CALIFORNIA COASTAL COMMISSION

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 Staff:
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 10/24/2014

 Hearing Date:
 11/13/2014

STAFF REPORT: CDP HEARING

Application Number: 2-13-0246

Applicant: Sonoma County Regional Parks District

Project Location: Doran and Westside Regional Parks at 201 Doran Beach Road and

2400 Westshore Road in Bodega Bay, Sonoma County.

Project Description: Upgrade boat launch and support facilities including boat ramps,

docks, parking lots, boat washing stations, and fishing cleaning

stations; and dredge a navigation channel.

Staff Recommendation: Approval with Conditions.

SUMMARY OF STAFF RECOMMENDATION

Sonoma County Regional Parks District (the Applicant) proposes several refurbishments to boat launch and support facilities at Doran and Westside Regional Parks located in Bodega Bay, Sonoma County. Both parks support recreational boating, recreational fishing, camping, and other day use activities in Bodega Harbor.

The refurbishments include improvements to the boat launch ramps and support facilities at both parks. These support facilities include docks and gangways, boat washing stations, fish cleaning stations, parking lots, and picnic tables. The proposed project would also include dredging of the small navigation channel leading from the Westside Regional Park boat launch ramp to the main navigation channel.

Doran and Westside Regional Parks receive a high volume of visitors year round and represent valuable recreational boating facilities in the region. The Applicant anticipates that the proposed refurbishments and expansions of the facilities at each park could substantially increase the number of recreational boat launches at the parks each year. The proposed project includes Mitigation Measures (**Exhibit 3**) to avoid and minimize impacts to coastal resources, including measures related to biological resources, water quality, noise, traffic, greenhouse gas emissions, and cultural resources. Commission staff recommends special conditions to build upon these Mitigation Measures to ensure conformance with the Coastal Act.

Specifically, the proposed project includes a Mitigation Measure that commits the project to complying with the NOAA Fisheries Draft Eelgrass Mitigation Guidelines to determine and mitigate for any impacts to eelgrass that could occur. Commission staff recommends Special **Condition 4** to expand upon this Mitigation Measure to require the submittal of an Eelgrass Mitigation and Monitoring Plan that includes details regarding mitigation methods and criteria, mitigation sites, and monitoring criteria. Noise resulting from pile driving, dredging, and other construction activities is also addressed in the proposed project's Mitigation Measures, such as specifying pile driving hammers that minimize noise based upon the pile material used. Staff recommends **Special Condition 5** which requires the submittal of a Hydroacoustic Monitoring Plan describing methods for real time noise monitoring, provisions for the cessation of pile driving if underwater sound exceeds the determined criteria, and a plan for reducing sound for the remaining construction. To address the wetland fill resulting from the widening of the boat ramp at Westside Regional Park, staff recommends Special Condition 2, which requires the submittal of a Mudflat Mitigation and Monitoring Plan specifying a site for 2:1 mudflat mitigation and monitoring criteria. To avoid impacts to environmentally sensitive dune habitat, staff recommends **Special Condition 1a** which restricts the construction footprint for the new boat washing station at Doran Regional Park to an existing compacted dirt pull-out area adjacent to Doran Beach Road. As conditioned, the proposed project is consistent with the marine resources, water quality, wetlands, and sensitive habitat policies of the Coastal Act. Staff recommends **approval** of the CDP as conditioned. The motion is found on page 4 below.

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APPENDICES

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EXHIBITS

Exhibit 1 – Project Vicinity Map

Exhibit 2 – Project Site Plans

Exhibit 3 – Project Mitigation Measures

Exhibit 4 – Doran Boat Wash location map

Exhibit 5 – Permitted Rip Rap Plans

Exhibit 6 –2012 Visual Survey of Eelgrass

I. MOTION AND RESOLUTION

Staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in approval of the CDP as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Motion: I move that the Commission approve Coastal Development Permit Number 2-13-0246 pursuant to the staff recommendation, and I recommend a yes vote.

