, the concerns about the current and future beneficial economic uses of Dry Shed #4 that the appellant raised in the appeal to the City Council was dismissed by City Staff as "irrelevant" to the review of the CDP. The City Council members who voted against granting the CDP correctly highlighted this concern, including Mayor Peters, who emphasized that once demolished, Dry Shed #4 will be impossible to replace. Council-member Turner likewise correctly noted the importance of the recent and future beneficial economic uses of Dry Shed #4 when he voted to deny the permit. The Council majority was likely led astray by the erroneous staff analysis that such matters were not relevant to the City's review of the CDP for the Demolition of Dry Shed #4.

Numerous members of the public, including the appellant, emphasized the critical importance of retaining Dry Shed #4 for known and planned future economic uses, including the expressed interest of the established neighboring business, the Skunk Train (aka California Western Railroad), in retaining the historic local cultural resource of Dry Shed #4 for existing adjacent uses. Other local cultural organizations have similarly expressed interest in retaining Dry Shed #4 as a location for the Annual Paul Bunyan Day's logging competition, whose current location is under review as a development site for a commercial shopping center. These local cultural organizations provide important public access and engagement with the area's natural coastal environment and ties to the historic logging industry, of which Dry Shed #4 is an integral part as the last remaining industrial mill building in Fort Bragg.

The Coastal Commission should correct the City of Fort Bragg's mistake dismissing the substantial evidence in the record that the retention of Dry Shed #4 is required in order to provide for the public's interest by retaining the established developed use of Dry Shed #4 which is, "essential to the economic and social well-being of the people of this state." This mistake constitutes a prima facie error in the local government's action because Fort Bragg failed to address the requirements of the Coastal Act in Public Resources Code sec. 30001(d) by improperly rejecting critical evidence and public testimony as irrelevant to the review.

#### DEMOLITION CONFLICTS WITH PRC § 30240:

Dry Shed #4 is located in or adjacent to an environmentally sensitive habitat area, or park and recreation area because it is adjacent to the City of Fort Bragg's Coastal Trail, which is both a City-owned park, providing direct public access to the coastline, and a public recreation area. As a result, demolition of Dry Shed #4 is controlled by the protections afforded these areas against disruptive or incompatible use found in Public Resources Code sections 30240(a) and (b), respectively. In that context, the local government must specifically consider cumulative, as well as direct and indirect,

potentially significant effects of Dry Shed #4 demolition on these resources but Fort Bragg failed to adequately do so as part of the CDP review. Instead, it omitted meaningful analysis from the review process dismissing potentially significant impacts of the demolition of Dry Shed #4 to the adjacent park and recreation area as insignificant. The demolition will likely have significant impacts to the public ability to enjoy the adjacent park and recreation area because users will be subject to disturbances from the demolition activities themselves. In particular, the City of Fort Bragg omitted analysis of cumulative potentially significant impacts of the demolition when considered along with the existing impacts from Coastal Trail construction that continues, the future remediation activities in the adjacent contaminated mill pond, and planned development that is likely to result from the ongoing Local Coastal Program amendment process.

This constitutes a prima facie error in the local government's action because Fort Bragg failed to address the requirements of the Coastal Act in Public Resources Code sec. 30240(a) and (b) by omitting adequate analysis of the cumulative potentially significant impacts of the Demolition of Dry Shed #4 to the adjacent park and recreation area.

#### ZONING AND RECREATION:

**IT (Timber Resources Industrial) zoning district.** The IT zoning district is applied to areas appropriate for timber resource and forest products related manufacturing, including a variety of related industrial uses, as well as related support activities including railroad lines, truck shipping facilities, power generation, and related uses; and aquaculture.

Demolishing an existing industrial building that is appropriate for Timber Industrial uses (including aquaculture) does not further the purposes of the Timber Resources Industrial land use designation or zoning district. This is particularly true because it is the last remaining building in that district. Other than outside storage of processed lumber (i.e., drying yards), Dry Shed #4 is the last remaining use that is actually consistent with the current land use designation and zoning district.

Demolishing Dry Shed #4 does not further these intended uses, it hinders the possibility of resuming such uses. Even though the rest of the formerly operational mill is gone, the fact that the drying yards at the north end of the property remain in place and in use demonstrates that Timber Industrial uses remain viable and active. For this reason, the demolition of Dry Shed #4 only hinders the possibility of using the property as it is currently intended to be used, for the drying of lumber that requires indoor curing and storage rather than exterior curing and storage. **Recreational facilities is a permitted use in the IT zone**, which allows the Dry Shed #4 to qualify and be used recreationally with proper repair/maintenance. As such, this proposed demolition is inconsistent and incompatible with the listed policies and programs in the Coastal General Plan, the Local Coastal Program, and the current zoning.

### SAFTY. BLIGHT. AND DEMOLITION BY NEGLECT:

Much of the "propaganda by exaggeration," surrounds the claim that the building is a threat to safety. The building owner employed theatrics such as disallowing City Council Members to inspect in person, because of claims that it would not be safe for them to be on site. These type of dramatics only highlight an attempt to paint a picture of some decrepit building, while not allowing first hand witness by important deciders. A point was raised regarding the building being a fire threat because the lack of sprinklers, yet the fire department is in close proximity and there is ample setback (huge open areas surrounding) if such an event should occur. Assistant General Counsel J. Michael Davis put forward under: *Dry Shed Number 4 is structurally deficient, and it is in the pueblo's best interest to demolish the structure* that, "the structural integrity of Dry Shed Number 4 is substantially compromised and in decline," and remains a, "serious risk to the health and safety of our employees." He referenced that Kennedy/Jenks consultants report significantly degraded materials, however the old growth redwood core structure, and vast majority of the building remains in good standing. The report stated that safety could become an issue if further dilapidation persists. After our recent storms there has been not reports of further damage to Dry Shed #4. Local staff quoted wikipedia and used it as a guide while attempting to define blight in the review while putting forward that Dry Shed #4 constitutes a significant blight; although a portion of blight determination is technical and another portion subjective, using wikipedia is probably not the best course for source documentation. Many supporters of this appeal aver that the building currently does not qualify as blight, yet may become blight if the current owner is allowed to continue the demolition by neglect process. Permitting "demolition through neglect" undermines the City of Fort Bragg at large because it encourages land owners to not maintain their properties adequately and then to use their own neglect to attempt to justify demolishing the same building. Permitting demolition of poorly maintained buildings where the City failed to use code enforcement to encourage proper maintenance of the property in the past also undermining. The City should have required to repair and maintain this building.

### ECONOMIC FEASIBILITY:

Georgia-Pacific represented letter in section: Preservation of Dry Shed Number 4 is not economically feasible, states that, "Under California Coastal Act, the City may deny an application for a CDP to demolish a structure only upon finding, based on a preponderance of the evidence, that retention of the structure is feasible," which is defined as, "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." Please note also that one of the causes of the buildings deteriorated stated, is the self inflicted wound of "limited recent maintenance." Although Mr. Davis quotes the estimated cost of \$4 million to complete the work for

reusing the Legacy Shed as an industrial art center, it does not reference in detail the Tom Pryor (Electric & General Contracting) cost estimate of Dry Shed #4 structural retrofit. The total estimated cost is for \$951,635 with \$553,600 of it being for install and finish of a 70,000 sq. ft. concrete slab. So without redoing the base concrete slab, the costs for retroGit would total under \$400,000 (\$398,035). Furthermore, the Structural Evaluation of Georgia Pacific Mill Site Storage Shed #4 document by Michael Butler (Civil Engineer) dated August 17, 2009 finds on page 5 that "the floor in shed #4 is not level, but it largely follows natural grades...it is less than 1% slope (0.89%)," and that, "pouring new slabs throughout the building would not have to be necessary from a structural perspective if there are users of the building that would not require a new level slab on grade. The existing asphalt paving is in good enough condition for forklifts, etc." This economic information along with the known interested parties in completing the retrofit (such as Skunk Train Depot, etc.) shows that Dry Shed #4 can be retained and successfully done within a reasonable period of time and completely remediable. Also of note in the structural evaluation is that, "the primary and most secondary structural members are of old-growth or good quality second-growth redwood," and that, "from a structural perspective Shed #4 can continue to serve the city's intended purpose for several decades more with the retrofit measures proposed in this report."

#### MND ERROR AND HISTORIC PRESERVATION:

##### DEMOLITION CONFLICTS WITH PRC § 30244:

**The Mitigated Negative Declaration (MND) was flawed because it did not analyze as historic.** Dry Shed #4 has already been determined to be a substantial historic contributor to the historic mill site and the development of Fort Bragg City (TRC 2003). Its historic relevance has only increased since the original findings by a team of non-partisan experts. The Fort Bragg Coastal General Plan states that, "Fort Bragg's architecturally significant buildings and structures convey a sense of the community's history, providing a link to the past and strengthening the City's identity." The massive Dry Shed #4 structure is a building that certainly bolsters a link to the past and is a significant contributor engendering the local communal identity. Coastal Development goal 7 outlines policies that support granting the appeal and disallowing the demolition of this profound historic resource; Goal CD-7 entitled, "Preserve cultural and historic resources," sets forth the policies to, "Protect and Preserve Buildings and Sites with Historic and Cultural Significance to the Community" (*Policy CD-7.1*), with the following programs:

"Update the Historic Building Inventory to include a wider and more comprehensive list of culturally and historically significant sites and buildings. Encourage property owners to list their buildings in the Historic Building Inventory." (*Program CD-7.1.1*)

"Consider approval of building permits using the State Historic Building Code, as appropriate." (*Program CD-7.1.2*)

"Include regulations in the Coastal LUDC which defines historic resources, historic structures, and building styles and which establish procedures to **evaluate, protect,**

**and preserve sites, buildings, structures, districts, and objects that reflect significant elements of Fort Bragg's cultural, social, economic, and architectural heritage." (Program CD-7.1.3)**

"Establish incentives for the preservation and restoration of historic buildings and sites. Consider the following incentives: low interest loans for rehabilitation consistent with the original character of historic buildings, tax incentives for the preservation of historic structures, including the use of Mills Act preservation contracts, and awards or grants for the preservation and protection of historic buildings and those with cultural significance." (Program CD-7.1.4)

Hyper relevant to this appeal is *Policy CD-7.2 Discourage Demolitions*, which reads: **"Discourage the demolition of historic buildings."**

Although claims have been made to the contrary, Dry Shed #4 qualifies as being designated historical by federal, state, and local standards. This being said it is widely considered prudent within the field that it is most appropriate to initiate local designation to provide adequate resource protection in harmony with local governance policies. Local districts are generally administered by the county or municipal government. It has already been recommended as a historic resource, assessed individually and as a significant contributing building to the development of Fort Bragg City, also within a proposed historic district and qualifies for enhanced protection by local, federal, and State governance. Multiple significant errors were committed by what City Staff reports as "reputable" historians that claimed the proposed historic district was defunct and that the Dry Shed #4 does not qualify for National, State, or local historic designation. Some of the critical errors include the affirmation that the period of significance was from 1885-1953. The correct period of significance was elucidated repeatedly in the TRC report: "Its period of significance is suggested to be from the town's beginnings in 1885 to 1953 (50 years from present)." The qualifying phrase is, "50 years from present," hence if assessed today for recommendation it would be from 1885-1968 (50 years from present). The period of significance would even reasonably be extended to 1969; up to the point where the Johnson Family maintained control over such property. Dry Shed #4 was built in 1960 and then added on in 1967, while the Johnson family still controlled the mill site. Although the report used 45 years old as a criteria to see which buildings contribute, Fort Bragg uses a 40 year minimum element to qualify for the Historic Building Inventory. Another misconception that was touted, yet flawed, was the affirmation that only 1 building remained within the proposed historic district, hence it is defunct. Never brought to the Planning Commission nor City Council's attention was that the Guest House and Round House buildings were recommended as part of the district. A proficient historian could perhaps reason that the proposed historic district should be collapsed to bordering the remaining structures, yet not that no possible district remains with reassessment. What also needs to be emphasized as important is how significant it is to demonstrate span of timeline. When the elements are put together of the geographical landscape of the historic mill site, along with the Guest House and Round House (beginning of period of significance) along with the Dry Shed #4 (end of period of significance) it constitutes a very strong candidate for a

historic district that represents the given swath of history. Georgia-Pacific, Fort Bragg City Staff, and related consultants bent the findings towards no historic relevance, attempting to erase an inconvenient historic reality, and lacked any commitment to preserve and protect this invaluable historic resource. Local policy stipulates that the project applicant pay for historic review when required, however to allow a project applicant to fire and hire experts based on outcome without challenge of review leads to bias and deranged conclusions that supports the prerogative of the project applicant despite valid historical significance.

**ELEMENT B) SECONDARY FINDINGS:** Secondary findings put forward expanded details and context that support primary findings.

**HISTORICAL DOCUMENTATION:**

The 2003 Document by TRC, *Phase II Determination of Significance Standing Structures; Georgia Pacific Lumber Mill; Fort Bragg, California* was prepared by: Greig Parker, RPA, Ruth Nicholas, M.A., and Christopher Drover, Ph.D. (Principle Investigator), remains integral for insights into the potential historical standing of Dry Shed #4. This document was not provided to the Planning Commission nor City Council and not included with the document package during the historical determination of Dry Shed #4 or its demolition permit process. On 05/21/2018 the appellant emailed City Staff to inquire about where the document may be found. No response was ever given, hence the appellant through due diligence discovered the document within the Fort Bragg-Mendocino Coast Historical Society's Archives with the help of Archivist Sylvia E. Bartley. The following are relevant excerpts related from the Historic Survey:

*TRC surveyed 50 aboveground buildings and structures at the Georgia Pacific mill in Fort Bragg, Mendocino County, California. Not all of the inventoried properties are a minimum of 45 years of age; however, those that are and that meet the standards of NRHP Criteria C have been identified as a potentially eligible NRHP district. In this report, the properties are identified by their location number as indicated in Figure 5.5. Table 4.1 provides a brief summary of the surveyed properties and their potential to be eligible for the NRHP as a district under Criteria C.*

*C) Criterion C (Cal Reg [3]) (Design/Construction). Embodiment of distinctive characteristics of a type, period, or method of construction; or representation of the work of a master; or possession of high artistic values; or representation of a significant and distinguishable entity whose components may lack individual distinction.*

*TRC surveyed 50 aboveground buildings and structures at the Georgia Pacific mill in Fort Bragg, Mendocino County, California. Not all of the inventoried properties are a minimum of 45 years of age; however, those that are and that meet the standards of NRHP Criteria C have been identified as a potentially eligible NRHP district. In this report, the properties are identified by their location number as indicated in Figure 5.5. Table 4.1 provides a brief summary of the surveyed properties and their potential to be eligible for the NRHP as a district under Criteria C.*

*C) Criterion C (Cal Reg [3]) (Design/Construction). Embodiment of distinctive characteristics of a type, period, or method of construction; or representation of the work of a master; or possession of high artistic values; or representation of a significant and distinguishable entity whose components may lack individual distinction.*

#### *Property #25 - Dry Shed #4*

*Dry Shed #4 is a two-story warehouse-type property that appears to be four separate buildings joined at the east/west and north/south facades. The property was constructed circa 1960 and is located immediately west of property #24 (Dry Shed #5). The building features a gambrel roof covered with rolled asphalt, exterior plywood panel walls, and poured concrete foundation. The south facade has two open loading bays. There is no fenestration at the east facade. The north facade features one enclosed loading bay and one loading bay that retains an overhead track door. The west facade features two shed wings, one of which (at the north end) appears to hold an office. Both of the shed wings feature single-door entrances that face west. Also at the west facade is an enclosed single-door entry (facing west).*

#### *5.5 Proposed District Boundaries*

*Figure 5.5 shows the proposed district boundaries. The district boundaries encompass the entire Georgia Pacific property as well as the Guest House and the Roundhouse. These two buildings were part of the property during its period of significance, and have only recently undergone a transfer of ownership. This change of ownership has not resulted in any meaningful modification of the association between the properties. Other than this, the property boundaries of the mill have remained intact for the entire history of the mill (1885-present) with only minor changes to the north and south. During this time it has been used solely for lumber related activities. The property consists of the entire ocean front for the City or Fort Bragg, and has been a significant influence on the town's urban development.*

#### *6. Conclusion*

*In order to assess the historical significance of the Lumber mill, a number of archival and literary sources were consulted. These included the Union Lumber Company Archives at the Bancroft Library of the University of California, Berkeley; the Guest House Museum at Fort Bragg; the Noyo Hill House, Fort Bragg; and the University of California, and California State Research Libraries.*

*Based on the results of the archival review and the archival architectural Survey conducted between May and June 2003, it is the opinion of TRC that the entire property of the Georgia-Pacific mill at Fort Bragg is eligible for listing on the NRHP/ California Register under Criterion A/(1) as an historic district for its association with the development of the redwood lumber industry, and for its association with the history and development of the town of Fort Bragg; Criterion B/(2) for its association with C.R. Johnson, founder and former president of the Union Lumber Company; Criterion C(3) for its unique buildings and equipment associated with the mill's historic use; and Criterion D4 for its potential to contribute data to our understanding of the development of the redwood lumber industry.*

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

8th Agency abae Quinn Maroney  
Signature of Appellant(s) or Authorized Agent

Date: 04/11/18

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby  
authorize

Gabriel Quinn Maroney  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

8th Agency abae Quinn Maroney  
Signature of Appellant(s)

Date: 04/11/18

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
 1385 8TH STREET, SUITE 130  
 ARCATA, CALIFORNIA 95521-5967  
 (707) 826-8950 FAX (707) 826-8960  
 www.coastal.ca.gov

**NOTIFICATION OF APPEAL PERIOD**

**Date:** April 03, 2018

**To:** Sarah McCormick  
 City of Fort Bragg, Community Development Department  
 416 N. Franklin Street  
 Fort Bragg, CA 95437

**From:** Cristin Kenyon, Supervising Analyst

**Re:** Application No. 1-FTB-17-0524

*CD on behalf of CK*

*Clancy Resmet*

**RECEIVED**  
 APR 13 2018  
 CALIFORNIA COASTAL COMMISSION  
 NORTH COAST DISTRICT

Please be advised that on April 02, 2018, our office received notice of local action on the coastal development permit described below:

**Local Permit #:** CDP 2-17

**Applicant(s):** Georgia Pacific, Attn: Mike Hassett

**Description:** Coastal Development Permit to demolish and remove 75,000 SF above ground structure, known as Dry Shed #4. All foundations will be left in place.