Resolution to Approve CDP: The Commission hereby approves Coastal Development Permit Number 2-13-0246 and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with Coastal Act policies. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

- 1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

- 1. Revised Final Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit two sets of Revised Final Plans to the Executive Director for review and approval. The Revised Final Plans shall be substantially in conformance with the 90% plans for Westside Park submitted to the Coastal Commission's North Central Coast District Office on September 16, 2014 and the 60% plans for Doran Park submitted on October 13, 2014 (Exhibit 2), except that they shall be revised and supplemented to comply with the following requirements:
 - a. **Doran Park Boat Washing Station.** The footprint of the proposed Doran Regional Park boat washing station shall remain within the existing compacted dirt pull-out on the south side of Doran Beach Road, as shown in the aerial map in **Exhibit 4**. This development shall not encroach on the dune habitat just south of the pull-out area. Appropriate water quality best management practices (BMPs) shall be incorporated into the washing station design, such as a 1-foot wide gravel trench on the south side of the washing station. No soaps or substances besides freshwater shall be used for boat washing activities occurring at this location.

b. Dredging.

- i. **Dredging Quantity.** The total quantity of sediment to be dredged and disposed of shall be limited to 1,300 cubic yards.
- ii. **Disposal Location.** The dredged material shall be disposed of at the Redwood Landfill after being processed in the manner described in Mitigation Measure Hydro-2 (**Exhibit 3**). Mitigation Measure Hydro-2 shall be revised to remove the language referring to dune restoration and shall instead refer to the dredge spoil disposal location, as shown in the underline/strike-through annotations to the text in **Exhibit 3**. If an alternative location is identified, the Permittee shall first submit a Dredging Disposal Plan to the Executive Director for review and approval describing the alternative location and its consistency with the Coastal Act and conditions of this coastal development permit prior to implementing dredge disposal.
- iii. **General Dredging BMPs.** In addition to the Mitigation Measures designed to reduce turbidity and avoid impacts to water quality and aquatic life during dredging and disposal (**Exhibit 3**), dredging activities shall be limited to low tide periods and executed as quickly as practicable.

Minor adjustments to the above parameters may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; (2) do not adversely impact coastal resources; and (3) are consistent with all other conditions of the coastal development permit.

- c. Concrete. The construction plans shall specify the pile material to be used at both Doran and Westside Regional Parks. This material shall be concrete or steel and shall not include any treated woods. If concrete is used, the concrete shall be precast and cured for at least 30 days in an upland location removed from possible contact with coastal waters. All other concrete materials, including pre-cast concrete planks for the boat launch ramps, shall also be cured for at least 30 days in an upland location removed from possible contact with coastal waters.
- d. **Lighting**. No new lighting shall be added. Existing lighting fixtures shall be replaced with downcast fixtures that are adequate for the safety and ease of boater use while directing light away from sensitive resources. Lighting shall include timers with motion detectors to decrease the amount of time lights will be on.
- e. **Remove Mitigation Measure Biol**-2. After the Applicant revised the scope of the proposed project plan such that the project vicinity does not include the Cypress Day Use area, Mitigation Measure Biol-2 became no longer necessary. The Applicant shall remove Mitigation Measure Biol-2, as shown in the underline/strike-though annotations to the text in **Exhibit 3**.

All requirements above and all requirements of the approved Revised Final Plans shall be enforceable components of this coastal development permit. The Permittee shall undertake development in accordance with this condition and the approved Revised Final Plans.

- 2. Mudflat Mitigation and Monitoring Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit two sets of a Mudflat Mitigation and Monitoring Plan to the Executive Director for review and approval. The plan shall at a minimum include:
 - a. **Grading plan.** A grading plan shall be submitted for the mitigation site that reflects elevations based on local tidal data. The site shall be graded to an elevation consistent with an appropriate local reference mudflat in Bodega Bay. Grading shall ensure that the mitigation site is tidally inundated immediately to ensure no temporal loss of mudflat habitat.
 - b. **Mitigation Ratio.** Mitigation shall total at least 484 square feet, thus achieving a 2:1 mitigation ratio for the 242 square feet of mudflat fill resulting from the widening of the Westside boat ramp.
 - c. **Riprap restacking in original configuration.** The rip-rap that would be re-stacked as part of the Mudflat Mitigation and Monitoring Plan shall be re-stacked and stabilized in its originally permitted configuration and footprint, as shown in **Exhibit 5**. The Permittee shall submit re-stacking construction plans to the Executive Director for review and approval prior to the commencement of construction.
 - d. **Monitoring.** A Mudflat Mitigation Monitoring plan shall be submitted that provides a detailed description of a photo monitoring program or equivalent documentation. This description should include, at a minimum: 1) a list of the attributes to be monitored and the frequency at which photos will be taken; 2) a description of at what point in the tidal cycle—including spring versus neap tides and extreme tidal months or minimal tidal

months—photos will be taken; 3) a rationale for the inclusion or exclusion of reference sites; 4) a description of how the resulting data and observations will be analyzed and how the level of performance will be determined; 5) a methodology for ensuring that the mitigation site does not shrink below 484 square feet in area; 6) identification of how the need for alteration of project operation will be assessed; and 7) an explicit timetable for the monitoring program including data collection, data analysis, and reporting of results.

e. **Revise Mitigation Measure Biol-15**. Mitigation measure Biol-15 shall be revised to be consistent with **Special Condition 2**, as shown in the underline/strikethrough annotations to the text in **Exhibit 3**.

All requirements above and all requirements of the approved Mudflat Mitigation and Monitoring Plan shall be enforceable components of this coastal development permit. The Permittee shall undertake development in accordance with this condition and the approved Mudflat Mitigation and Monitoring Plan.

- **3.** Construction Plan. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the Permittee shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:
 - a. **Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors. All such areas within which construction activities and/or staging are to take place shall be minimized to the maximum extent feasible in order to have the least impact on coastal resources, including public access. Construction, including but not limited to construction activities and storage of materials and/or equipment, is prohibited outside of the defined construction, staging, and storage areas.
 - b. **Construction Methods and Timing.** The plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated to the maximum extent practicable from other public recreational use areas, including using unobtrusive fencing or equivalent measures to delineate construction areas.
 - c. Water quality BMPs. The plan shall identify the type and location of all erosion control/water quality best management practices to implement during construction to protect coastal water quality. In addition to the practices identified in the project's Mitigation Measures (Exhibit 3), the Permittee shall ensure that (1) good construction housekeeping controls and procedures are maintained at all times, such as cleaning up all leaks, drips, and other spills immediately; keeping materials covered and out of the rain, including covering exposed piles of soil and wastes; disposing of all wastes properly, placing trash receptacles on site for that purpose, and covering open trash receptacles during wet weather; and removing all construction debris from the site; and (2) all erosion and sediment controls are in place prior to the commencement of construction as well as at the end of each work day.

d. Other BMPs.

i. Construction work or equipment operations shall be conducted at low tide, to the extent feasible.

- ii. The Permittee shall clean public roadway surfaces adjacent to the construction site.
- iii. All public access points adversely affected by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction.
- iv. The Permittee shall ensure that work crews are briefed on the importance of observing the appropriate precautions and the reporting of any accidental spills.
 Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieving or cleaning up improperly contained foreign materials.
- e. **Construction Site Documents.** The plan shall provide that copies of the signed coastal development permit and the approved Construction Plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the coastal development permit and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.
- f. **Construction Coordinator.** The plan shall provide that a construction coordinator be designated to answer questions from the public. The coordinator shall be available by phone 24 hours a day, seven days a week for the duration of construction. The coordinator's phone number, address, and e-mail address shall be conspicuously posted at the job site and readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction for regular inquiries and emergencies. The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
- g. **Notification.** The Permittee shall notify planning staff of the Coastal Commission's North Central Coast District Office at least three (3) working days in advance of commencement of construction, and immediately upon completion of construction.