**Location:** 90 W Redwood Ave, Fort Bragg, CA 95437 (APN(s): 008-020-13, 008-053-34)

Unless an appeal is filed with the Coastal Commission, the action will become final at the end of the Commission appeal period. The appeal period will end at 5:00 PM on April 16, 2018.

Our office will notify you if an appeal is filed.

If you have any questions, please contact me at the address and telephone number shown above.

cc: Georgia Pacific, Attn: Mike Hassett



# CITY OF FORT BRAGG

Incorporated August 5, 1889  
416 N. Franklin Street, Fort Bragg, CA 95437  
Phone: (707) 961-2827 Fax: (707) 961-2802  
www.FortBragg.com

**RECEIVED**

APR 02 2018

CALIFORNIA  
COASTAL COMMISSION  
NORTH COAST DISTRICT

## NOTICE OF FINAL ACTION ON COASTAL DEVELOPMENT PERMIT

On March 26, 2018, final action was taken by the City on the following Coastal Development Permit application:

**PERMIT TYPE & NO.:** Coastal Development Permit 11-12/17

**OWNER/APPLICANT:** Michael Hassett / Georgia-Pacific LLC

**LOCATION:** 90 West Redwood Avenue

**APN:** 008-02-013, 008-053-34

**DESCRIPTION:** Coastal Development Permit to demolish and remove 67,500 SF above ground structure, known as Dry Shed 4. All foundations would be left in place.

**DATE OF ACTION:** March 26, 2018

**ACTION BY:**  Fort Bragg Planning Commission  
 Fort Bragg City Council

**ACTION TAKEN:**  Approved (See attached Findings and Conditions)  
 Denied (See attached Findings)

**THIS PROJECT IS:**  Not appealable to the Coastal Commission.

Appealable to Coastal Commission pursuant to Public Resources Code Section 30603. An aggrieved person may appeal this decision to the Coastal Commission within ten working days of Commission receipt of this notice. Appeals must be in writing to the appropriate Coastal Commission District office

  
Marie Jones

Date 3-28-2018

Attachment: Development Permit  
cc: California Coastal Commission (via mail)  
Permit File

<b>EXHIBIT NO. 8</b>
CDP APPEAL NO. A-1-FTB-18-0021 FLAN

## **FINDINGS**

1. The demolition of Dry Shed 4 is necessary to eliminate safety concerns stemming from the lack of a functional fire suppression system on the Mill Site and the dilapidated state of the building, which makes it susceptible to storm damage. The demolition will also remove conditions of blight and improve the visual character in an area of scenic importance;
2. The proposed project is consistent with the purpose and intent of the Timber Resources Industrial (IT), as well as all other applicable provisions of Title 17 of the Fort Bragg Municipal Code, and applicable provisions of the Fort Bragg Municipal Code in general;
3. The proposed project is in conformity with the certified Local Coastal Program (LCP);
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located;
5. As proposed, the development will not have any unmitigated adverse impacts to any known historical, archaeological or paleontological resource;
6. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act as provided by a Mitigated Negative Declaration and an MND Addendum that have been prepared for the project; and
7. The proposed development is in conformity with the public access and public recreation policies of the LCP and Chapter 3 of the California Coastal Act.

## **COASTAL DEVELOPMENT PERMIT FINDINGS**

1. The proposed development as described in the application and accompanying materials, as modified by any conditions of approval, is in conformity with the City of Fort Bragg's certified Local Coastal Program and will not adversely affect coastal resources;
2. The project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code);
3. Feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment;
4. The proposed use is consistent with the purposes of the zone in which the site is located;
5. The proposed development is in conformance with the City of Fort Bragg's Coastal General Plan;

6. The proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
7. Services, including but not limited to, water supply, sewage disposal, solid waste, and public roadway capacity have been considered and are adequate to serve the proposed development;
8. Supplemental findings for projects involving geologic, flood, and fire hazards:
  - i. The project, as proposed, will neither be subject to nor increase instability of the site or structural integrity from geologic, flood, or fire hazards due to project design, location on the site or other reasons; and
  - ii. The project, as conditioned, will not have significant adverse impacts on site stability or structural integrity from geologic, flood, or fire hazards due to required project modifications, landscaping or other conditions; and
  - iii. There are no alternatives to development that would avoid or substantially lessen impacts on site stability or structural integrity.
9. Supplemental findings for projects located between the first public road and the sea required by Section 17.56.070 of this Development Code.
  - i. The project includes the demolition of an existing building. The project will not result in additional public access or demand for additional public access. The site consists of a vacant industrial mill property with many safety hazards and public access is not appropriate through the site at this time.
  - ii. It is not possible to manage public safety through the site until such time as the remaining safety hazards are removed from the site.
  - iii. The public may reach the same area of public tidelands as would be made accessible by an access way on the subject land through the recently completed Fort Bragg Coastal Trail.

### **SPECIAL CONDITIONS**

1. All wooden timbers shall be segregated from other demolition debris. GP's contractor will ensure maximum participation in local timber recycling by opening the site up for a one weekend "yard sale" that is well advertised and allows locals to purchase materials for reuse on site.
2. GP shall offer to donate the Dry Shed 4 sign to the City of Fort Bragg or the Historical Society for possible reuse on the site at a later date. If neither entity accepts the sign, the sign may be recycled.
3. In the event prehistoric archaeological resources (marked by shellfish remains, flaked and ground stone tools, fire affected rock, human bone, or other related materials) are unearthed accidentally during demolition, all work in the vicinity of the site shall cease immediately, the Community Development Department shall be notified, and the proper disposition of resources shall be accomplished as required by CLUDC Section 17.50.030(D).
4. The following Best Management Practices to control, reduce or prevent discharge of pollutants from demolition and material handling activities shall be utilized throughout project implementation:
  - a. Material and products will be stored in manufacturer's original containers.
  - b. Storage areas will be neat and orderly to facilitate inspection.
  - c. Check all equipment for leaks and repair leaking equipment promptly.

- d. Perform major maintenance, repairs, and washing of equipment away from demolition site.
  - e. Designate a completely contained area away from storm drains for refueling and/or maintenance work that must be performed at the site.
  - f. Clean up all spills and leaks using dry methods (absorbent materials/rags).
  - g. Dry sweep dirt from paved surfaces for general clean-up.
  - h. Train employees in using these BMPs.
  - i. Avoid creating excess dust when breaking concrete. Prevent dust from entering waterways.
  - j. Protect storm drains using earth dikes, straw bales, sand bags, absorbent socks, or other controls to divert or trap and filter runoff.
  - k. Shovel or vacuum saw-cut slurry and remove from the site.
  - l. Remove contaminated broken pavement from the site promptly. Do not allow rainfall or runoff to contact contaminated broken concrete.
  - m. Schedule demolition work for dry weather periods.
  - n. Avoid over-application by water trucks for dust control.
  - o. Cover stockpiles and other construction materials with heavy duty plastic secured and weighted on all sides to maintain cover from wind and rain even in high wind conditions. Protect from rainfall and prevent runoff with temporary roofs or heavy duty plastic and berms.
5. Demolition activity shall cease if actual wind speeds reach or exceed 25 mph.
  6. Prior to issuance of demolition permits, the applicant shall secure a Facility Wide Dust Control Permit from the Mendocino County Air Quality Management District. All demolition activities shall be conducted in accordance with the requirements of the permit. Particles generated in the demolition process will be minimized via dust suppression control. A Dust Suppression Officer will be assigned to the facility during the dismantling process.
  7. Georgia-Pacific shall designate a person to be the fire prevention program superintendent, who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. The fire prevention program superintendent shall have the authority to enforce the provisions of CH 14 C.F.C. and other provisions as necessary to secure the intent of CH 14 C.F.C. Where guard service is provided, the fire prevention program superintendent shall be responsible for the guard service.
  8. Approved vehicle access for firefighting shall be provided to the demolition site. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. Vehicle access shall be provided from the Redwood Gate during demolition activities. Such access may be secured by providing the Fire Department with keys to the gate. Access roads shall be kept clear of obstructions to provide for rapid fire response during demolition activities. Upon completion of demolition activities, fire access shall be maintained on the site until permanent fire apparatus access roads are available.
  9. One approved portable fire extinguisher shall be on site throughout the demolition process in accordance with section 906 and sized for locations where combustible materials have accumulated and the demolition materials storage area.
  10. The applicant is required by Part 61, Chapter 1 Title 40 of the Code of Federal Register to submit proof of asbestos inspection and an Asbestos Notification Form to the Air Quality Management District prior to issuance of a demolition permit.

11. All work involving structures with asbestos and lead containing paint will be performed in general accordance with local, state, and federal rules and regulations. A certified and trained contractor will be utilized to secure the necessary permits and conduct the required abatement activities. All of the work involving asbestos is associated with aboveground structure removal and shall conform with the requirements outlined in Appendix A: Asbestos Abatement Technical Specifications, Amec, February, 2013, submitted by the applicant as part of the Coastal Development permit application. All of the work involving lead-based paint is associated with aboveground structure removal and shall conform with the requirements outlined in Appendix B: Hazardous and Regulated Materials Technical Specifications, Amec, February, 2013.
12. Stockpiles of concrete without stains or evidence of hazardous waste will be transported offsite to a recycling waste disposal facility.
13. Wherever possible, broken concrete and other demolition debris will be stockpiled on areas with improved asphalt or concrete surface. Potentially hazardous waste will be stored in a Potentially Hazardous Waste Storage Area.
14. The applicant will follow the submitted Transportation Plan that describes the protocol and procedures to protect human health and the environment during transportation activities to remove debris with hazardous materials.
15. The demolition of Dry Shed #4 shall be done in a complete manner to ground level, including any above ground portions of foundations, piers, columns, and concrete crib walls, but does not include the excavation and removal of elements of the foundation which are in-ground requiring excavation and ground disturbance, nor does it include removal of the existing asphalt floor.
16. Native American Monitors will be on site during all removal of above ground foundations, piers, columns and concrete crib walls to ensure that no ground disturbance occurs.

#### **STANDARD CONDITIONS**

1. This action shall become final on the 11<sup>th</sup> working day following the Coastal Commission's receipt of the Notice of Final Action unless an appeal to the Coastal Commission is filed pursuant to Chapter 17.61.063 17.92.040. This action is appealable to the California Coastal Commission pursuant to Chapter 17.92.040.
2. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
3. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State and Federal agencies having jurisdiction. All plans submitted with required permit applications shall be consistent with this approval.
4. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - (a) That such permit was obtained or extended by fraud.
  - (b) That one or more of the conditions upon which such permit was granted have been violated.
  - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance.

- (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
5. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
  6. This Coastal Development Permit approval shall lapse and become null and void 24 months from the date of approval unless before the passing of 24 months, construction has commenced and is diligently pursued towards completion or an extension is requested and obtained.

AGENCY: City Council  
MEETING DATE: March 26, 2018  
DEPARTMENT: Community Development  
PRESENTED BY: Marie Jones  
EMAIL ADDRESS: [HYPERLINK mailto:mjones@fortbragg.com](mailto:mjones@fortbragg.com) [mjones@fortbragg.com](mailto:mjones@fortbragg.com)

## AGENDA ITEM SUMMARY

### **TITLE:**

**RECEIVE REPORT AND CONSIDER ADOPTION OF CITY COUNCIL RESOLUTION RATIFYING AND CLARIFYING THE DECISION OF MARCH 12, 2018 TO DENY AN APPEAL AND CONFIRM THE ISSUANCE OF A COASTAL DEVELOPMENT PERMIT FOR THE DEMOLITION OF DRY SHED #4**

### **ISSUE**

On March 12, 2018, City Council held a public hearing on the appeal of Gabriel Quinn Maroney and denied the appeal and approved Coastal Development Permit 11-12/17 for the demolition of Dry Shed 4. However during the vote and after a motion was made to deny the appeal and approve the Coastal Development Permit, that motion was amended by Councilmember Turner to include a condition to remove the foundations. Staff requested clarification from Councilmember Turner regarding the intent of the motion to include removal of the existing asphalt floor inside the building, and Councilmember Turner confirmed that only materials above ground should be removed. However when the special condition was read out to the entire City Council just prior to the vote the term “above ground” as a modifier for the word “foundations” was left out of the Special Condition through an oversight by staff.

Staff is requesting final clarification and interpretation of the motion to remove foundations as including only those portions of the foundation that are above ground, and that no excavation of in-ground foundation elements should be done per the attached resolution (Attachment A).

Georgia-Pacific has stated that most of the building was constructed on a cripple wall which was poured on top of the asphalt slab and that the building has little if any below ground foundation. GP has further confirmed that removal of any above ground portions of any foundations is feasible without engaging in ground disturbance.

The Mitigated Negative Declaration prepared and approved for the demolition projects specifically excluded excavation of in-ground foundations.

### **PROJECT BACKGROUND**

Please see Attachment B to review the comprehensive March 12, 2018 staff report which analyzed Gabriel Maroney’s appeal and the compliance of the project with the Coastal General Plan and Coastal Land Use and Development Code. The following provides short

excerpts from the staff report regarding the existing condition of the structure and its historic status.

## **PROJECT DESCRIPTION:**

Coastal Development Permit 11-12/17 (CDP 11-12/17) was approved on March 12, 2018 to demolish and remove a 67,500 SF above ground structure, known as Dry Shed 4.

## **BUILDING CONDITION:**

Dry Shed 4 Condition. Dry Shed 4 is approximately 450 feet long and 150 feet wide. (Please see Attachment B-8 to view photos of the shed). Dry Shed 4 is constructed of the following components:

- Four bays with three large doors.
- An asphalt floor with a significant slope from the north end of the building to the south end of the building.
- A wall system that includes a three foot high concrete block cripple wall with a 27 foot high wood framed wall that is sheathed in deteriorating plywood.
- A limited foundation.
- The building has no windows, insulation or interior finishes.
- The roof is composed of a metal girder system that holds up deteriorating plywood sheathing and unraveling asphalt roll roofing.
- The building has no electrical, water or sewer service.
- While the building is plumbed with a fire sprinkler suppression system, the suppression system itself was no water source.

## **BUILDING STATUS:**

**Dry Shed 4 does not qualify as a Historic building as it does not conform to the legal requirements to qualify as a historic building at the national or state level. Nor does it qualify as a Landmark building at a local level.** The Federal Army Corps of Engineers, the State Office of Historic Preservation (SHPO), and Environmental Science Associates (ESA) have reviewed the historic status of Dry Shed 4 and determined that the building is not eligible for listing on the federal or State registry. According to these analyses, the building is not eligible for listing on the historic register as it does not meet registry criteria.

1. Dry Shed #4 is not eligible under Criteria A/1: "It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States."  
As Dry Shed 4 was constructed in the 1960s, it is not directly associated with the early development of or prominent years of the lumber industry in the area (significant patterns of development), which occurred between 1885 and 1953.
2. Dry Shed #4 is not eligible under Criteria B/2: "It is associated with the lives of persons important to local, California, or national history."

Although the larger mill site property was associated with C. R. Johnson from its inception in 1885 until his death in 1940, Dry Shed 4 was constructed after his death and has no direct association with Johnson.

3. Dry Shed #4 is not eligible under Criteria C/3: "It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values."

Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship. As described in TRC's report, the post-1945 buildings, especially those post-dating the period of significance of the district (1885-1953) such as the 1960 Dry Shed 4, are generally simple, post-war utilitarian warehouses and office buildings.

4. Finally, Dry Shed #4 is not eligible under Criteria D/4: "It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation."

Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship; as such it is not expected to yield useful information important to history.

Staff completed further research to determine if Dry Shed 4 could be eligible as a local historic resource. If Dry Shed 4 were listed as a local historic resource, the procedures described in FBMC Section 17.74.060 would have to be followed in order for the demolition to be approved. Dry Shed 4 is not currently listed on the City of Fort Bragg's historic building inventory. In order to be listed on the City's Historic Register per Section 17.74.020B the building must be:

1. Listed in the National Register of Historic Places (either individually or as contributing to a district);
2. Designated as a Historic Landmark District by the City Council per FBMC Section 17.74.030;
3. A property contributing to a district listed in the National Register of Historic Places; or
4. A property identified through a historic resources survey as qualifying for a historic designation.

Dry Shed 4 is not currently a historic resource, as it is:

1. Not eligible for listing on the National Register of Historic Places as a district (per the attached SHPO letter); and
2. A historic resources survey has been completed of the property and it has determined that Dry Shed 4 is not a historic resource as an individual structure (ESA's report); and
3. The City Council has not designated the building as a part of a Historic Landmark District per section 17.74.030.

Thus the Dry Shed 4 has no Federal, State or Local landmark status or protections as a historic building or a landmark.

**Dry Shed 4 is a potential safety hazard due to current damage to the roof and sidewall areas of the building and structural and maintenance deficiencies in the building.**

Staff completed a site inspection of Dry Shed 4 to determine the shed's current condition. The shed has significantly deteriorated since a 2008 structural engineering analysis due to severe weather conditions, limited maintenance, poor construction quality and the overall age of the building:

- A large section of the wall on the north east corner of the building has come completely unattached from the building and is leaning up in place.
- A large section of the roof on the south east corner of the building has come unattached, leaving a large (1,000 sf+) hole in the roof. Aerial imagery reveals further unraveling of the roll roofing.
- There are various other large (2 SF+) holes and cavities in the walls, roof and floor.
- Exterior plywood is delaminating.
- The exterior painting is very weathered.
- The sprinkler system is rusted and not in working condition.
- The building has no access to electrical power or water and sewer service. The nearest utilities are more than 400 linear feet away at the end of Pine Street.

A 2017 engineering analysis was completed for the shed and is attached (Attachment B-3). It identifies a number of serious condition and structural deficiencies of the shed.

## **RECOMMENDATION**

**Staff recommends adoption of a Resolution of the Fort Bragg City Council Ratifying and Clarifying the Decision of March 12, 2018 to Deny an Appeal and Confirm the Issuance of a Coastal Development Permit for the Demolition of Dry Shed #4**

The resolution references the following findings, special conditions and standard conditions.

### **FINDINGS**

1. The demolition of Dry Shed 4 is necessary to eliminate safety concerns stemming from the lack of a functional fire suppression system on the Mill Site and the dilapidated state of the building, which makes it susceptible to storm damage. The demolition will also remove conditions of blight and improve the visual character in an area of scenic importance;
2. The proposed project is consistent with the purpose and intent of the Timber Resources Industrial (IT), as well as all other applicable provisions of Title 17 of the Fort Bragg Municipal Code, and applicable provisions of the Fort Bragg Municipal Code in general;
3. The proposed project is in conformity with the certified Local Coastal Program (LCP);
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and

**TITLE:**  
**RECEIVE REPORT, CONDUCT PUBLIC HEARING AND CONSIDER APPEAL OF GABRIEL QUINN MARONEY OF PLANNING COMMISSION APPROVAL OF COASTAL DEVELOPMENT PERMIT 11-12/17 (CDP 11-12/17) AUTHORIZING THE DEMOLITION OF DRY SHED 4**

**APPLICATION NO.:** Coastal Development Permit 11-12/17 (CDP 11-12/17)

**OWNER:** Georgia-Pacific LLC

**APPLICANT:** Michael Hassett, P.E., Manager – Environmental Engineering

**PROJECT DESCRIPTION:** Coastal Development Permit to demolish and remove 67,500 SF above ground structure, known as Dry Shed 4. All foundations would be left in place.

**LOCATION:** 90 West Redwood Avenue

**APN:** 008-02-013, 008-053-34

**ZONING:** Timber Resources Industrial (TI)

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration & MND Addendum

**SURROUNDING LAND USES:**

**NORTH:** GP Mill Site & West Fort Bragg Residential Neighborhood

**EAST:** Skunk Train, State Route One and Central Business District

**SOUTH:** GP Mill Site

**WEST:** GP Mill Site, Fort Bragg Coastal Trail property and ocean

## **PROJECT DESCRIPTION**

Dry Shed 4 Condition. Dry Shed 4 is approximately 450 feet long and 150 feet wide for a total size of about 67,500 SF. (Please see Attachment 8 to view photos of the shed). Dry Shed 4 is constructed of the following components:

- Four bays with three large doors.
- An asphalt floor with a significant slope from the north end of the building to the south end of the building.
- A wall system that is constructed of a three foot high concrete block perimeter wall with a 27 foot high wood framed wall that is sheathed in plywood. There is no insulation or interior finishes.
- The roof is composed of a metal girder system that holds up plywood sheathing and asphalt roll roofing.

Staff completed a site inspection of Dry Shed 4 to determine the shed's current condition. The shed has significantly deteriorated since a 2008 structural engineering analysis due to severe recent weather conditions, limited recent maintenance, the poor construction quality and the overall age of the building:

- A large section of the wall on the north east corner of the building has come completely unattached from the building and is leaning up in place.
- A large section of the roof on the south east corner of the building has come unattached, leaving a large hole in the roof. Aerial imagery reveals further unraveling of the roll roofing.
- There are various other large holes and cavities in the walls, roof and floor.
- Exterior plywood is delaminating.
- The exterior painting is very weathered.
- The sprinkler system is rusted and not in working condition.
- The building has no electrical, water or sewer service. While the building is plumbed with a fire sprinkler suppression system, the suppression system itself is no longer hooked up to a working water source.

## **MILL SITE BACKGROUND**

The Georgia Pacific Mill Site occupies an approximately 323± acre site on the coastline of the City of Fort Bragg (Attachment 7). According to historical records, the timber mill in Fort Bragg began operations in 1885. Georgia-Pacific (GP) acquired the facility and began operations in 1973. In November 2002, lumber production operations ceased at the facility. Since then, GP has been engaged in the process of decommissioning the site. This has included dismantling buildings, site investigation and implementation of remediation activities.

- In October 2003 and October 2004, the City approved two coastal development permits (CDP 1-03; CDP 2-04) authorizing demolition of the 17 structures on the Mill Site, totaling 339,000 SF.

- In 2005, the City approved CDP 3-05 authorizing: 1) the removal of all building foundations for the above structures; 2) additional investigation of soils and ground water; and 3) interim remedial measures (IRMs).
- In March 2009, the City received and approved a request for an emergency CDP for the demolition of the badly damaged Truck Loading Shed on the former Georgia-Pacific Wood Products Facility site. The structure had suffered from serious damage due to driving winds, which were causing the roof to sag dangerously and the wall to bulge out. On June 20, 2009, the Planning Commission approved an after-the-fact Coastal Development Permit for the truck shed demolition.
- In January of 2013, The Planning Commission approved CDP 11-12 to remove the above ground portions of 38 buildings on the Mill Site. GP submitted this permit request after being contacted by the Community Development Director regarding concerns about fire safety at the site, as the site no longer had functioning fire suppression systems. Additionally, many of the structures were in very poor condition and some were in danger of collapse in heavy winds. GP demolished 38 buildings, totaling 325,458 square feet, in 2013. Most of the building materials were recycled. Material which was not recycled was disposed of at an off-site disposal facility. Structure foundations were retained to limit soil disturbance and debris generated by the removal.

## **PERMITTING BACKGROUND of CDP 11-12/17**

The extensive permitting process for the CDP to authorize the demolition of Dry Shed 4 is described chronologically below.

On June 24, 2017 the Planning Commission held a Public Hearing for Coastal Development Permit 11-12/17 (CDP 11-12/17), and directed staff to prepare a resolution for denial for CDP 11-12/17 because the environmental review of the project relied upon a dated 2003 report prepared by TRC, *Site Specific Treatment Plan for Cultural Resources*, which may not adequately identify appropriate mitigation measures for the demolition of the building. The Planning Commission expressed concern that the dated report might not: 1) adequately identify appropriate mitigation measures for the project, and 2) comply with current State historic preservation law and practices in 2017. The Planning Commission directed staff to develop findings for denial and to work with the applicant to complete a more up-to-date review of the historic resource and identify appropriate mitigation measures.

Staff undertook some effort to determine the historic status of the shed and obtained the following documents and determinations to that end:

On July 13, 2017, the State Office of Historic Preservation (SHPO) issued a Section 106 consultation letter to the Army Corps of Engineers regarding the proposed implementation of the Operable Unit E Soil and Sediment Removal Action Plan. Section 106 of the National Historic Preservation Act requires the lead agency

under NEPA, which is the Army Corps of Engineers, to obtain a determination from SHPO regarding potential impacts to cultural and historic resources. On page 2 of the letter, SHPO notes that the Army Corps recommends that the GP Mill Site is no longer eligible for listing on the National Register of Historic Places due to lack of integrity because most of the buildings no longer exist. The SHPO concurred with this recommendation on page 3 of the letter. Thus according to SHPO and the Army Corp of Engineers, Dry Shed 4 does not qualify as a historic resource under federal law (Attachment 1).

In late July, staff contacted SHPO to identify next steps to determine if Dry Shed 4 qualifies as a historic resource under State law. SHPO told City staff that, in order to determine if Dry Shed 4 is eligible for inclusion in the California Register of Historical Resources, a consultant should be hired to determine if Dry Shed 4 qualifies as a historic resource under Title 14 Chapter 11.5 of California Code of Regulations. Staff required GP to hire a consultant to complete a historic resource determination for Dry Shed 4 based on California Historic Resources law.

On August 2, 2017, Environmental Science Associates (ESA), a well-regarded CEQA and planning consulting firm, submitted an analysis of Dry Shed 4. ESA's analysis determined that, under State historic preservation law, Dry Shed 4 does not qualify as a historic building under State law (Attachment 2).

Donald Barraza, a structural engineer retained by Georgia-Pacific, prepared a Structural Analysis, which details safety and structural concerns of the dry shed (Attachment 3).

GP submitted a letter dated August 7, 2017, that details GP's concerns about the structural stability of the shed, especially given the coming winter and the impact of future storms on the stability of the shed (Attachment 4).

On August 23, 2017, City staff scheduled a conduct of business item to provide an update to the Planning Commission regarding the lack of qualifying features for the building to qualify as a historic structure and to provide the documents and determination, described above. Additionally, staff indicated at this meeting that the only legal method for the Planning Commission to deny the CDP for the demolition would be to establish the building as a Historic Landmark. Staff included two resolutions with the staff report: 1) to approve the Coastal Development Permit for the Demolition, and 2) a resolution urging the City Council to establish Dry Shed 4 as a Historic Landmark in order to provide the City with an avenue to deny the Coastal Development Permit for the demolition of Dry Shed 4. The Planning Commission adopted the resolution encouraging the City Council to establish the Dry Shed as a Historic Landmark. However, subsequent to this meeting, staff determined that a Public Hearing was necessary for the Planning Commission to make a legislative recommendation to City Council. A public hearing was not required to approve the CDP, as a public hearing had already been held for this purpose.

Consequently, the Planning Commission met again on this matter on October 11, 2017 with a duly noticed Public Hearing. Additionally, staff prepared a more thorough analysis of the potential intended and unintended consequences of declaring the Dry Shed a Historic Monument. Based on prior direction, staff had prepared a resolution for the

Planning Commission's consideration to establish Dry Shed 4 as a City Landmark. However, after holding a Public Hearing and deliberating, the Planning Commission voted (4-1) that Dry Shed 4 should not be designated a Historic Landmark for the following reasons:

- 1) the building has been vacant for many years and has deteriorated significantly to the point that it might be a hazard;
- 2) the City has had years to acquire and reuse the building and has not done so;
- 3) the building does not qualify as a historic structure;
- 4) the building does not appear to have a financially viable reuse.

The Coastal Land Use & Development Code (CLUDC) requires that a written recommendation be forwarded to the City Council by the Planning Commission, and a written recommendation not to designate the Dry Shed as a Historic Landmark was not available at the October 11, 2017 Planning Commission meeting. Accordingly, the matter was brought back to the Planning Commission on November 8, 2017 and the Planning Commission adopted a resolution recommending that Dry Shed 4 not be designated as a Historic Landmark.

On November 27, 2017 the City Council held a public hearing to consider designating Dry Shed 4 as a historic landmark. After listening to public testimony, the City Council adopted a resolution not to designate Dry Shed 4 as a Historic Landmark (Attachment 5) based on the following findings:

1. On November 27, 2017, the City Council held a properly noticed public hearing to consider designating Dry Shed 4 as a Historic Landmark.
2. Dry Shed 4 does not qualify as a Historic building, as it does not possess distinguishing characteristics typical to a historic structure as those characteristics are set forth in the state and federal regulations for recognition of historic structures.
3. Dry Shed 4 is a potential safety hazard due to the current damage to the roof and sidewall areas of the building and structural deficiencies in the building.
4. Dry Shed 4 would be difficult to repair and reuse given its large size, lack of access to public utilities, deteriorated condition, and lack of economic value.

As both the Planning Commission and the City Council chose not to establish landmark status for Dry Shed 4, the Coastal Development Permit authorizing the demolition of the building was brought back to the Planning Commission for consideration.

On January 10, 2018, after a duly noted public hearing, the Planning Commission approved Coastal Development Permit 11-12/17 to authorize demolition of Dry Shed 4.

## **MARONEY APPEAL**

**Appellant Qualification.** On January 22, 2018, the City received an appeal of the Planning Commission's decision by Gabriel Quinn Maroney (Attachment 6). An appeal is required within 10 calendar days of the Planning Commission's decision; however since the 10<sup>th</sup> day fell on a Saturday the appeal period was continued to Monday, January 22,

2018. The appeal was timely. The appellant also paid the \$1,000 appeal fee on January 22 as required by the City's fee schedule.

The appeal was filed by an eligible person as required by the Coastal Land Use and Development Code (CLUDC) section 17.92.030A and 17.92.040(A)(2):

**17.92.030A** An appeal in compliance with this Chapter may be filed by any aggrieved person as defined in Section [17.92.040\(A\)\(2\)](#) except that in the case of a decision on a Use Permit, Variance, and/or other Commission decision that followed a public hearing, an appeal may only be filed by a person who, in person or through a representative, appeared at the public hearing in connection with the decision being appealed, or who otherwise informed the City in writing of the nature of their concerns before the hearing.

**17.92.040(A)(2)** Aggrieved person defined. As provided by Public Resources Code Section 30801, an aggrieved person is anyone who, in person or through an explicitly identified representative, appeared at a public hearing before the Director, Commission, or Council in connection with the decision or appeal of any development, or who by other appropriate means before a hearing, informed the City of the nature of their concerns, unless for good cause was unable to do either.

The appellant, Gabriel Quinn Maroney, attended the January 10, 2018 Planning Commission meeting and spoke during the public hearing about his concerns regarding Dry Shed 4 and the Coastal Development Permit under consideration for its demolition.

**Appeal Rationale.** The appeal (Attachment 6) includes issues that are germane to the approval or denial of a Coastal Development Permit as well as concerns which are not relevant and do not provide a legal basis for the approval or denial of the CDP.

Certain concerns or issues raised in the appeal are not relevant to the approval or disapproval of a Coastal Development Permit, because they are not relevant or germane by law in the deliberation of a land use and/or Coastal Development Permit decision. These concerns/issues include the following:

**1. The existence of: 1) public support for the dedication of the building to the public; 2) the existence of individuals or organizations which may be interested in purchasing the building or the site; 3) any past negotiations about building transfer to the City or any other party; 4) the potential for future transfer of the building to the City of Fort Bragg or another entity.**

None of these issues and concerns has legal bearing on the approval or disapproval of a Coastal Development Permit. The transfer of property is a private matter that does not have a bearing on the decision to approve a CDP. The individuals or organizations who are interested in purchasing the building can negotiate with the property owner regarding the future of the Dry Shed. Likewise the City cannot take into consideration a potential transfer of the property to the City while considering a CDP. The CDP must be judged solely based on its compliance with the Coastal Land Use and Development Code and the Coastal General Plan.

## **2. The economic value of the building for reuse.**

If the building had been designated a historic landmark by the City Council, the potential economic value of the building would have had a bearing on the decision of whether or not to approve a Certificate of Compliance for the building demolition. However as the building was not designated as a historic landmark, the criteria for determining if a historic landmark can be demolished (such as economic value) are not applicable to this structure.

## **3. The building as a “very important and recognizable structure to our community.” The building’s “association with the history of the Old Mill Site” and its location is an area “of historical relevance such as the Skunk Train depot and Guest House Museum.”**

These issues/concerns can only be taken into consideration when a Certificate of Compliance is required for the demolition or modification of a historic structure or landmark. The Certificate of Compliance process only applies to projects that are eligible for listing on the State or Federal historic building registry or that are designated as a local Historic Landmark by the City of Fort Bragg. As noted above, the building is not eligible for designation as a historic building by either federal or state law. The building was not designated as a historic landmark by City Council and thus is not protectable from demolition under a Certificate of Compliance. The appellant also notes in his appeal that he “is not asking for historic designation.”

The only permit under consideration by the City Council is a CDP, and the building’s importance, familiarity, or its location 700 feet from the Guest House Museum are not issues or concerns that can be legally considered in the approval or disapproval of a CDP.

## **4. The proposed project is not in conformity with the vision and mission to redevelop the old mill site.**

As the Mill Site reuse planning process is underway and the final plan has not been adopted by the City Council or the Coastal Commission, the potential vision and/or mission of the future rezoning has not been codified into law and is not applicable to a decision on a CDP.

Only the certified Coastal General Plan and Coastal Land Use and Development Code apply to the issuance of Coastal Development Permits in the coastal zone. As detailed in this staff report, the project complies with the regulations of the CLUDC and the policies of the Coastal General Plan.

## **5. Safety concerns can be remedied without tearing the building down. The cost to repair the building could be much less than stated in the cost estimate for a different type of use.**

It is possible that safety concerns can be remedied without tearing the building down. Indeed the building owner would not need to apply for a Coastal

Development Permit to maintain or fix the building. Absent the designation of the building as a Historic Landmark under the City's Coastal Land Use and Development Code, the City does not have a legal basis for considering the cost to repair to the building, since a Certificate of Compliance is not required for the demolition. The cost to repair the building is not a basis for denial of the CDP.

**6. Purported Brown Act violations, including Commissioner Stan Miklose making the statement that "I have no reason to deny this permit" prior to the public hearing.**

Commissioners can express what they think prior to holding the hearing without it becoming a violation of the Brown Act. Commissioner Miklose listened to the public hearing comments and his opinion could have and may have been changed by those comments. A Brown Act violation occurs only if the Commission votes on the topic prior to the public hearing. Please see the City's Rules of Order.

**7. Concerns about the hearing notification procedures and how those may have influenced the hearing outcome because the number of people who came to the public hearing on the landmark designation was less than the number of people who attended other meetings.**

Staff has detailed the process whereby a Public Hearing was required in order for the Planning Commission to make a recommendation to City Council regarding Dry Shed 4 becoming a landmark. The Public Hearing is required by the CLUDC. The Planning Commission heard the public comment that was made at both meetings and is likely able to retain and consider public comment from prior meetings in a subsequent deliberation. Additionally, the Planning Commission only provided a recommendation on the Landmark status for Dry Shed 4, the actual decision was made by the City Council, also at a fully noticed public hearing.

**Relevant Appeal Points**

The appellant's basis for appeal includes the following key points that are relevant to the City Council's decision on the CDP approval, including:

**1. The appellant objects to the veracity of Finding 1 for the approval of the CDP, which is worded as follows:**

Finding 1: The demolition of Dry Shed 4 is necessary to eliminate safety concerns stemming from the lack of a functional fire suppression system on the Mill Site and the dilapidated state of the building, which makes it susceptible to storm damage. The demolition will also remove conditions of blight and improve the visual character in an area of scenic importance;

**a. Specifically the appellant maintains that the structural analysis, prepared by Kennedy Jenks, does not conclude that Dry Shed 4 is in imminent danger or a safety concern. The appellant states that the report "does not state that the overall structure of the building is at risk."**

Staff concurs with the applicant's analysis. The Structural Analysis does not analyze the overall building's structural integrity. The structural analysis was fairly limited in scope because it focused at the obvious deficits of the building which include the delaminated condition of the plywood siding, the unraveling of the roof and the compromised condition of structural timbers in areas that have already sustained significant wind-induced damage. The safety concerns mentioned are not trivial. The lack of a functioning fire suppression system is also an ongoing concern. The finding notes that the "dilapidated state of the building makes it susceptible to storm damage" which remains a valid finding for this CDP.

Additionally, this finding is not strictly required to approve a Coastal Development Permit. Only the findings listed under Findings for Approval of a Coastal Development Permit are required by the CLUDC for City Council to take action on this item.