Minor adjustments to the above construction requirements may be allowed by the Executive Director in the approved Construction Plan if such adjustments: (1) are deemed reasonable and necessary; (2) do not adversely impact coastal resources; and (3) are consistent with all other conditions of the coastal development permit. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this coastal development permit. The Permittee shall undertake construction in accordance with this condition and the approved Construction Plan.

4. Eelgrass Mitigation and Monitoring Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall prepare an Eelgrass Mitigation and Monitoring Plan (EMMP) in consultation with a qualified biologist and submit two copies to the Executive Director for review and approval. This EEMP shall be consistent with the most current "Southern California Eelgrass Mitigation Policy" (SCEMP) adopted by the National Marine Fisheries Service Southwest Region, including but not limited to its requirements and directions to 1) mitigate for the potential impacts of shading from overwater structures,

dredging, and other construction activities, and 2) mitigate any impacts to eelgrass by at least a 1.2:1 ratio. The EMMP shall, at a minimum, provide methodologies and implementation sites for the following:

- a. **Pre-construction Eelgrass Survey**. A pre-construction eelgrass (*Zostera marina*) survey shall be completed consistent with the most current "Southern California Eelgrass Mitigation Policy" (SCEMP) adopted by the National Marine Fisheries Service Southwest Region, and shall be prepared in consultation with relevant regulatory agencies. The survey shall be completed during the active growth period for eelgrass (May through September in this region) and shall be considered valid for a period of 60 days. However, if the end of the 60-day validity period falls outside of the active growth period, the survey may be considered valid until the beginning of the next active growth period. The survey shall include the areas impacted by construction with an appropriate buffer, along with an appropriate reference site, as described in the SCEMP. The Permittee shall submit the eelgrass survey for the review and approval of the Executive Director within thirty (30) days of completion of the survey and in any event no later than fifteen (15) business days prior to commencement of any development.
- b. **Post-Construction Eelgrass Survey.** If any eelgrass is identified in the project area by the survey required in subsection A of this condition above, within one month after the conclusion of construction, or within the first 30 days of the next active growth period following completion of construction that occurs outside of the active growth period, the Permittee shall survey the same areas included in the pre-construction survey, including the project site and the reference site, to determine if any eelgrass was adversely impacted. The survey shall be prepared in full compliance with the most current SCEMP adopted by the National Marine Fisheries Service Southwest Region, and shall be prepared in consultation with relevant regulatory agencies. The Permittee shall submit the post-construction eelgrass survey for the review and approval of the Executive Director within thirty (30) days after completion of the survey. In accordance with the SCEMP, adverse impacts to eelgrass shall be measured as the difference between the preconstruction and post-construction estimates of eelgrass cover and density, using an appropriate reference site to isolate the effects of development from natural variability of eelgrass beds.
- c. **Mitigation and Monitoring.** If any eelgrass has been impacted, the Permittee shall replace the impacted eelgrass at a minimum 1.2:1 ratio on-site, or at another location identified in the EMMP, in accordance with the SCEMP. The exceptions to the required 1.2:1 mitigation ratio found within SCEMP shall not apply. Mitigation shall commence within 90 days following completion of the in-water construction resulting in impact to the eelgrass bed. A monitoring schedule that indicates when each of the monitoring events will be completed shall be included in the EMMP. Monitoring reports shall be provided to the Executive Director within 30 days after the completion of each monitoring period. Reporting shall continue on an annual basis for at least five years, or until all such eelgrass beds are supporting eelgrass as documented in two consecutive annual reports, whichever is later.
- **5. Hydroacoustic Monitoring Plan.** PRIOR TO COMMENCEMENT OF CONSTRUCTION the Permittee shall submit a Hydroacoustic Monitoring Plan to the Executive Director for

review and approval. Project activities shall be conducted at all times in accordance with the provisions of the final approved Hyrdoacoustic Monitoring Plan. The Plan shall, at a minimum:

- a. Establish the field locations for hydroacoustic monitoring stations that will be used to document the extent of the hydroacoustic hazard footprint during pile-driving activities, and provisions to adjust the location of the acoustic monitoring stations, based on data acquired during monitoring to ensure that the sound pressure field is adequately covered.
- b. Describe the method of hydroacoustic monitoring necessary to continuously assess the actual conformance of the proposed pile-driving with the Fisheries Hydroacoustic Working Group dual metric exposure criteria of 206 dB peak and 187 accumulated sound exposure level (SEL) for all listed fish except those that are less than 2 grams, which have a limit of 183 dB accumulated SEL, including relevant details such as the number, location, distances, and depths of hydrophones and associated monitoring equipment.
- c. Include provisions for real-time identification, including a method to approximate sound exposure level levels for daily field evaluation of continuing project compliance, provided such method is fully described in the plan to the satisfaction of the Executive Director, and reporting of any exceedance of the dual metric exposure criteria; clear action and notification protocols to stop pile-driving in case of such exceedance, including the authority of the fisheries biological monitor to order pile-driving to stop immediately; and procedures to notify the Executive Director, and other pertinent state and federal agencies immediately after any exceedance of the dual metric exposure criteria.
- **6. Other Agency Approval.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit to the Executive Director for review a copy of the Army Corps of Engineers and State Water Board authorization for the approved project. Any changes to the approved project required by these agencies shall be reported to the Executive Director. No changes to the approved project shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.
- 7. Sonoma County Local Approvals. All conditions of approval of the local approvals imposed on the project by the Sonoma County pursuant to an authority other than the California Coastal Act remain in effect, but do not alter the Permittee's responsibility to satisfy all conditions of approval as specified herein. The Permittee shall be responsible for satisfying all terms and conditions of this coastal development permit in addition to any other requirements imposed by other local conditions.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION

The proposed project is located in two parks included in the Sonoma County Regional Parks District: Doran and Westside Regional Parks (**Exhibit 1**). Westside Regional Park is located on Bodega Head and is surrounded by State Park land. The University of California at Davis Bodega Marine Laboratory is located just to the south, and a small neighborhood of mixed residential and harbor-related commercial uses lies to the north. Doran Regional Park is located on the spit of land that separates Bodega Harbor from Bodega Bay. A Coast Guard station lies east of the Doran boat launch. Both parks are popular sites for recreational fishing and boating, camping, and other forms of beach recreation.

Bodega Harbor is a soft-bottomed harbor with tidal mudflats and eelgrass beds. The bay and harbor support California sea lions, Pacific harbor seals, ground fish, coastal pelagic fish, Pacific salmonids, and clam beds, among other marine life. Terrestrial habitats adjacent to the harbor and bay include saltgrass flats and dunes. Recreational boaters and fishers and small commercial fishing boats use the harbor, with principal fishing catches consisting of salmon, herring, various kinds of ground fish, and Dungeness crab.

Doran Regional Park includes one boat launch ramp, two small parking lots for boat trailers, a boat washing station, a fish cleaning station, campsites, day use parking, a jetty day use area, picnic tables, restrooms, showers, an RV dump station, boardwalks, trails, a 2-mile stretch of beach, and a rock jetty suitable for fishing and crabbing. The Park supports 360,000 to 390,000 total visitors per year and approximately 6,300 boat launches per year. The existing Doran boat launch can accommodate boats up to 20 feet long, and the current parking facilities can accommodate up to 30 vehicles with trailers.

Currently, Doran's existing boat ramp safety grooves are worn out, as are the adjacent boarding floats and piles. The eastern parking lot's paved surface is cracked and the parking stripes are almost completely worn away, and the western parking lot consists of unpaved gravel and does not utilize striping. The existing boat washing station is located directly adjacent to the launching ramp, which is causing traffic conflicts and safety hazards when vehicles line up to use both facilities. The fish cleaning station is serviceable but does not meet current food handling standards.