**b. The appellant objects to the finding that the removal of the shed would result in the removal of blight and the improvement in the visual character of the Mill Site.**

The demolition of Dry Shed 4 would remove a visual blight associated with a damaged and decaying structure, which is consistent with visual resource protection policies in the City's Local Coastal Program (LCP). Blight is defined as follows by Wikipedia:

"Urban blight is the process by which a previously functioning city, or part of a city, falls into disrepair and decrepitude. It may feature deindustrialization, depopulation or changing population, restructuring, abandoned buildings and infrastructure, high local unemployment, fragmented families, political disenfranchisement, crime, and a desolate cityscape."

The Mill Site, and Dry Shed 4 more specifically, is aligned with this definition as it was "a previously functioning" "part of a city" that has "fallen into disrepair and decrepitude." It features "deindustrialization," "abandoned buildings and infrastructure," and upon its closure contributed to "high local unemployment ... and a desolate cityscape." Thus the removal (or repair) of Dry Shed 4 would remove visual blight from the Mill Site. Again this finding is not strictly required for the approval of a CDP.

Further the demolition would restore visual access to the ocean from a number of public rights-of-way (Redwood Avenue and Stewart Street) and thereby improve the overall visual character of the Mill Site. Dry Shed 4 currently blocks the view to the ocean at the end of Redwood Ave.





Dry Shed 4 also blocks the view to the ocean at the South end of Stewart Street.

**2. The appellant argues that the demolition of Dry Shed 4 would adversely affect Coastal Resources.**

The table below analyzes the project’s potential impacts to Coastal Resources.

Coastal Act Resource	Impact of Dry Shed 4 Demolition on Coastal Resource
Views	The demolition will improve distant blue water views.
Wetlands & Environmentally Sensitive Habitat (ESHA).	The project site has no wetlands, rare plants or ESHAs and the demolition will have no impact on wetlands or ESHAs.
Historic and Archaeological Resources	The building is not a historic building nor is it eligible for listing as a historic resource, so the demolition will have no impact on historic resources. The project will not include ground disturbing activities and so will not have an impact on archaeological resources.
Access to the Sea	The demolition will have no impact to the public’s access to the sea which is currently afforded by the Fort Bragg Coastal Trail.
Coastal Dependent Uses	The building has been used for the non-coastal dependent use of wood storage and drying. The removal of the building will not have an impact on coastal dependent uses.

As illustrated in the table, the proposed project will not adversely impact coastal resources.

**3. The appellant further objects to approval of the CDP as it is “not consistent with the public vision to build a strong and robust economy and culture.”**

Staff has reviewed the policies of the Coastal General Plan to determine if the proposed project is inconsistent with any of the policies related to “a strong and robust economy and culture.” Virtually all of the policies in the Coastal General Plan are specific to the development of new structures and businesses. Only a handful of policies are relevant to the demolition of an existing structure. Relevant policies from the Coastal General Plan are included below along with a consistency analysis.

The project is consistent with Policy LU-3.3 and LU-3.5

Policy LU-3.3: Historic Buildings and Mixed Uses: In the Central Business District and in other commercial areas with historic residential structures, **encourage** residential uses, mixed residential, and commercial uses, and the preservation of historic structures.

Policy LU-3.5 Re-Use of Existing Buildings: **Encourage** the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

These policies do not apply to this project because it is not located in the CBD or in a commercial area. Further these policies use the word “encourage” which means that the compliance with these policies is not mandatory even if they did apply to the structure.

Nevertheless, significant work has been done to try and reuse Dry Shed 4. GP initially retained Dry Shed 4, because the City discouraged GP from including this building in its CDP for demolition of the remainder of the buildings on the site. The City completed an engineering analysis, design schematics and a cost estimate for reuse of the building as an Industrial Arts Center and determined that \$4 million would be necessary to rehab the building and build it out for an Industrial Arts Center. Over the past seven years the City has not identified an adequate funding source for this project, or a non-profit to assume management of the facility. At the June 24, 2017 Public Hearing, the Skunk Train operator indicated that they would like to purchase Dry Shed 4 and reuse it as a round house. However, GP has indicated that it does not have a purchase agreement with Skunk Train operators and that GP does not view the Skunk Train as a viable buyer of the site or building (Attachment 4).

The proposed demolition project will comply with both Policy OS-3.1 and Policy OS-4.1 by avoiding soil disturbance and by avoiding foundation removal.

Policy OS-3.1 Soil Erosion: Minimize soil erosion to prevent loss of productive soils, prevent landslides, and maintain infiltration capacity and soil structure.

Policy OS-4.1. Preserve Archaeological Resources. New development shall be located and/or designed to avoid archaeological and paleontological resources where feasible,

and where new development would adversely affect archaeological or paleontological resources, reasonable mitigation measures shall be required.

As conditioned, the project will comply with Policy OS-7.2.

Policy OS-7.2 Air Quality Standards: Seek to comply with State and Federal standards for air quality.

The project will also comply with Policy OS-8.1 as mandated by the City's Demolition and Waste Recycling Ordinance.

Policy OS-8.1 Recycling and Reuse of Solid Waste: Comply with State requirements to reduce the volume of solid waste through recycling and reduction of solid waste.

The Demolition of Dry Shed 4 is anticipated to result in over 1,000 tons of demolition debris. The City Council may choose to institute a Special Condition to encourage maximum local recycling of recoverable timbers. Many local wood workers have expressed an interest in purchasing some of the timbers from Dry Shed 4 for reuse in non-structural projects. The Special Condition below would result in maximum access for local recycling of these materials. In a July 7<sup>th</sup> letter, GP indicated that they recycled 182,584 board feet as part of the 2013 demolition work on the Mill Site and anticipate recycling the structural timbers from Dry Shed 4.

**Special Condition 1:** All wooden timbers shall be segregated from other demolition debris. GP's contractor will ensure maximum participation in local timber recycling by opening the site up for a one weekend "yard sale" that is well advertised and allows locals to purchase materials for reuse on site.

The project will comply with Policy CD-1.1 by improving views to and along the ocean through the demolition of this large view obstructing structure on the Mill Site.

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

The project complies with Policy CD-2.6 as the demolition would abate a nuisance building which is currently not maintained.

Policy CD-2.6 Property Maintenance and Nuisances: Ensure that properties are well maintained and nuisances are abated.

The project complies with Policy CD-7.2 as the project applicant and staff have implemented a number of mitigation measures that were required by the MND (including retention of construction drawings and photographic records) to preserve the history of the building and make it available to the public (see discussion under Historic Resources).

Policy CD-7.2 Discourage Demolitions: Discourage the demolition of historic buildings.

Program CD-7.2.2: Revise the City's Coastal Land Use & Development Code to require the preparation of drawings and/or photographic records and the salvaging or preservation of architectural fixtures of historic structures that are demolished.

The City Council could place a Special Condition on the CDP to retain the sign "Dry Shed #4." Although the sign is very faint and in poor condition (see below), it is unclear where the sign could effectively be stored and what it might be reused for. An optional Special Condition is included below for the City Council's consideration:

**Special Condition 2:** GP shall offer to donate the Dry Shed 4 sign to the City of Fort Bragg or the Historical Society for possible reuse on the site at a later date. If neither entity accepts the sign, the sign may be recycled.



As conditioned, the project will comply with Policy SF-8.1 as the project will result in the removal of building materials that are contaminated with lead based paint.

Policy SF-8.1 Protection from Hazardous Waste and Materials: Provide measures to protect the public health from the hazards associated with the transportation, storage, and disposal of hazardous wastes (TSD Facilities).

The project complies with Policy N-1.6. The Mitigated Negative Declaration prepared for this project provides mitigation for noise related impacts, including limiting the time for demolition activities between the hours of 8:00 am and 5:00 pm.

Policy N-1.6 Mitigate Noise Impacts: Mitigate noise impacts to the maximum feasible extent.

**The analysis below explores the consistency of the proposed demolition project with the City's Coastal Land Use and Development Code. While not a part of the appeal, this analysis provides evidence that the project is consistent with CLUDC regulations.**

## CONSISTENCY WITH POLICIES & REGULATIONS

**Land Use.** The subject property is located in the Timber Resources Industrial (TI) Zoning District. Demolition of Dry Shed 4 is permitted in the Coastal Zone upon issuance of a Coastal Development Permit.

**Visual Resources.** Demolition of Dry Shed 4 for the purpose of eliminating a safety danger and the visual blight associated with a damaged and decaying structure is consistent with visual resource protection policies in the City's Local Coastal Program (LCP). The demolition will restore visual access to the ocean from a number of public rights-of-way (Redwood Avenue and Stewart Street).

**Biological Resources.** The City's Local Coastal Program (LCP) requires protection of all environmentally sensitive habitat areas, including rare and endangered plant species and wetlands, from any significant disruption of habitat values. The LCP requires establishment of a minimum 50-foot wide buffer area to protect environmentally sensitive habitat unless it can be demonstrated that 50 feet is unnecessary to protect the resources of the habitat area. There are two types of environmentally sensitive habitat within the project area: wetlands and rare plants.

Wetlands. An Army Corps of Engineers certified Jurisdictional Determination was prepared in 2009 by WRA to identify the extent of jurisdictional wetlands on the Mill Site. The study identified the Mill Pond as a jurisdictional wetland. The study identifies 21 potential jurisdictional wetlands on the site. However, Dry Shed 4 is located more than 100 feet from any jurisdictional wetland.

Special Status Plants. The area surrounding Dry Shed 4 is heavily disturbed and consists of paved and graveled stretches of developed land. A biological survey was completed for the GP Mill site in 2003 and special status plants were identified and located on the Coastal Trail. None were identified in or around Dry Shed 4. Staff completed a site inspection of the interior and exterior of the structure. The structure is surrounded by asphalt and gravel on the north, south and west sides. On the east side of the structure there is ruderal vegetation composed primarily of non-native invasive plants.

Special Status Animals. There are three large bird nests in the roof supports for the shed. None of the nests has fledglings. Debris located on the floor (nesting materials, feathers and twigs) indicates that the nests were most likely occupied by ravens. The project is slated to occur after the nesting season, so no special conditions are required to address the presence of abandoned nests.

**Archaeological and Cultural Resources.** The project will have no impact on archaeological resources as the foundations will remain in place. Accordingly the demolition of Dry Shed 4 can proceed without impacting cultural resources. In the event that ground disturbing activity occurs during the demolition process, Special Condition 3 has been added.

**Special Condition 3:** In the event prehistoric archaeological resources (marked by shellfish remains, flaked and ground stone tools, fire affected rock, human bone, or other related materials) are unearthed accidentally during demolition, all work in the vicinity of the site shall cease immediately, the Community Development Department

shall be notified, and the proper disposition of resources shall be accomplished as required by CLUDC Section 17.50.030(D).

**Historic Resources.** According to the report Phase II Determination of Significance Standing Structures Georgia-Pacific Lumber Mill, Fort Bragg, California the entire site is eligible for listing as a historic district of the NRHP/California Register. In order to mitigate the negative impacts on the historic significance of the site due to demolition, the 2003 TRC Site Specific Treatment Plan for Cultural Resources report recommended:

#	Mitigation Measure	Mitigation Completed
1	The entire property shall be historically recorded via large format photography;	This was completed by Marie Jones, Director of Community Development in 2012 for CDP 12-11. All photos are located digitally and physically at the City of Fort Bragg.
2	The City shall retain copies of all construction drawings;	All construction drawings are located in City of Fort Bragg Building Permit Files.
3	A detailed history of lumber operations on the property shall be prepared;	See: <u>Transitions Over Time: A Chronological Perspective of the Union Lumber Company Lumber Mill, 2008</u>
4	Historic company photographs shall be collated into a collection;	The photo collection is located at the Guest House Museum archives and curated by the Fort Bragg Historical Society. A further photo collection is curated at the Bancroft Library at UC Berkeley.
5	Interviews with former employees of the mill shall be recorded and that a biography of C.R. Johnson be prepared, and	Kevin Bunker has interviewed a number of employees for a book he is writing about the Johnson Family and their social and political influence on Fort Bragg. <u>Memories of the Mendocino Coast: Being a Brief Account of the Discovery, Settlement and Development of the Mendocino Coast, together with the Correlated History of the Union Lumber Company and how Coast and Company grew up together</u> , by David Warren Ryder, 1984 includes extensive interviews of former mill workers and a comprehensive history of C.R. Johnson.
6	A publicly accessible document that describes the importance of the Mill with regard to the lumber industry and local history shall be prepared.	See: <u>Transitions Over Time: A Chronological Perspective of the Union Lumber Company Lumber Mill, 2008.</u>

### State and Federal Historic Resource Determination

Both SHPO and ESA reviewed the historic status of Dry Shed 4 and determined that the building is not eligible for listing on the federal or State registry. According to these analyses, the building is not eligible for listing on the historic register as it does not meet registry criteria.

1. Dry Shed #4 not eligible under Criteria A/1:  
Criteria A/1: "It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States."

As Dry Shed 4 was constructed in the 1960s, it is not directly associated with the early development of or prominent years of the lumber industry in the area (significant patterns of development), which occurred between 1885 and 1953.

2. Dry Shed #4 is not eligible under Criteria B/2:  
Criteria B/2: "It is associated with the lives of persons important to local, California, or national history."

Although the larger mill site property was associated with C. R. Johnson from its inception in 1885 until his death in 1940, Dry Shed 4 was constructed after his death and has no direct association with Johnson.

3. Dry Shed #4 is not eligible under Criteria C/3:  
Criteria C/3: "It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values."

Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship. As described in TRC's report, the post-1945 buildings, especially those post-dating the period of significance of the district (1885-1953) such as the 1960 Dry Shed 4, are generally simple, post-war utilitarian warehouses and office buildings.

4. Finally, Dry Shed #4 is not eligible under Criteria D/4:  
Criteria D/4: "It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation."

Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship; as such it is not expected to yield useful information important to history.

#### Local Historic Resource Determination

Staff completed further research to determine if Dry Shed 4 could be eligible as a local historic resource. If Dry Shed 4 were listed as a local historic resource, the procedures described in FBMC Section 17.74.060 would have to be followed in order for the demolition to be approved. Dry Shed 4 is not currently listed on the City of Fort Bragg's historic building inventory. In order to be listed on the City's Historic Register per Section 17.74.020B the building must be:

1. Listed in the National Register of Historic Places (either individually or as contributing to a district);

2. Designated as a Historic Landmark District by the City Council per FBMC Section 17.74.030;
3. A property contributing to a district listed in the National Register of Historic Places; or
4. A property identified through a historic resources survey as qualifying for a historic designation.

Dry Shed 4 is not currently a historic resource, as it is:

1. Not eligible for listing on the National Register of Historic Places as a district (per the attached SHPO letter); and
2. A historic resources survey has been completed of the property and it has been determined that Dry Shed 4 is not a historic resource as an individual structure (ESA's report); and
3. The City Council has not designated the building as a part of a Historic Landmark District per section 17.74.030.

The City Council had the authority to designate Dry Shed 4 as a Historic Landmark per section 17.74.030 of the CLUDC and chose not to do so on November 27, 2017. Thus the Dry Shed 4 has no Federal, State or Local status as a historic building or a landmark.

**Erosion and Water Quality.** Removal of Dry Shed 4 has the potential to change stormwater flows on the site as the stormwater that currently flows from rooftops into below surface drains will likely sheet flow across the property to the coast, where it may contribute to erosion. The following Special Conditions will address erosion, sedimentation and water quality impacts associated with the project.

**Special Condition 4:** The following Best Management Practices to control, reduce or prevent discharge of pollutants from demolition and material handling activities shall be utilized throughout project implementation:

- (a) Material and products will be stored in manufacturer's original containers.
- (b) Storage areas will be neat and orderly to facilitate inspection.
- (c) Check all equipment for leaks and repair leaking equipment promptly.
- (d) Perform major maintenance, repairs, and washing of equipment away from demolition site.
- (e) Designate a completely contained area away from storm drains for refueling and/or maintenance work that must be performed at the site.
- (f) Clean up all spills and leaks using dry methods (absorbent materials/rags).
- (g) Dry sweep dirt from paved surfaces for general clean-up.
- (h) Train employees in using these BMPs.
- (i) Avoid creating excess dust when breaking concrete. Prevent dust from entering waterways.
- (j) Protect storm drains using earth dikes, straw bales, sand bags, absorbent socks, or other controls to divert or trap and filter runoff.
- (k) Shovel or vacuum saw-cut slurry and remove from the site.
- (l) Remove contaminated broken pavement from the site promptly. Do not allow rainfall or runoff to contact contaminated broken concrete.
- (m) Schedule demolition work for dry weather periods.

- (n) Avoid over-application by water trucks for dust control.
- (o) Cover stockpiles and other construction materials with heavy duty plastic secured and weighted on all sides to maintain cover from wind and rain even in high wind conditions. Protect from rainfall and prevent runoff with temporary roofs or heavy duty plastic and berms.

**Special Condition 5:** Demolition activity shall cease if actual wind speeds reach or exceed 25 mph.

**Air Quality.** The City of Fort Bragg is located in the North Coast Air Basin and is within the jurisdiction of the Mendocino County Air Quality Management District (AQMD). Mendocino County is an “attainment area” for local, state and federal air quality standards except for suspended particulate matter (PM10). Demolition activities may result in temporary increases in airborne dust emissions. The Mendocino Air Quality Management District provided a comment letter on the project, noting that the applicant’s contractors may be required to obtain local air quality permits or state mobile equipment permits. The contractors for the project are encouraged to Call AQMD at (707) 463-4354 with any questions. The AQMD will require that a fugitive dust permit be issued for this project prior to the issuance of a demolition permit. This will establish measures to prevent dust from traveling off-site. A Facility Wide Dust Control Permit is necessary for the demolition project. Potential adverse impacts to air quality will be addressed through the following Special Condition:

**Special Condition 6:** Prior to issuance of demolition permits, the applicant shall secure a Facility Wide Dust Control Permit from the Mendocino County Air Quality Management District. All demolition activities shall be conducted in accordance with the requirements of the permit. Particles generated in the demolition process will be minimized via dust suppression control. A Dust Suppression Officer will be assigned to the facility during the dismantling process.

**Fire.** The Fire Marshal is concerned about the potential for fire during the demolition process. Accordingly, Steve Wells has requested the following special conditions be added to this permit:

**Special Condition 7:** Georgia-Pacific shall designate a person to be the fire prevention program superintendent, who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. The fire prevention program superintendent shall have the authority to enforce the provisions of CH 14 C.F.C. and other provisions as necessary to secure the intent of CH 14 C.F.C. Where guard service is provided, the fire prevention program superintendent shall be responsible for the guard service.