Westside Regional Park includes a 2-lane boat launch ramp, a parking lot for boat trailers, a boat washing station, a fish cleaning station, campsites, day use parking, picnic tables, restrooms, and showers. The Park receives approximately 60,000 to 70,000 visitors per year, and the boat launch receives approximately 18,500 launches boat per year.

Westside's boat ramp safety grooves are also worn out, there are cracks at the top of the ramp, and a scour hole has formed underwater at the base of the ramp creating a safety hazard. The boarding floats and piles are also worn. The adjacent parking lot surface is worn, and striping is nonexistent in places. The fish cleaning station is worn, lacks built-in waste disposal, the dumpster currently used for fish disposal produces strong odors, and the existing lighting does not meet standards for low-impact lighting. The boat washing station does not meter water, and draining water often pools at a pipe that leads into a vegetated swale. The vegetated swale

terminates at a rip rap wall running along the edge of Bodega Harbor north of the existing boat launch ramp. In 1992 the Commission issued coastal development permit (CDP) 1-91-48 which, among other things, approved the repair and maintenance of this rip-rap within the existing riprap footprint (**Exhibit 5**). Some rip-rap has migrated from its original placement and is now lying in the intertidal zone of the harbor. The Westside 2-lane launch often gets high usage by the public, causing lines to form. The small navigation channel leading from the launch ramp to the main navigation channel was last dredged approximately 20 years ago, and shoaling that makes the channel too shallow for some boats is occurring on the south side of the channel.

B. PROJECT DESCRIPTION

The proposed project includes several refurbishments at both Doran and Westside Regional Parks. At Doran, the proposed project would resurface the boat ramp with precast concrete; replace piles; replace floating docks; replace the gangway with a slotted material for increased light penetration; resurface and restripe the existing paved parking lot; pave and stripe the gravel parking area and add a pedestrian sidewalk; create islands in the parking lots with vegetation; move the boat washing station to a compacted dirt pull-out currently used for overflow parking on the south side of Doran Beach Road; upgrade the fish cleaning station fish processing facilities; and perform structural repairs. (See page 7 of **Exhibit 2** for full site plans). Project work at Doran would result in a net increase in overwater structures of 738 square feet and fill 156 square feet of coastal waters.

At Westside, the proposed project would widen the boat ramp and resurface the ramp with precast concrete; replace dock piles; replace floating docks; replace the existing gangway with slotted material for increased light penetration; replace hoses at the boat washing station with hoses timed for water conservation; upgrade fish processing facilities and perform structural repairs at the existing fish cleaning station; resurface and restripe parking lots, replace signage, and remove a shrub island; dredge the navigation channel adjacent to the launch ramp using an excavation bucket, silt curtain, or portable cofferdam to reduce turbidity; disposal of dredge spoils at the Redwood Landfill or other acceptable location; pave an existing dirt trail leading along the water north of the launch ramp to comply with Americans with Disabilities Act (ADA) Standard for Accessible Design; and add three concrete pads for picnic tables (See page 17 of Exhibit 2 for full site plans). Project work at Westside would result in a net increase in over water structures of 282 square feet, fill in coastal waters of 637 square feet and 242 square feet of wetland fill.

The proposed project has incorporated significant mitigation measures into the project description, which are further outlined in **Exhibit 3**.

C. STANDARD OF REVIEW

The proposed project involves development both in an area of the Commission's retained CDP jurisdiction, as well as development in an area of CDP jurisdiction delegated to Sonoma County by the Commission through certification of the County's Local Coastal Program (LCP). Coastal Act Section 30601.3 authorizes the Commission to process a consolidated CDP application in such cases when the local government, the applicant, and the Executive Director all agree to such consolidation. The standard of review for a consolidated CDP application is the policies of

Chapter 3 of the Coastal Act. The local government's certified LCP may also be used as non-binding guidance.