**Special Condition 8:** Approved vehicle access for firefighting shall be provided to the demolition site. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather

conditions. Vehicle access shall be provided from the Redwood Gate during demolition activities. Such access may be secured by providing the Fire Department with keys to the gate. Access roads shall be kept clear of obstructions to provide for rapid fire response during demolition activities. Upon completion of demolition activities, fire access shall be maintained on the site until permanent fire apparatus access roads are available.

**Special Condition 9:** One approved portable fire extinguisher shall be on site throughout the demolition process in accordance with section 906 and sized for locations where combustible materials have accumulated and the demolition materials storage area.

**Hazards.** Dry Shed 4 is contaminated with some lead based paint. An asbestos analysis was completed for the building and no asbestos was identified. The Mendocino Air Quality Management District requested the following special conditions regarding hazardous materials:

**Special Condition 10:** The applicant is required by Part 61, Chapter 1 Title 40 of the Code of Federal Register to submit proof of asbestos inspection and an Asbestos Notification Form to the Air Quality Management District prior to issuance of a demolition permit.

Additionally the Mitigated Negative Declaration (MND) for the project requires mitigation measure to mitigate potential hazards and these are included below as Special Conditions.

**Special Condition 11:** All work involving structures with asbestos and lead containing paint will be performed in general accordance with local, state, and federal rules and regulations. A certified and trained contractor will be utilized to secure the necessary permits and conduct the required abatement activities. All of the work involving asbestos is associated with aboveground structure removal and shall conform with the requirements outlined in APPENDIX A: ASBESTOS ABATEMENT TECHNICAL SPECIFICATIONS, AMEC, February, 2013, submitted by the applicant as part of the Coastal Development permit application. All of the work involving lead-based paint is associated with aboveground structure removal and shall conform with the requirements outlined in APPENDIX B: HAZARDOUS AND REGULATED MATERIALS TECHNICAL SPECIFICATIONS AMEC, February, 2013

**Special Condition 12:** Stockpiles of concrete without stains or evidence of hazardous waste will be transported offsite to a recycling waste disposal facility.

**Special Condition 13:** Wherever possible, broken concrete and other demolition debris will be stockpiled on areas with improved asphalt or concrete surface. Potentially hazardous waste will be stored in a Potentially Hazardous Waste Storage Area.

**Special Condition 14:** The applicant will follow the submitted Transportation Plan that describes the protocol and procedures to protect human health and the environment during transportation activities to remove debris with hazardous materials.

**Public Access.** The property is private, and there are no known prescriptive easements across the property. The site is not a public access location, nor is it specified as a future vertical access location in the LCP. Additionally, GP donated 54 acres to the City of Fort Bragg for coastal access in 2009. This acreage, combined with the City's purchase of an additional 38 acres, resulted in the creation of the 92 acre coastal trail and Noyo Headlands Park in 2015. This facility provides public access to the ocean for the length of the GP Mill Site. The demolition project will not have an impact on public access.

## **RECOMMENDATION**

**Staff recommends denial of the Appeal of Gabriel Quinn Maroney and Approval of Coastal Development Permit 11-12/17 for the demolition of Dry Shed 4 based on the approved Mitigated Negative Declaration and the findings and subject to the conditions cited below:**

### **FINDINGS**

1. The demolition of Dry Shed 4 is necessary to eliminate safety concerns stemming from the lack of a functional fire suppression system on the Mill Site and the dilapidated state of the building, which makes it susceptible to storm damage. The demolition will also remove conditions of blight and improve the visual character in an area of scenic importance;
2. The proposed project is consistent with the purpose and intent of the Timber Resources Industrial (IT), as well as all other applicable provisions of Title 17 of the Fort Bragg Municipal Code, and applicable provisions of the Fort Bragg Municipal Code in general;
3. The proposed project is in conformity with the certified Local Coastal Program (LCP);
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located;
5. As proposed, the development will not have any unmitigated adverse impacts to any known historical, archaeological or paleontological resource;
6. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act as

MEETING DATE: January 10, 2018

PREPARED BY: Marie Jones

PRESENTED BY: Marie Jones

## AGENDA ITEM SUMMARY REPORT

**APPLICATION NO.:** Coastal Development Permit 11-12/17 (CDP 11-12/17)

**OWNER:** Georgia-Pacific LLC

**APPLICANT:** Michael Hassett, P.E., Manager – Environmental Engineering

**PROJECT DESCRIPTION:** Coastal Development Permit to demolish and remove 67,500 SF above ground structure, known as Dry Shed 4. All foundations would be left in place.

**LOCATION:** 90 West Redwood Avenue

**APN:** 008-02-013, 008-053-34

**ZONING:** Timber Resources Industrial (TI)

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration & MND Addendum

**SURROUNDING LAND USES:**

**NORTH:** GP Mill Site & West Fort Bragg Residential Neighborhood

**EAST:** Skunk Train, State Route One and Central Business District

**SOUTH:** GP Mill Site

**WEST:** GP Mill Site, Fort Bragg Coastal Trail property and ocean

## PERMIT BACKGROUND

In order to facilitate review of this staff report in comparison to the staff report of June 24, 2017, staff has included all new text in purple.

After holding a Public Hearing on June 24, 2017 for Coastal Development Permit 11-12/17 (CDP 11-12/17), the Planning Commission directed staff to prepare a resolution for denial for CDP 11-12/17 because the environmental review of the project relied upon a dated 2003 report prepared by TRC, *Site Specific Treatment Plan for Cultural Resources*, which may not adequately identify appropriate mitigation measures for the demolition of the building. The Planning Commission expressed concern that the dated report might not: 1) adequately identify appropriate mitigation measures for the project and 2) comply with current State historic preservation law and practices in 2017. The Planning Commission directed staff to develop findings for denial and to work with the applicant to complete a more up-to-date review of the historic resource and identify appropriate mitigation measures.

On July 13<sup>th</sup>, 2017, the State Office of Historic Preservation (SHPO) issued a Section 106 consultation letter to the Army Corp of Engineers regarding the proposed implementation of the Operable Unit E Soil and Sediment Removal Action Plan. Section 106 of the National Historic Preservation Act requires the lead agency under NEPA, which is the Army Corp of Engineers, to obtain a determination from SHPO regarding potential impacts to cultural and historic resources. On page 2 of the letter, SHPO notes that the Army Corp recommends that the GP Mill Site is no longer eligible for listing on the National Register of Historic Places due to lack of integrity because most of the buildings no longer exist. The SHPO concurred with this recommendation on page 3 of the letter. Thus according to SHPO and the Army Corp of Engineers, Dry Shed 4 does not qualify as a historic resource under federal law (Attachment 1).

In late July, staff contacted SHPO to identify next steps to determine if Dry Shed 4 qualifies as a historic resource under State law. SHPO told City staff that, in order to determine if Dry Shed 4 is eligible for inclusion in the California Register of Historical Resources, a consultant should be hired to determine if Dry Shed 4 qualifies as a historic resource under Title 14 Chapter 11.5 of California Code of Regulations. This section identifies the types of historical resources and the criteria for listing a resource in the California Register of Historical Resources (Attachment 2).

Staff contacted GP and asked them to hire a consultant to complete a historic resource determination for Dry Shed 4 based on California Historic Resources law. On August 2, Environmental Science Associates (ESA), a well-regarded CEQA and planning consulting firm, submitted an analysis of Dry Shed 4. ESA's analysis determined that, under State historic preservation law, Dry Shed 4 does not qualify as a historic building under State law (Attachment 3).

Donald Barraza, a structural engineer retained by Georgia-Pacific, prepared a Structural Analysis, which details safety and structural concerns of the dry shed (Attachment 4).

GP submitted a letter dated August 7, 2017 that details GP's concerns about the structural stability of the shed, especially given the coming winter and the impact of future storms on the stability of the shed (Attachment 5).

At the August 23, 2017 Planning Commission meeting, the Planning Commission passed a resolution urging the City Council to establish Dry Shed 4 as a Historic Landmark in order to provide the City with an avenue to deny the Coastal Development Permit for the demolition of Dry Shed 4. However, subsequent to this action, staff determined that a Public Hearing was necessary for the Planning Commission action, as it was a separate action from their consideration of the Coastal Development Permit for Dry Shed 4.

The Planning Commission met again on this matter on October 11, 2017 with a noticed Public Hearing and staff report which analyzed the full effects of establishing Dry Shed 4 as a Historic Landmark. Based on prior direction, staff had prepared a resolution for the Planning Commission's consideration to establish Dry Shed 4 as a City Landmark. However, after holding a Public Hearing and deliberating, the Planning Commission voted (4-1) that Dry Shed 4 should not be designated a Historic Landmark for the following reasons:

- 1) the building has been vacant for many years and has deteriorated significantly to the point that it might be a hazard;
- 2) the City has had years to acquire and reuse the building and has not done so;
- 3) the building does not qualify as a historic structure;
- 4) the building does not appear to have a financially viable reuse.

The Coastal Land Use & Development Code (CLUDC) requires that a written recommendation be forwarded to the City Council by the Planning Commission, and a written recommendation not to designate the Dry Shed as a Historic Landmark was not available at the October 11, 2017 Planning Commission meeting. Accordingly, the matter was brought back to the Planning Commission on November 8, 2017 and the Planning Commission adopted a resolution recommending that Dry Shed 4 not be designated as a Historic Landmark (Attachment 1).

On November 27, 2017 The City Council held a public hearing to consider designating Dry Shed 4 as a historic landmark. After listening to public testimony the City Council adopted a resolution not to designate Dry Shed 4 as a Historic Landmark based on the following findings:

1. On November 27, 2017, the City Council held a properly noticed public hearing to consider designating Dry Shed 4 as a Historic Landmark.
2. Dry Shed 4 does not qualify as a Historic building, as it does not possess distinguishing characteristics typical to a historic structure as those characteristics are set forth in the state and federal regulations for recognition of historic structures.
3. Dry Shed 4 is a potential safety hazard due to the current damage to the roof and sidewall areas of the building and structural deficiencies in the building.

4. Dry Shed 4 would be difficult to repair and reuse given its large size, lack of access to public utilities, deteriorated condition, and lack of economic value.

As both the Planning Commission and the City Council chose not to establish landmark status for Dry Shed 4, the Coastal Development Permit authorizing the demolition of the building has been brought back to the Planning Commission for consideration.

## PROJECT BACKGROUND

The Georgia Pacific Mill Site occupies an approximately 323± acre site on the coastline of the City of Fort Bragg (Attachment 6). According to historical records, the timber mill in Fort Bragg began operations in 1885. Georgia-Pacific (G-P) acquired the facility and began operations in 1973. In November 2002, lumber production operations ceased at the facility. Since then, G-P has been engaged in the process of decommissioning the site. This has involved dismantling buildings, removal of equipment, extensive site investigations and interim remediation activities.

In October 2003 and October 2004, the City approved two coastal development permits (CDP 1-03; CDP 2-04)) authorizing demolition of the following structures on the Mill Site:

Map Number	Building Description	Construction Material	Approximate Construction Date	Square Footage
1	Sawmill	Wood & Metal	1970s	80,000 sf
2	Chipper Screen	Wood and metal	1985	680 sq. ft.
3	Sorter Building	Metal	1995	42,000 sq. ft.
4	Hog Building	Wood and Metal	1975	1,750 sq. ft.
5	Planer	Wood & Metal	1960s	163,248 sf
11	Compressor Building	Metal	1945	1,460 sq. ft.
12	Mill One Hog Building	Wood	Unknown	2,880 sf
13	Power House	Wood & Metal	1940s	33,600 sf
14	Fuel Barn	Metal	1940s	16,800 sf
15	Truck Dump Building	Wood & Metal	Unknown	192 sf
16	Water Treatment Building	Metal	1970s	3,200 sq. ft.
17	Boiler Fuel Oil Building	Metal	1990s	1,680 sf

In 2005, the City approved CDP 3-05 authorizing: 1) the removal of all building foundations for the above listed structures; 2) additional investigation of soils and ground water; and, 3) interim remedial measures (IRMs).

In March 2009, the City received and approved a request for an emergency CDP for the demolition of the badly damaged Truck Loading Shed on the former Georgia-Pacific Wood Products Facility site. The structure had suffered from serious damage due to driving winds, which were causing the roof to sag dangerously and the wall to bulge out. On June 20, 2009, the Planning Commission approved an after-the-fact Coastal Development Permit for the truck shed demolition.

In January of 2013, The Planning Commission approved CDP 11-12 to remove the above ground portions of 38 buildings on the Mill Site. GP submitted this permit request after being contacted by the Community Development Director regarding concerns about fire safety at the site, as the site no longer had functioning fire suppression systems. Additionally many of the structures were in very poor condition and some were in danger of collapse in heavy winds. GP demolished 38 buildings, totaling 325,458 square feet, in 2013 as enumerated in Table 2 below:

**Table 2: Georgia-Pacific Buildings Demolished in 2013**

Building Description	Materials	Size (Square Feet)	Location (see Map)
Dry Shed #2	Wood	18,392	F-10
Glue Lam	Wood	17,400	F-10
Resaw #6	Wood	27,200	F-10
Dry Shed #5	Wood	43,200	D-9
Firehose Shed	wood	16	D-9
Planner #50	Wood	28,710	E-9
Construction Engineering	Wood	11,926	E-9
Generator Shed	Wood	64	E-9
Dry Kilns (5)	Wood & cinder block	48,960	D-8
Kiln Awnings (5)	Wood	40,320	D-8
Radio Room	Wood, steel	16	D-9
Guard Shack #2	Wood	16	C-7
Yard Office	Wood	2,640	E-9
Break Room	Wood	960	E-8
Valve Houses	Metal	384	E-8
Pump Houses (3)	Metal	576	F-10
Time Clock Shed	Wood	96	D-6
Veneer Building	Wood	17,484	E-6
Shipping Office	Wood	1,036	D-6
Scale Office	Wood	126	D-5
Tally Shack	Wood	48	E-5
Main Packing Shed	Metal	5,151	D-3
Chemical Storage Sheds	Wood	236	D-3
Green Houses	Steel Pipe & Fibergrass	58,000	C-3
Chalet	Wood	437	C-3
Corporation Yard Shed	Wood	64	C-3
	Total	323,458	

Most of the building materials were recycled. Material which was not recycled was disposed of at an off-site disposal facility. Structure foundations were retained to limit soil disturbance and debris generated by the removal.

## **PROJECT DESCRIPTION**

Dry Shed 4 Condition. Dry Shed 4 is approximately 450 feet long and 150 feet wide for a total size of about 67,500 SF. (Please see Attachment 7 to view photos of the shed). Dry Shed 4 is constructed of the following components:

- Four bays with three large doors.
- An asphalt floor with a six foot slope from the north end of the building to the south end of the building.
- A wall system that is constructed of a three foot high concrete block perimeter wall with a 27 foot high wood framed wall that is sheathed in plywood. There is no insulation or interior finishes.
- The roof is composed of a metal girder system that holds up plywood sheathing and asphalt roll roofing.
- The building has no electrical or water service. While the building is plumbed with a fire sprinkler suppression system, the suppression system itself is no longer hooked up to a working water source.

Staff completed a site inspection of Dry Shed 4 to determine the shed's current condition. The shed has significantly deteriorated since the 2008 structural engineering analysis due to severe recent weather conditions, limited recent maintenance, the poor construction quality and the overall age of the building:

- A large section of the wall on the north east corner of the building has come completely unattached from the building and is leaning up in place.
- A large section of the roof on the south east corner of the building has come unattached, leaving a large hole in the roof. Aerial imagery reveals further unraveling of the roll roofing.
- The exterior painting is very weathered and has virtually worn away in most places.
- The sprinkler system is highly rusted and not in working condition.

Permit Request. CDP to demolish and remove a 75,000 SF above ground structure, known as Dry Shed 4. All foundations to be left in place.

## **CONSISTENCY WITH COASTAL GENERAL PLAN**

The project is consistent with Timber Resources Industrial zoning as it includes the demolition of a building associated with the land use category and previously used for storage and inventory of wood products. Relevant policies from the Coastal General Plan are included below along with a consistency analysis.

The project is consistent with Policy LU-3.3 and LU-3.5

Policy LU-3.3: Historic Buildings and Mixed Uses: In the Central Business District and in other commercial areas with historic residential structures, encourage residential uses, mixed residential, and commercial uses, and the preservation of historic structures.

Policy LU-3.5 Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.

While this building is not located in the Central Business District or a commercial district, nevertheless significant work has been done to try and reuse Dry Shed 4. GP initially retained Dry Shed 4, in part because the City had expressed interest in possibly purchasing the building for reuse as an Industrial Arts Center. The City completed an engineering analysis, design schematics and a cost estimate for reuse of the building and determined that \$4 million would be necessary to rehab the building and build it out for an Industrial Arts Center. Over the past seven years the City has not been able to identify an adequate funding source for this project, nor has a non-profit developed to take on the management and operations of the facility.

Additionally, Dry Shed 4 has deteriorated significantly since the City completed its engineering studies. Portions of the siding are missing and the building lost a sizable portion of the roof this past winter. At this time it appears that the building does not have sufficient structural integrity, physical condition or economic value for successful reuse. Policy LU-3.5 uses the word “encourage” not the word “require”, staff has encouraged GP to reuse Dry Shed 4 but at this time they don’t have a use for the structure. Additionally they have been willing to sell the shed for many years, but none have come forward with an offer to purchase it. At the June 24<sup>th</sup> Public Hearing the Skunk Train operator indicated that they would like to purchase Dry Shed 4 and reuse it as a round house. However, since that meeting, GP has indicated that GP does not have a purchase agreement with Skunk Train operators and GP does not view the Skunk Train as a viable buyer of the site or building (Attachment 5). Thus the project complies with policy LU- 3.3 and LU-3.5.

The proposed demolition project will comply with both Policy OS-3.1 and Policy OS-4.1 by avoiding soil disturbance and by avoiding foundation removal.

Policy OS-3.1 Soil Erosion: Minimize soil erosion to prevent loss of productive soils, prevent landslides, and maintain infiltration capacity and soil structure.

Policy OS-4.1. Preserve Archaeological Resources. New development shall be located and/or designed to avoid archaeological and paleontological resources where feasible, and where new development would adversely affect archaeological or paleontological resources, reasonable mitigation measures shall be required.

As conditioned the project will comply with Policy OS-7.2

Policy OS-7.2 Air Quality Standards: Seek to comply with State and Federal standards for air quality.

The project will also comply with Policy OS-8.1 as mandated by the City’s Demolition and Waste Recycling Ordinance.

Policy OS-8.1 Recycling and Reuse of Solid Waste: Comply with State requirements to reduce the volume of solid waste through recycling and reduction of solid waste.

The Demolition of Dry Shed 4 is anticipated to result in over 1,000 tons of demolition debris. The Planning Commission may choose to institute a Special Condition to encourage maximum local recycling of recoverable timbers. Many local wood workers have expressed an interest in purchasing some of the timbers from Dry Shed 4 for reuse in non-structural projects. The Special Condition below would result in maximum access for local recycling of these materials. In a July 7<sup>th</sup> letter, GP indicated that they recycled 182,584 board feet as part of the 2013 demolition work on the Mill Site and anticipate recycling the structural timbers from Dry Shed 4.

**Special Condition 1:** All wooden timbers shall be segregated from other demolition debris. GP's contractor will ensure maximum participation in local timber recycling by opening the site up for a one weekend "yard sale" that is well advertised and allows locals to purchase materials for reuse on site.

The project will comply with CD-1.1 by improving views to and along the ocean through the demolition of this large view obstructing structure on the Mill Site.

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

The project complies with Policy CD-2.6 as the demolition would abate a nuisance building which is currently not maintained.

Policy CD-2.6 Property Maintenance and Nuisances: Ensure that properties are well maintained and nuisances are abated.

The project complies with Policy CD-7.2 as the project applicant and Staff have implemented a number of mitigation measures that were required by the MND (including retention of construction drawings and photographic records) to preserve the history of the building and make it available to the public (see discussion under Historic Resources).

Policy CD-7.2 Discourage Demolitions: Discourage the demolition of historic buildings.

Program CD-7.2.2: Revise the City's Coastal Land Use & Development Code to require the preparation of drawings and/or photographic records and the salvaging or preservation of architectural fixtures of historic structures that are demolished.

The Planning Commission could place a Special Condition on the CDP to retain the sign "Dry Shed #4." Although the sign is in very faint and in poor condition (see below); it is unclear where the sign could effectively be stored; and what it might be reused for. An

optional Special Conditions is included below for the Planning Commission's consideration:

**Special Condition 2:** GP shall offer to donate the Dry Shed 4 sign to the City of Fort Bragg or the Historical Society for possible reuse on the site at a later date. If neither entity accepts the sign, the sign may be recycled.



As conditioned, the project will comply with Policy SF-8.1 as the project will result in the removal of building materials that are contaminated with lead based paint.

Policy SF-8.1 Protection from Hazardous Waste and Materials: Provide measures to protect the public health from the hazards associated with the transportation, storage, and disposal of hazardous wastes (TSD Facilities).

The project complies with Policy N-1.6. The Mitigated Negative Declaration prepared for this project provides mitigation for noise related impacts, including limiting the time for demolition activities between the hours of 8:00 am and 5:00pm.

Policy N-1.6 Mitigate Noise Impacts: Mitigate noise impacts to the maximum feasible extent.

## **CONSISTENCY WITH POLICIES & REGULATIONS**

**Land Use.** The subject property is located in the Timber Resources Industrial (TI) Zoning District. Demolition of Dry Shed 4 is permitted in the Coastal Zone upon issuance of a Coastal Development Permit.

**Visual Resources.** Demolition of Dry Shed 4 for the purpose of eliminating a safety danger and the visual blight associated with a damaged and decaying structure is consistent with visual resource protection policies in the City's Local Coastal Program (LCP). The demolition will restore visual access to the ocean from a number of public right-of-ways (Redwood Avenue and Stewart Street).

Dry Shed 4 blocking the view to the ocean at the end of Redwood Ave.



Dry Shed 4 blocking the view to the ocean at the South end of Stewart Street

**Biological Resources.** The City's Local Coastal Program (LCP) requires protection of all environmentally sensitive habitat areas, including rare and endangered plant species and wetlands, from any significant disruption of habitat values. The LCP requires establishment of a minimum 50-foot wide buffer area to protect environmentally sensitive habitat unless it can be demonstrated that 50 feet is unnecessary to protect the resources of the habitat area. There are two types of environmentally sensitive habitat within the project area: wetlands and rare plants.

Wetlands. An Army Corp of Engineers certified Jurisdictional Determination was prepared in 2009 by WRA to identify the extent of jurisdictional wetlands on the Mill Site. The study identified the Mill Pond as a jurisdictional wetland. The study identifies 21 potential jurisdiction wetlands on the site. However, Dry Shed 4 is located more than 100 feet from any jurisdictional wetland.

Special Status Plants. The area surrounding Dry Shed 4 is heavily disturbed and consists of paved and graveled stretches of developed land. A biological survey was completed for the GP Mill site in 2003 and special status plants were identified and located on the Coastal Trail. None were identified in or around Dry Shed 4. Staff completed a site inspection of the interior and exterior of the structure. The structure is surrounded by asphalt and gravel on the north, south and west sides. On the east side of the structure there is ruderal vegetation composed primarily of non-native invasive plants.

Special Status Animals. There are three large bird's nests in the roof supports for the shed. None of the nests have fledging's. Debris located on the floor (nesting materials, feathers and twigs) indicate that the nests were most likely occupied by ravens. The project is slated to occur after the nesting season, so no special conditions are required to address the presence of abandoned nests.

**Archaeological and Cultural Resources.** The project will have no impact on archaeological resources as the foundations will remain in place. Accordingly the demolition of Dry Shed 4 can proceed without impacting cultural resources. In the event that ground disturbing activity occurs during the demolition process Special Condition 3 has been added.

**Special Condition 3:** In the event prehistoric archaeological resources (marked by shellfish remains, flaked and ground stone tools, fire affected rock, human bone, or other related materials) are unearthed accidentally during demolition, all work in the vicinity of the site shall cease immediately, the Community Development Department shall be notified, and the proper disposition of resources shall be accomplished as required by ILUDC Section 18.50.030(D).

**Historic Resources.** According to the report Phase II Determination of Significance Standing Structures Georgia-Pacific Lumber Mill, Fort Bragg, California the entire site is eligible for listing as a historic district of the NRHP/California Register. In order to mitigate the negative impacts on the historic significance of the site due to demolition, the 2003 TRC Site Specific Treatment Plan for Cultural Resources report recommended:

#	Mitigation Measure	Mitigation Completed
1	The entire property shall be historically recorded via large format photography;	This was completed by Marie Jones, Director of Community Development in 2012 for CDP 12-11. All photos are located digitally and physically at the City of Fort Bragg.
2	The City shall retain copies of all construction drawings;	All construction drawings are located in City of Fort Bragg Building Permit Files.
3	A detailed history of lumber operations on the property shall be prepared;	See: <u>Transitions Over Time: A Chronological Perspective of the Union Lumber Company Lumber Mill, 2008</u>
4	Historic company photographs shall be collated into a collection;	The photo collection is located at the Guest House Museum archives and curated by the Fort Bragg Historical Society. A further photo collection is curated at the Bancroft Library at UC Berkeley.
5	Interviews with former employees of the mill shall be recorded and that a biography of C.R. Johnson be prepared, and	Kevin Bunker has interviewed a number of employees for a book he is writing about the Johnson Family and their social and political influence on Fort Bragg. <u>Memories of the Mendocino Coast: Being a Brief Account of the Discovery, Settlement and Development of the Mendocino Coast, together with the Correlated History of the Union Lumber Company and how Coast and Company grew up together,</u> by

David Warren Ryder, 1984 includes extensive interviews of former mill workers and a comprehensive history of CJ Johnson.

- 6 A publicly accessible document that describes the importance of the Mill with regard to the lumber industry and local history shall be prepared. See: Transitions Over Time: A Chronological Perspective of the Union Lumber Company Lumber Mill, 2008

### State and Federal Historic Resource Determination

Both SHPO and ESA reviewed the historic status of Dry Shed 4 and determined that the building is not eligible for listing on the federal or State registry. According to these analyses, the building is not eligible for listing on the historic register as it does not meet registry criteria.

1. Dry Shed #4 not eligible under Criteria A/1:  
Criteria A/1: "It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States"

As Dry Shed 4 was constructed in the 1960s, it is not directly associated with the early development of or prominent years of the lumber industry in the area (significant patterns of development), which occurred between 1885 and 1953.

2. Dry Shed #4 is not eligible under Criteria B/2:  
Criteria B/2: "It is associated with the lives of persons important to local, California, or national history"

Although the larger mill site property was associated with C. R. Johnson from its inception in 1885 until his death in 1940, Dry Shed 4 was constructed after his death and has no direct association with Johnson.

3. Dry Shed #4 is not eligible under Criteria C/3,  
Criteria C/3: "It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values"

Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship. As described in TRC's report, the post-1945 buildings, especially those post-dating the period of significance of the district (1885-1953) such as the 1960 Dry Shed 4, are generally simple, post-war utilitarian warehouses and office buildings.

4. Finally, Dry Shed #4 is not eligible under Criteria D/4  
Criteria D/4: "It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation."

Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship as such it is not expected to yield useful information important to history.

#### Local Historic Resource Determination

Staff completed further research to determine if Dry Shed 4 could be eligible as a local historic resource. If Dry Shed 4 were listed as a local historic resource, the procedures described in FBMC Section 17.74.060 would have to be followed in order for the demolition to be approved. Dry Shed 4 is not currently listed on the City of Fort Bragg's historic building inventory. In order to be listed on the City's Historic Register per Section 17.74.020B the building must be:

1. Listed in the National Register of Historic Places (either individually or as contributing to a district);
2. Designated as a Historic Landmark District by the City Council per FBMC Section 17.74.030;
3. A property contributing to a district listed in the National Register of Historic Places; or
4. A property identified through a historic resources survey as qualifying for a historic designation.

Dry Shed 4 is not currently a historic resource, as it is:

1. Not eligible for listing on the National Register of Historic Places as a district (per the attached SHPO letter); and
2. A historic resources survey has been completed of the property and it has been determined that Dry Shed 4 is not a historic resource as an individual structure (ESA's report); and
3. The City Council has not designated the building as a part of a Historic Landmark District per section 17.74.030.

The City Council had the authority to designate Dry Shed 4 as a Historic Landmark per section 17.74.030 of the CLUDC and chose not to do so on November 27, 2017. Thus the Dry Shed 4 has no Federal, State or Local status as a historic building or a landmark.

**Erosion and Water Quality.** Removal of Dry Shed 4 has the potential to change stormwater flows on the site as the stormwater that currently flows from roof tops into below surface drains will likely sheet flow across the property to the coast, where it may contribute to erosion. The following Special Conditions will address erosion, sedimentation and water quality impacts associated with the project.

**Special Condition 4:** The following Best Management Practices to control, reduce or prevent discharge of pollutants from demolition and material handling activities shall be utilized throughout project implementation:

- (a) Material and products will be stored in manufacturer's original containers.

- (b) Storage areas will be neat and orderly to facilitate inspection.
- (c) Check all equipment for leaks and repair leaking equipment promptly.
- (d) Perform major maintenance, repairs, and washing of equipment away from demolition site.
- (e) Designate a completely contained area away from storm drains for refueling and/or maintenance work that must be performed at the site.
- (f) Clean up all spills and leaks using dry methods (absorbent materials/rags).
- (g) Dry sweep dirt from paved surfaces for general clean-up.
- (h) Train employees in using these BMPs.
- (i) Avoid creating excess dust when breaking concrete. Prevent dust from entering waterways.
- (j) Protect storm drains using earth dikes, straw bales, sand bags, absorbent socks, or other controls to divert or trap and filter runoff.
- (k) Shovel or vacuum saw-cut slurry and remove from the site.
- (l) Remove contaminated broken pavement from the site promptly. Do not allow rainfall or runoff to contact contaminated broken concrete.
- (m) Schedule demolition work for dry weather periods.
- (n) Avoid over-application by water trucks for dust control.
- (o) Cover stockpiles and other construction materials with heavy duty plastic secured and weighted on all sides to maintain cover from wind and rain even in high wind conditions. Protect from rainfall and prevent runoff with temporary roofs or heavy duty plastic and berms.

**Special Condition 5:** Demolition activity shall cease if actual wind speeds reach or exceed 25 mph.

**Air Quality.** The City of Fort Bragg is located in the North Coast Air Basin and is within the jurisdiction of the Mendocino County Air Quality Management District (AQMD). Mendocino County is an “attainment area” for local, state and federal air quality standards except for suspended particulate matter (PM10). Demolition activities may result in temporary increases in airborne dust emissions. The Mendocino Air Quality Management District provided a comment letter on the project, noting that the applicant’s contractors may be required to obtain local air quality permits or state mobile equipment permits. The contractors for the project are encouraged to Call AQMD at 463-4354 with any questions. The AQMD will require that a fugitive dust permit be issued for this project prior to the issuance of a demolition permit. This will establish measures to prevent dust from traveling off-site. A Facility Wide Dust Control Permit is necessary for the demolition project. Potential adverse impacts to air quality will be addressed through the following Special Condition:

**Special Condition 6:** Prior to issuance of demolition permits, the applicant shall secure a Facility Wide Dust Control Permit from the Mendocino County Air Quality Management District. All demolition activities shall be conducted in accordance with the requirements of the permit. Particles generated in the demolition process will be minimized via dust suppression control. A Dust

Suppression Officer will be assigned to the facility during the dismantling process.

**Fire.** The Fire Marshal is concerned about the potential for fire during the demolition process. Accordingly, Steve Wells has requested the following special conditions be added to this permit:

**Special Condition 7:** Georgia-Pacific shall designate a person to be the fire prevention program superintendent, who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. The fire prevention program superintendent shall have the authority to enforce the provisions of CH 14 C.F.C and other provisions as necessary to secure the intent of CH 14 C.F.C. Where guard service is provided the fire prevention program superintendent shall be responsible for the guard service.

**Special Condition 8:** Approved vehicle access for firefighting shall be provided to the demolition site. Vehicle access shall be provided by either temporary or permanent roads capable of supporting vehicle loading under all weather conditions. Vehicle access shall be provided from the Redwood Gate during demolition activities. Such access may be secured by providing the Fire Department with keys to the gate. Access roads shall be kept clear of obstructions to provide for rapid fire response during demolition activities. Upon completion of demolition activities, fire access shall be maintained on the site until permanent fire apparatus access roads are available.

**Special Condition 9:** One approved portable fire extinguisher shall be on site throughout the demolition process in accordance with section 906 and sized for locations where combustible materials have accumulated and the demolition materials storage area.

**Hazards.** Dry Shed 4 is contaminated with some lead based paint. An asbestos analysis was completed for the building and no asbestos was identified. The Mendocino Air Quality Management District requested the following special conditions regarding hazardous materials:

**Special Condition 10:** The applicant is required by Part 61, Chapter 1 Title 40 of the Code of Federal Register to submit proof of asbestos inspection and an Asbestos Notification Form to the Air Quality Management District prior to issuance of a demolition permit.

Additionally the Mitigated Negative Declaration (MND) for the project requires mitigation measure to mitigate potential hazards and these are included below as Special Conditions.

**Special Condition 11:** All work involving structures with asbestos and lead containing paint will be performed in general accordance with local, state, and federal rules and regulations. A certified and trained contractor will be utilized to

secure the necessary permits and conduct the required abatement activities. All of the work involving asbestos is associated with aboveground structure removal and shall conform with the requirements outlined in APPENDIX A: ASBESTOS ABATEMENT TECHNICAL SPECIFICATIONS, AMEC, February, 2013, submitted by the applicant as part of the Coastal Development permit application. All of the work involving lead-based paint is associated with aboveground structure removal and shall conform with the requirements outlined in APPENDIX B: HAZARDOUS AND REGULATED MATERIALS TECHNICAL SPECIFICATIONS AMEC, February, 2013

**Special Condition 12:** Stockpiles of concrete without stains or evidence of hazardous waste will be transported offsite to a recycling waste disposal facility.

**Special Condition 13:** Wherever possible, broken concrete and other demolition debris will be stockpiled on areas with improved asphalt or concrete surface. Potentially hazardous waste will be stored in a Potentially Hazardous Waste Storage Area.

**Special Condition 14:** The applicant will follow the submitted Transportation Plan that describes the protocol and procedures to protect human health and the environment during transportation activities to remove debris with hazardous materials.

**Public Access.** The property is private, and there are no known prescriptive easements across the property. The site is not a public access location, nor is it specified as a future vertical access location in the LCP. Additionally, GP donated 54 acres to the City of Fort Bragg for coastal access in 2009. This acreage, combined with the City's purchase of an additional 38 acres, resulted in the creation of the 92 acre coastal trail and Noyo headlands Park in 2015. This facility provides public access to the ocean for the length of the GP Mill Site. The demolition project will not have an impact on public access.

## RECOMMENDATION

1. **Staff recommends certification of the addendum to Mitigated Negative Declaration for Georgia Pacific Mill Site Demolition Project, and approval of Coastal Development Permit 11-12/17 for the demolition of Dry Shed 4 based on the findings and subject to the conditions cited below:**

### FINDINGS

1. The demolition of Dry Shed 4 is necessary to eliminate safety concerns stemming from the lack of a functional fire suppression system on the Mill Site and the dilapidated



August 7, 2017

Marie Jones  
Community Development Director  
City of Fort Bragg  
416 N Franklin Street  
Fort Bragg, CA 95437

<b>EXHIBIT NO. 9</b>
<b>CDP APPEAL NO.</b>
A-1-FTB-18-0021 GP Correspondence

**Subject: Dry Shed #4 Demolition – Coastal Development Permit Application  
Georgia-Pacific LLC  
90 West Redwood Avenue, Fort Bragg, CA**

Dear Marie:

Georgia-Pacific LLC (GP) has prepared this letter in response to the City of Fort Bragg (City) Planning Commission’s recent denial of GP’s application to raze and remove the building referred to as Dry Shed #4. We appreciate the diligence and effort that went into the staff report that you and your office prepared, which concurred with GP’s application and provided detailed findings for approval of the project. However, we understand that a few individuals spoke in favor of delaying the permit application during the public comment period. While we understand and appreciate the sentiments behind those comments, as the property owner whom is ultimately responsible for management, costs, safety and security, our position remains firm that the building needs to be removed.

We understand that this matter is being heard once again at the next Planning Commission meeting scheduled for August 9, 2017 at 6:00 p.m. Respectfully, we offer the following information for your consideration and ask that this information be communicated to the Planning Commission, as you deem appropriate.

- In a letter dated July 13, 2017 (attached), the State of California Office of Historic Preservation deemed that Dry Shed #4 is not eligible for listing on the National Register of Historic Places.
- Based on the findings and conclusions in the attached memo prepared by an architectural historian from ESA, Dry Shed #4 is also not eligible for listing as an individual resource, nor a contributor to a historic district, to the California Register of Historic Places.
- As stated in the staff report prepared by the City, the City previously expressed interest in acquiring Dry Shed #4 for reuse as an industrial arts center. Based on the City’s engineering analysis, it was determined that \$4MM would be necessary to rehab the building for such purpose. GP has previously offered to divest Dry Shed #4 to the City on different occasions over the past several years, but neither the City nor any other

non-profit entity has been able to produce the requisite plans and funding to acquire and redevelop the structure. The staff report goes on further to state that Dry Shed #4 has deteriorated significantly since the City completed its engineering studies. Portions of the siding are missing and the building lost a sizable portion of the roof this past winter. At this time it appears that the building does not have sufficient structural integrity, physical condition or economic value for successful reuse.

- There is no purchase and sale agreement with Mendocino Railway for Dry Shed #4 and surrounding property.
- GP commissioned a licensed structural engineer to assess Dry Shed #4 after it sustained further damage after a series of storms in January 2017 (see attached). The findings concluded: “The recent storm related roof damage in the southeast corner of the building has seriously weakened the roof framing in the southeast corner of the building and support for the gable end at the southeast corner of the building. The loss of roof framing in the southeast corner and the potential for future loss of roof and wall framing in the southeast corner of the building pose an unsafe and potential hazardous condition to operations, personnel, equipment, and vehicles inside and outside the building in the general vicinity. The loss of additional roof framing or damage to wall framing could cause the south wall of the building to become unstable...”
- Based on the findings from the structural report, GP elected to restrict occupancy of Dry Shed #4 and requested that the then tenant, Holmes Lumber, vacate the premises.
- Just as recently as July 20, 2017 there was a report of trespassing, theft, and vandalism in Dry Shed #4. The condition of Dry Shed #4 not only puts GP staff at risk but also poses a danger to those individuals whom illegally entered the building and those that may in the future. The potential for illegal trespassing will only increase after the coastal trail is connected.
- In reference to the previous demolition work in 2013, an individual at the public hearing inferred that no effort was made to recycle timbers and that the means for demolishing the buildings were careless. It should be clarified that the demolition work completed in 2013 met all of the conditions in the Coastal Development Permit and City Building Demolition Permit, including the City’s waste diversion and recycling requirements. A total of 182,584 board feet of redwood beams were sized and planed on site, and ultimately salvaged by a local subcontractor. This is equivalent to 350 tons of recycled timbers. See attached recycling documentation. Similar efforts to recycle redwood beams/timbers will be employed with Dry Shed #4.

We appreciate your consideration of the facts and findings summarized above, and trust that the Planning Commission will recognize the real need for the project and make the responsible determination.

Sincerely,



Michael Hassett

cc: Traylor Champion, Georgia-Pacific LLC  
Dave Massengill, Georgia-Pacific LLC

October 5, 2017

Marie Jones  
Community Development Director  
City of Fort Bragg  
416 N Franklin Street  
Fort Bragg, CA 95437

**Subject: Dry Shed #4 Demolition – Coastal Development Permit Application  
Georgia-Pacific LLC  
90 West Redwood Avenue, Fort Bragg, CA**

Dear Marie:

Georgia-Pacific LLC (GP) has prepared this letter in furtherance of our concerns regarding the City of Fort Bragg (City) Planning Commission's recent decision to suspend GP's application to raze and remove the building referred to as Dry Shed #4. Our understanding is that the Planning Commission will be holding a public hearing on October 11, 2017 in the interest of designating Dry Shed #4 as a historic landmark.

As we articulated in our previous letter dated August 7, 2017, there are a host of reasons for why we feel strongly, and why the City's own staff report recommends, removal of this building. Again, these reasons are detailed below.

1. In a letter dated July 13, 2017, the State of California Office of Historic Preservation deemed that Dry Shed #4 is not eligible for listing on the National Register of Historic Places.
2. Based on the findings and conclusions prepared by an architectural historian, Dry Shed #4 is also not eligible for listing as an individual resource, nor a contributor to a historic district, to the California Register of Historic Places.
3. As stated in the staff report prepared by the City, the City previously expressed interest in acquiring Dry Shed #4 for reuse as an industrial arts center. Based on the City's engineering analysis, it was determined that \$4MM would be necessary to rehab the building for such purpose. GP has previously offered to divest Dry Shed #4 to the City on different occasions over the past several years, but neither the City nor any other non-profit entity has been able to produce the requisite plans and funding to acquire and redevelop the structure. The staff report goes on further to state that Dry Shed #4 has deteriorated significantly since the City completed its engineering studies. Portions of the siding are missing and the building lost a sizable portion of the roof this past winter. At this time it appears that the building does not have sufficient structural integrity, physical condition or economic value for successful reuse.

4. There is no purchase and sale agreement with Mendocino Railway for Dry Shed #4 and surrounding property, nor are there other interested parties that have come forward with a viable purchase offer for the property in the last several years.
5. GP commissioned a licensed structural engineer to assess Dry Shed #4 after it sustained further damage after a series of storms in January 2017. The findings concluded: “The recent storm related roof damage in the southeast corner of the building has seriously weakened the roof framing in the southeast corner of the building and support for the gable end at the southeast corner of the building. The loss of roof framing in the southeast corner and the potential for future loss of roof and wall framing in the southeast corner of the building pose an unsafe and potential hazardous condition to operations, personnel, equipment, and vehicles inside and outside the building in the general vicinity. The loss of additional roof framing or damage to wall framing could cause the south wall of the building to become unstable...”
6. Based on the findings from the structural report, GP elected to restrict occupancy of Dry Shed #4 and requested that the then tenant, Holmes Lumber, vacate the premises.
7. Just as recently as July 20, 2017 there was a report of trespassing, theft, and vandalism in Dry Shed #4. While we have taken reasonable steps to secure and post the building, it is clear that the dry shed cannot be secured against vandals intent on entering our property. This creates risks for our security staff and contractors as well as any first responders and is another reason we need to take the building down as soon as possible. The potential for illegal trespassing will only increase after the coastal trail is connected.
8. In reference to the previous demolition work in 2013, an individual at the public hearing inferred that no effort was made to recycle timbers and that the means for demolishing the buildings were careless. It should be clarified that the demolition work completed in 2013 met all of the conditions in the Coastal Development Permit and City Building Demolition Permit, including the City’s waste diversion and recycling requirements. In fact, GP received the *Mayor’s Well Done Award for Best Demolition Project*. A total of 182,584 board feet of redwood beams were sized and planed on site, and ultimately salvaged by a local subcontractor. This is equivalent to 350 tons of recycled timbers. Similar efforts to recycle redwood beams/timbers will be employed with Dry Shed #4.

Furthermore, we offer the following with respect to the Planning Commission’s upcoming public hearing to recommend passing a resolution to the City Council for designating Dry Shed #4 as a historic landmark.

9. Under the City’s Historic Resource Protection provisions in Chapter 17.74, Dry Shed #4 may only qualify as a Historic Landmark under the familiar visual features or distinctive features criteria. As referenced above, it was previously determined that the structure would not be eligible for listing under the other criteria set forth in the ordinance after finding that the structure would not quality for designation as a matter of State and Federal law. As stated in The City’s Staff Report:

*“Dry Shed 4 is constructed of the following components:*

- *Four bays with three large doors.*
- *An asphalt floor with a six foot slope from the north end of the building to the south end of the building.*

- *A wall system that is constructed of a three foot high concrete block perimeter wall with a 27 foot high wood framed wall that is sheathed in plywood. There is no insulation or interior finishes.*
- *The roof is composed of a metal girder system that holds up plywood sheathing and asphalt roll roofing.*
- *The building has no electrical or water service. While the building is plumbed with a fire sprinkler suppression system, the suppression system itself is no longer hooked up to a working water source.”*

For the same reason Dry Shed #4 did not meet similar criteria under both State and Federal criteria, it is not a distinctive historical feature. As detailed in the City’s Staff Report:

*“Dry Shed 4 is a common industrial building, it is not remarkable as an example of a style, and does not exhibit extraordinary design or craftsmanship. As described in TRC’s report, the post-1945 buildings, especially those post-dating the period of significance of the district (1885-1953) such as the 1960 Dry Shed 4, are generally simple, post-war utilitarian warehouses and office buildings.”*

10. Chapter 17.74.060 stipulates requirements that apply to the proposed demolition of a historic resource. While Dry Shed #4 is not a historic resource, and was only nominated as a historic resource after GP submitted the CDP application for demolition, it already meets the Certificate of Appropriateness criteria for demolition, as follows:

**A. *Research required.*** *Appropriate archival research shall be conducted to determine the cultural and historic significance of any historic resource proposed for demolition in compliance with this Section. All costs associated with the research effort shall be paid for by the project proponent.*

The extensive research conducted in order to determine that Dry Shed #4 is not historically significant was outlined in detail in the City’s own Staff Report presented at the August 23, 2017 public hearing.

**B. *Required findings.*** *Following a public hearing conducted in compliance with Chapter 17.96 (Public Hearings), the Commission shall approve a COA for the demolition of a historic resource only in conjunction with the concurrent approval of a proposed replacement project, and only after first making all of the following findings:*

- 1. The historic resource cannot be remodeled, rehabilitated, or re-used in a manner that would allow:
 
  - a. A reasonable use; or*
  - b. A reasonable rate of return.**
- 2. The repair and/or renovation of the historic resource is not feasible or the Building Official has determined that the structure represents an imminent safety hazard.*
- 3. Disapproval of the application will diminish the value of the subject property so as to leave substantially no value.*

Again, as stated in the City's Staff Report, "*The City completed an engineering analysis, design schematics and a cost estimate for reuse of the building and determined that \$4 million would be necessary to rehab the building and build it out for an Industrial Arts Center. Over the past seven years the City has not been able to identify an adequate funding source for this project, nor has a non-profit developed to take on the management and operations of the facility.*"

The City's own Staff Report went on to state: "*Additionally, Dry Shed 4 has deteriorated significantly since the City completed its engineering studies. Portions of the siding are missing and the building lost a sizable portion of the roof this past winter. At this time it appears that the building does not have sufficient structural integrity, physical condition or economic value for successful reuse.*"

The designation of Dry shed #4 as a historic landmark would in fact represent a taking of our property as it would render the building and surrounding property unsalable. As the City's Staff Report detailed and time has shown, there is no economically viable rehabilitated use of this building, nor would an entity choose to take on such a deteriorated and dilapidated building if also required by law to continue to maintain and repair the structure in perpetuity. By demolishing the building, it significantly increases GP's and any subsequent property owner's ability to repurpose the land parcel on which it resides for a wide variety of potential future uses.

11. Lastly, the City's Staff Report stated the following with respect to the City's potential ability to designate Dry Shed #4 as a historic landmark:

*"Per State law, generally a planning permit applicant must comply with permitting requirements in place at the time that the applicant submits a complete permit application. Permit applicants are not required to comply with changes in the zoning ordinance that occur after the submission of the complete application but before the approval of the permit. GP has submitted a complete permit application for a CDP to demolish Dry Shed 4 and the regulations in place at the time of submission did not include the designation of the Dry Shed 4 within a Historic Landmark District. As the designation of a Historic Landmark District by City Council would require an LCP Amendment, denying the permit at this time in order to proceed with the Historic Landmark District designation may expose the City to legal risk."*

From the discussions held at the planning commission public hearing, it seems clear that the resolution to nominate Dry Shed #4 as a historic district was a direct attempt to enact new requirements for the sole purpose of denying an otherwise valid permit application.

While we do not have any interest in being adverse to the City, and we certainly understand the strong feelings some members of the public have expressed regarding Dry Shed #4, we have to take steps that are designed to enhance the property and allow us to put it back into productive use. Those steps also include the use of whatever legal recourse is available to us. We sincerely hope we can avoid that path.

We appreciate your consideration of the facts and findings summarized above, and trust that the Planning Commission will recognize the real need for the project and make the responsible determination.

Sincerely,

A handwritten signature in blue ink that reads "Michael Hassett". The signature is written in a cursive style with a horizontal line extending from the end.

Michael Hassett

cc: Traylor Champion, Georgia-Pacific LLC  
Dave Massengill, Georgia-Pacific LLC

November 21, 2017

**J. Michael Davis**  
Assistant General Counsel  
Environmental

The Honorable Lindy Peters, Mayor and Members of the City Council  
City of Fort Bragg  
416 N. Franklin Street  
Fort Bragg, CA 95437

***Re: November 27, 2017 City Council Meeting Regarding  
Dry Shed #4 Coastal Development Permit and Demolition***

Dear Mayor Peters and Members of the City Council:

I understand that the City of Fort Bragg (“City”) City Council may consider at its upcoming November 27, 2017 meeting the Fort Bragg Planning Commission’s recent recommendation to reject the proposed listing of the Georgia-Pacific Mill Site’s Dry Shed #4 as a historic landmark. The purpose of this letter is to request that the City Council concur with the Planning Commission’s recommendation that Dry Shed #4 **not** be designated as a historic landmark based on the extensive information demonstrating the building is not historically significant, and allow the building demolition to proceed for the reasons discussed further below.

**Background**

As you know, Georgia-Pacific LLC (“Georgia-Pacific”) is the property owner of the approximately 312-acre Mill Site property located at 90 W. Redwood Avenue in the City of Fort Bragg (the “Mill Site”). Dry Shed #4 is a deteriorating warehouse located on the Mill Site. On April 27, 2017, Georgia-Pacific submitted a Coastal Development Permit (“CDP”) application for the removal of the Dry Shed #4 warehouse, including extensive documentation supporting the building removal (see *Attachment I*).

Since April, the City has held the CDP and demolition in abeyance until it decides whether or not to designate the building as a local historic landmark. In this regard, on August 23, 2017, the Fort Bragg Planning Commission (“Planning Commission”) held a public hearing regarding our CDP application to demolish and remove Dry Shed # 4. At that meeting, the Planning Commission decided to defer any decision regarding the CDP until the City Council decides if the building is historic even though the State Office of Historic Preservation (OHP) confirmed that it is not. Following its initial recommendation on August 23<sup>rd</sup>, on October 11<sup>th</sup> and November 8, 2017, the Planning Commission reconsidered its recommendation and reversed its decision voting formally at both meetings to recommend to the City Council to **not** designate Dry Shed #4 as a historic landmark. We understand that the City Council is now scheduled to act on the historic resource landmark status of Dry Shed #4 at its meeting of November 27, 2017, in light of the Planning Commission’s recommendation.

**Dry Shed #4 has been deemed structurally deficient by a structural engineer, and it is in the best interest of the public to demolish the structure and avoid hazards to the health and safety of visitors at the Mill Site**

As we stated in our April 2017 CDP application, the structural integrity of Dry Shed #4 continues to decline, and no longer is safe for building occupancy. Accordingly, Georgia Pacific terminated building leases earlier this year, with the intent to demolish and remove Dry Shed #4 this summer because of the structural damage the building sustained over several rainy seasons. The CDP application describes the continuing deterioration of the structure, and a California structural engineer has determined that the building's structural integrity is deficient (see *Attachment 2*). Due to the continual decline of the building, Dry Shed #4 poses a serious risk to the health and safety of our employees and contractors performing work at the site, as well as to the individuals who visit the Mill Site and the adjacent Coastal Trail.

Despite submitting our application in April, along with extensive analyses substantiating the deteriorating structural condition of the building, the City has failed to process the CDP and allow the demolition to proceed. We are now at the beginning of the rainy season, and are facing yet another year in which the roof continues to deteriorate, and the siding has started to dislodge from the building further exacerbating the hazardous building conditions. Due to the delays in demolition, we were unable to remove the building concurrently with the remediation efforts underway this summer which will necessitate an extended period of site work at the property. These conditions and the threat of harm to the public during storm events create a hazardous condition that would otherwise be mitigated with the demolition of the building.

**We fully support the Planning Commission's recommendation to forego designating Dry Shed #4 as a historic landmark because substantial evidence demonstrates that the building is not historic.**

Chapter 17.74 of the Fort Bragg Coastal Land Use and Development Code is the Historic Resource Protection Ordinance. Section 17.74.030 provides that the Council may designate an improvement or site as a historic landmark or any areas within the City as a historic district based on the Council's evaluation of the age of the structure, distinguishing characteristics, distinct geographical area, familiar visual features, significant achievement, and/or other distinctive features. The designation of a structure or site as a historic landmark or district requires an amendment to the Local Coastal Plan ("LCP").

As a matter of State law, designating a building as a historic resource must be supported by substantial evidence (see e.g., *Friends of Willow Glen Trestle v. City of San Jose*, 2 Cal. App. 5<sup>th</sup> 457 (2016)). In the case of Dry Shed #4, all of the evidence included in Georgia-Pacific's CDP application, the environmental analyses prepared under the California Environmental Quality Act (Pub. Resources Code §§ 21000 *et seq.*) ("CEQA") for the Mill Site over the years demonstrate that the building is not a historic resource. Specifically, the CDP application and associated CEQA documentation included a 2003 TRC, Site Specific Treatment Plan for Cultural Resources that addressed the removal of Dry Shed #4 and recommended mitigation

measures to address potential impacts. The Planning Commission, however, questioned that analysis at its June 24, 2017 hearing without any documentation to the contrary. On July 13, 2017, OHP conducted consultation under Section 106 of the National Historic Preservation Act and concluded that Dry Shed #4 is not eligible for listing on the National Register of Historic Places, and subsequently, OHP concurred with the Section 106 findings as a matter of State law and agreed that Dry Shed #4 is not eligible for listing on the California Register of Historical Resources. Two supplemental technical resources further supported the determination that the building is not a historic resource. No evidence exists to the contrary.

**Designating Dry Shed #4 as a historic resource after the CDP was filed violates the Permit Streamlining Act.**

The CDP is necessary in order to proceed with the demolition of Dry Shed #4. The City has not initiated any efforts to process an LCP amendment, and to do so now would conflict with the process in place at the time that Georgia-Pacific filed the CDP application for this development project pursuant to the Permit Streamlining Act. Any efforts by the Council to reject the Planning Commission's recommendation and designate the building *after the fact* simply to prevent Georgia-Pacific from demolishing a hazardous building would not only conflict with the rules in effect when the City deemed the CDP application complete for processing, but it would improperly cause Georgia-Pacific to incur the expense of maintaining a building that has devalued for the benefit of the public interest without just compensation.

For all of these reasons, Georgia-Pacific objects to any effort by the City Council to designate Dry Shed #4 as a historic landmark, and agrees with the Planning Commission's recommendation to deny the building a landmark designation. We look forward to finally resolving this matter so that we may complete the demolition of the building in the very near future.

Thank you for your consideration.

Sincerely,



J. Michael Davis

Assistant General Counsel – Environmental

Attachments

cc: June Lemos, City Clerk  
Russ Hildebrand, City Attorney  
Marie Jones, Community Development Director  
Mike Hassett, Georgia-Pacific  
Alicia Guerra, Buchalter

February 23, 2018

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**J. Michael Davis**  
Assistant General Counsel  
Environmental

The Honorable Lindy Peters, Mayor, and Members of the City Council  
City of Fort Bragg  
416 N. Franklin Street  
Fort Bragg, CA 95437

***Re: Appeal of January 10, 2018 Planning Commission Decision Approving Dry  
Shed Number 4 Coastal Development Permit and Demolition***

Dear Mayor Peters and Members of the City Council:

On January 10, 2018, the City of Fort Bragg (“Fort Bragg”) Planning Commission approved a Coastal Development Permit (“CDP”) for the demolition of Dry Shed Number 4 located at the Georgia-Pacific Mill Site. The decision has since been appealed, and now must be considered by the Fort Bragg City Council. We hereby request that the City Council reject the appeal and uphold the Planning Commission’s decision to approve the Coastal Development Permit based on the City Council’s prior determination that the structure is not historically significant and poses a risk to public safety. Further remediation and structural renovation efforts are not feasible due to the condition of the building and cost considerations.

With the City having already undertaken deliberative measures to conclude Dry Shed Number 4 is not historic and not remediable, the time to act on this appeal is now. We respectfully request that this appeal be promptly set for hearing consistent with the Fort Bragg Municipal Code and that the City Council timely act on that appeal.

### **Background**

As you know, Georgia-Pacific LLC (“Georgia-Pacific”) is the property owner of the Mill Site property located at 90 W. Redwood Avenue in the City of Fort Bragg (the “Mill Site”). Dry Shed Number 4 is a deteriorating warehouse located on the Mill Site. In January 2017, Georgia-Pacific retained a structural engineer to prepare a structural analysis of Dry Shed Number 4. That report concluded that recent rain events had further compromised the structural integrity of the building and recommended that Georgia-Pacific restrict access to areas inside and outside of the building. On April 27, 2017, Georgia-Pacific submitted a CDP

application for the removal of Dry Shed Number 4, as well as extensive documentation supporting the building removal.

After Georgia-Pacific submitted the CDP application, the City placed the application on hold so that the City could undertake a process to fully assess whether Dry Shed Number 4 retained any historic status. During its review, the City concluded that Dry Shed Number 4 was not a historic landmark, and that its current status creates a public nuisance. In June 2017, the State Office of Historic Preservation (“SHPO”) and the U.S. Army Corp of Engineers recommended that the structures located on the Mill Site not be eligible for listing on the National Register of Historic Places due to the lack of integrity of the buildings. Environmental Science Associates (“ESA”) confirmed that Dry Shed Number 4 does not qualify as a historic building under California law. Consistent with the ESA report, the Planning Commission voted on October 11, 2017 and November 8, 2017 to recommend that Dry Shed Number 4 not be designated a historic landmark.

On November 27, 2017, the City Council held a public hearing and adopted a resolution to not designate Dry Shed Number 4 as a historic landmark based on the following findings:

- Dry Shed Number 4 does not qualify as a historic building because it does not possess distinguishing characteristics typical to a historic structure pursuant to state and federal regulations.
- Dry Shed Number 4 is a potential safety hazard due to the current damage to the roof and sidewall areas of the building and structural deficiencies in the building.
- Dry Shed Number 4 would be difficult to repair and reuse given its large size, lack of access to public utilities, deteriorated condition, and lack of economic value.

The City then resumed its review of the CDP application. On January 10, 2018, the Planning Commission voted to approve the CDP authorizing the demolition of Dry Shed Number 4 after concluding the City did not have a reasonable basis for denying the permit because the structure is not a historic resource. On January 22, 2018, the City received an appeal of the Planning Commission decision. The appeal is based on the appellant’s personal disagreement with the City’s conclusion that “the building does not appear to have a financially viable reuse.” The appellant concedes that the Dry Shed Number 4 does not merit historical designation.

**Dry Shed Number 4 is structurally deficient, and it is in the public’s best interest to demolish the structure.**

As we have discussed in prior letters to the City as well as in our April 2017 CDP application, the structural integrity of Dry Shed Number 4 is substantially compromised and in decline, particularly with each passing storm event. Due to the continual decline of the structure, Dry Shed Number 4 poses a serious risk to the health and safety of our employees

and contractors performing work at the site, as well as to the individuals who enter onto the Mill Site and the adjacent Coastal Trail.

Georgia-Pacific terminated building leases in early 2017 with the intent to demolish and remove Dry Shed Number 4 last summer after reviewing the conclusions of a licensed structural engineer assessing the structural damage to the building sustained after 2016/2017 rain events. Specifically, Kennedy/Jenks Consultants noted in its January 2017 report that the physical properties of the shed's construction materials have degraded significantly; the modified bitumen roof waterproofing material has blown off of many portions of the building; portions of the roof sheathing, purlins, and girders in the southeast corner of the building have been severely damaged, resulting in multiple roof openings; and other damaged portions of the roof appeared to be on the verge of failing, further weakening the strength of the roof. The report concluded that recent roof damage in the southeast corner of the building had seriously weakened the roof framing and support for the gable end of the southeast corner of the building. This damage poses an unsafe and potential hazardous condition to operations, personnel, and equipment inside and outside the building.

In its current condition, Dry Shed Number 4 constitutes a public nuisance under the Fort Bragg Municipal Code, sections 6.12.040 and 6.12.050. Georgia-Pacific requests this CDP for demolition so that we may abate this nuisance and remove this hazardous condition in accordance with the Fort Bragg Municipal Code.

**Preservation of Dry Shed Number 4 is not economically feasible.**

Under the California Coastal Act, the City may deny an application for a CDP to demolish a structure only upon finding, based on a preponderance of the evidence, that retention of the structure is feasible. (See Public Resources Code, § 30612.) The Coastal Act 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. (California Public Resources Code, § 30108.)

Here, the vast majority of the evidence received by the City indicates that retention of Dry Shed Number 4 is not feasible. As discussed in the Planning Commission Staff Report for its January 10, 2018 meeting, a staff inspection of the structure found that it had "significantly deteriorated" since a 2008 structural engineering analysis as a result of recent severe weather conditions, limited recent maintenance, poor construction quality, and the overall age of the building. In particular, staff found that portions of the wall on the northeast corner of the building are completely unattached from the building; that sections of the roof in the south corner are unattached; that the building has no electrical or water service; and that the sprinkler system for the building is not in working condition. The report also notes that previous CDPs for demolition of structures on the Mill Site were approved in substantial part because the fire suppression systems of the building no longer

functioned and the Community Development Director had contacted Georgia-Pacific with concerns about the safety of the buildings.

The January 10, 2018 staff report also addresses the City's conclusion that it would be financially infeasible for the City to purchase Dry Shed Number 4 for the purpose of reusing the structure as an industrial art center. The City completed an engineering analysis, design schematics, and a cost estimate and determined that \$4 million would be necessary to complete the work. These costs estimates pre-dated the building deterioration of the structure recently noted by City staff. Over a seven-year period, the City has been unable to identify funds for the rehabilitation or identify a non-profit willing to manage and operate the structure after rehabilitation. That has not changed.

**Substantial evidence demonstrates Dry Shed Number 4 is not a historic structure.**

Chapter 17.74 of the Fort Bragg Coastal Land Use and Development Code is the Historic Resource Protection Ordinance. Section 17.74.030 provides that the Council may designate an improvement or site as a historic landmark or any areas within the City as a historic district based on the Council's evaluation of the age of the structure, distinguishing characteristics, distinct geographical area, familiar visual features, significant achievement, and/or other distinctive features. The designation of a structure or site as a historic landmark or district requires an amendment to the Local Coastal Plan ("LCP").

Under State law, designating a building as a historic resource must be supported by substantial evidence (see e.g., *Friends of Willow Glen Trestle v. City of San Jose*, 2 Cal. App. 5th 457 (2016)). In the case of Dry Shed Number 4, *all* of the evidence included in Georgia-Pacific's CDP application, and the City's analyses prepared under the California Environmental Quality Act (Pub. Resources Code §§ 21000 *et seq.*) ("CEQA") for the Mill Site over the years demonstrate that the building is not a historic resource. Specifically, the CDP application and associated CEQA documentation included a 2003 TRC, Site Specific Treatment Plan for Cultural Resources that addressed the removal of Dry Shed Number 4 and recommended mitigation measures to address potential impacts. The Planning Commission, however, questioned that analysis at its June 24, 2017 hearing without any documentation to the contrary. On July 13, 2017, OHP conducted consultation under Section 106 of the National Historic Preservation Act and concluded that Dry Shed Number 4 is not eligible for listing on the National Register of Historic Places, and subsequently, OHP concurred with the Section 106 findings as a matter of State law and agreed that Dry Shed Number 4 is not eligible for listing on the California Register of Historical Resources. Two supplemental technical resources further supported the determination that the building is not a historic resource. *No evidence exists to the contrary.*

The Honorable Lindy Peters, Mayor and  
Members of the City Council  
February 23, 2018  
Page 5

For all of these reasons, Georgia-Pacific requests the City Council reject the appeal as soon as possible and uphold the Planning Commission's decision to approve the CDP to demolish Dry Shed Number 4. We look forward to the City's timely consideration of the appeal and intend to begin demolition as soon as feasible so as to limit the danger it poses to public safety.

Sincerely,



J. Michael Davis

Assistant General Counsel – Environmental

Attachments

cc: June Lemos, City Clerk  
Russ Hildebrand, City Attorney  
Marie Jones, Community Development Director  
Dave Massengill, Georgia-Pacific  
Mike Hassett, Georgia-Pacific  
Alicia Guerra, Buchalter

May 23, 2018

Clancy De Smet, Coastal Program Analyst  
California Coastal Commission  
North Coast District Office  
1385 8th Street, Suite 130  
Arcata, California 95521-5967

**June 2018 Agenda Item W11a**

Re: Appeal No. A-1-FTB-18-0021 (Georgia-Pacific LLC, City of Fort Bragg)

Dear Mr. De Smet:

Buchalter, A Professional Corporation, represents Georgia-Pacific LLC ("Georgia-Pacific") on land use matters in California, including in the above-named appeal and the underlying approval by the City of Fort Bragg of a Coastal Development Permit for demolition and removal of Dry Shed No. 4 at the Georgia-Pacific Mill Site.

On behalf of our client, I am transmitting to you a letter from Georgia-Pacific addressing the merits of this appeal. I have reviewed the letter as it pertains to California Law, and in particular the California Coastal Act, and concur with its analysis. Because the City could not make findings, based upon a preponderance of the evidence, that retention of Dry Shed No. 4 is feasible, the Coastal Act required the City to approve the Coastal Development Permit application.

We kindly ask that Georgia-Pacific's letter be included with the staff report for this appeal or otherwise included with correspondence for the Commission's review.

Very truly yours,

BUCHALTER  
A Professional Corporation

By

Alicia Guerra



Enclosure

cc: Aurora Robinson, Administrative Staff (Aurora.Robinson@coastal.ca.gov)  
North Coast District (NorthCoast@coastal.ca.gov)

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Napa Valley  
Orange County  
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(Page 16 of 19)



May 23, 2018

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**J. Michael Davis**  
Assistant General Counsel  
Environmental

The Honorable Dayna Bochco, Chair, and Commissioners  
California Coastal Commission  
North Coast District Office  
1385 8th Street, Suite 130  
Arcata, California 95521-5967

**Re: Commission Appeal No. A-1-FTB-18-0021, City of Fort Bragg Approval of Coastal Development Permit to Demolish Dry Shed #4**

Chair Bochco, Vice Chair Turnbull-Sanders, and Commissioners:

Georgia-Pacific LLC (“Georgia-Pacific”) is the property owner of the approximately 323-acre Mill Site property located in the City of Fort Bragg (the “Mill Site”). Since ceasing our operations at the site in 2002, Georgia-Pacific has been actively involved in decommissioning the former lumber mill facilities and implementing a clean-up program at the Mill Site. As part of that effort, Georgia-Pacific applied for a Coastal Development Permit early last year in order to demolish a dilapidated warehouse located on the Mill Site known as Dry Shed #4

On January 10, 2018, the Fort Bragg Planning Commission approved the CDP, and on March 12, 2018, the Fort Bragg City Council denied an appeal of the Planning Commission’s decision. We understand that the final city action has now been appealed to the California Coastal Commission (the “Commission”).

As detailed in prior correspondence to the City of Fort Bragg, the basis for demolition of Dry Shed #4 stems from its deteriorated condition and lack of productive use. Based on advice from structural engineers the current condition of the building poses safety risks to on-site and nearby residents. We incorporate our prior comments which we submitted to the City of Fort Bragg opposing the appeal of the approval of the CDP and request that the Commission reject this latest appeal. The record in this matter makes it clear that retention of Dry Shed #4 is simply not feasible. (See Public Resources Code, § 30612.)

#### **CDP Consideration Process**

Georgia-Pacific submitted the CDP application for demolition of Dry Shed #4 on April 27, 2017, after having reviewed a structural analysis concluding that recent weather events had compounded the structural deficiency of the building and recommending Georgia-Pacific restrict access to areas inside and outside the building. The application contained extensive documentation supporting the building removal. The application and supporting documentation is incorporated herein by reference.

After Georgia-Pacific submitted the CDP application, the City placed the application on hold so that the City could undertake a process to fully assess whether Dry Shed #4 retained any historic status. On November 27, 2017, the City Council held a public hearing and adopted a resolution to not designate Dry Shed #4 as a historic landmark based on the following findings:

- Dry Shed #4 does not qualify as a historic building because it does not possess distinguishing characteristics typical to a historic structure pursuant to state and federal regulations.
- Dry Shed #4 is a potential safety hazard due to the current damage to the roof and sidewall areas of the building and structural deficiencies in the building.
- Dry Shed #4 would be difficult to repair and reuse given its large size, lack of access to public utilities, deteriorated condition, and lack of economic value.

The City then resumed its review of the CDP application. After the Planning Commission's approval of the CDP was appealed, the City Council on March 12, 2018 denied the appeal, and on March 26, 2018 adopted Res. No. 4080-2018 clarifying the denial of the appeal. The City's resolutions pertaining to historical designation and the CDP approval are incorporated herein by reference. In addition, Georgia-Pacific provided letters in support of the CDP through the application process, including most recently by letter on February 23, 2018, which provides substantial evidence that (1) Dry Shed #4 is structurally deficient; (2) its preservation is not economically feasible; and (3) it is not an historic structure. Letters by Georgia-Pacific submitted to the City are also incorporated herein by reference.

#### **Mr. Maroney's Appeal Must Be Denied**

On April 11, 2018, Appellant Gabriel Quinn Maroney filed an appeal with the Commission. As with the appeal to City Council, this appeal is based on the Appellant's personal disagreement with the City's conclusion that "the building does not appear to have a financially viable reuse." However, as the administrative record shows, the City's determination is supported by overwhelming evidence, and in fact the appellant cannot meet its burden to show based on a preponderance of the evidence that retention of Dry Shed #4 is feasible.

Under the California Coastal Act, the City may deny an application for a CDP to demolish a structure only upon finding, based on a preponderance of the evidence, that retention of the structure is feasible. (See Public Resources Code, § 30612.) The Coastal Act 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. (California Public Resources Code, § 30108.)

Here, the evidence received by the City indicates that retention of Dry Shed #4 is not feasible. As discussed in the Planning Commission Staff Report for its January 10, 2018 meeting, a staff inspection of the structure found that it had "significantly deteriorated" since a 2008 structural engineering analysis as a result of recent severe weather conditions, limited recent maintenance, poor construction quality, and the overall age of the building. In particular, staff found that portions of the wall on the northeast corner of the building are completely unattached from the building; that sections of the roof in the south corner are unattached; that the building has no electrical or water service; and that the sprinkler system for the building is not in working condition. The

May 23, 2018  
The Honorable Dayna Bochco  
Page 3

report also notes that previous CDPs for demolition of structures on the Mill Site were approved in substantial part because the fire suppression systems of the building no longer functioned and the Community Development Director had contacted Georgia-Pacific with concerns about the safety of the buildings.

Dry Shed #4 was previously slated for demolition along with several other former industrial buildings that were demolished in 2013. However, at the request of the City of Fort Bragg, Dry Shed #4 was retained so that the City could explore potential reuse scenarios for the building. As documented in the City's Staff Report, those studies concluded that it was not economically feasible to refurbish the building for the intended uses contemplated by the City.

In response, Mr. Maroney argues that demolition of Dry Shed #4 is not in conformity with the City of Fort Bragg's certified Local Coastal Program. City findings conclude the opposite. In particular, starting on page 6 of the January 10, 2018 staff report, the City analyzes various land use policies and concludes that the project is consistent with the Coastal General Plan and applicable zoning policies and regulations.

Finally, Mr. Maroney argues that demolition of the building would violate the Coastal Act because the Act's policies include protection of historic resources in addition to natural resources. But as the administrative record shows, Dry Shed #4 is not a historic resource. The City determined it was not historic and supported its decision with findings supported by substantial evidence prepared by historic resources specialists and the State Office of Historic Preservation as discussed in staff reports and previous letters submitted by Georgia-Pacific.

Based on the significant documentation of the record supporting approval of the CDP for demolition of Dry Shed #4, Georgia-Pacific requests the Commission deny this appeal and uphold the City's decision to approve the CDP.

Sincerely,



J. Michael Davis  
Assistant General Counsel – Environmental

cc: June Lemos, City Clerk  
Russ Hildebrand, City Attorney  
Marie Jones, Community Development Director  
Mike Hassett, Georgia-Pacific  
Alicia Guerra, Buchalter