The proposed development would occur within public tidelands and on land within both Doran and Westside Regional Parks. The public tidelands of Bodega Harbor and the portions of the project on land in Westside Regional Park are located within the Commission's retained and original jurisdiction. The portions of the project on land in Doran Regional Park are located within the County's coastal permitting jurisdiction. The County and the Applicant, County Parks, have requested, and the Commission has agreed, that the Commission review the entire project (including the portion located within the County's LCP permit jurisdiction) as one combined and consolidated CDP application as allowed in Section 30601.3 of the Coastal Act. Thus, the standard of review for the proposed project is the Chapter 3 policies of the Coastal Act, with the Sonoma County LCP providing guidance.

D. MARINE RESOURCES

Coastal Act Section 30230 requires that marine resources be maintained, enhanced, and restored. New development must not interfere with the biological productivity of coastal waters or the continuance of healthy populations of marine species. Coastal Act Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Bodega Harbor supports eelgrass beds, which are rich ecosystems that serve as nursery habitats for many fish species. As nursery habitats, eelgrass beds are not only important habitats in and of themselves, but they are also important for maintaining the biodiversity and abundance of marine species in the surrounding open waters. Some of these open water populations support commercial and recreational fisheries. In Bodega Harbor specifically, eelgrass provides spawning habitat for herring, which typically spawn in December and January.

The Applicant's biological consultants from Prunuske Chatham, Inc. conducted a visual survey for eelgrass in 2012. The full report of this survey can be found in the *Bodega Bay Boat Launch Facilities Improvements Doran Park & Westside Park Draft Mitigated Negative Declaration and Initial Study*, which is listed in **Appendix A**. At Doran, the consultants observed a patch of eelgrass northeast of the existing boat ramp, but reported that it appeared to be beyond the limits of construction. At Westside, the consultants noted one patch of eelgrass north and one south of the existing floating docks and two patches in deeper waters of the launch area. Another patch was observed adjacent to the navigation channel, and the consultants reported that this patch is most likely avoidable during proposed dredging operations. See **Exhibit** 6 for excerpts and photos from the visual survey report which describe and illustrate the specific locations of the eelgrass patches identified. Depending on the exact size and locations of the eelgrass patches and the construction footprint, there may be impacts to eelgrass either from construction or new

structures. Therefore, the proposed project description includes mitigation measures that commit the project to complying with the NOAA Fisheries Draft Eelgrass Mitigation Guidelines. These guidelines constitute the standard procedure used for mitigating impacts to eelgrass habitats. The guidelines recognize that eelgrass beds naturally fluctuate in size and shape seasonally; therefore, they require that an eelgrass survey be conducted in the eelgrass growing season prior to the commencement of construction to inform a mitigation and monitoring plan. According to the NOAA Fisheries Draft Eelgrass Mitigation Guidelines, the eelgrass growing season for northern California (which includes Bodega Harbor) is May through September. Such a survey is already included in the project description (**Exhibit 3**, Mitigation Measure Biol-7).

Further, the guidelines include consideration of impacts to eelgrass from both direct impacts (i.e., dredging and shading from new overwater structures) and indirect impacts (i.e., turbidity). The proposed project includes both a dredging component and the addition of new overwater structures totaling 282 square feet at Westside and 738 square feet at Doran. These new overwater structures would only impact eelgrass if eelgrass exists within the to-be shaded areas, which will be determined by the pre-construction survey.

The project description does not currently specify details regarding the pre- and post-construction surveys or the need to mitigate impacts from direct disruption and shading. It does not include details about how impacts to eelgrass will be mitigated, including a location for mitigation, methods, and monitoring criteria. Therefore, **Special Condition 4** reiterates the requirements in the NOAA Fisheries Draft Eelgrass Mitigation Guidelines in order to ensure all impacts to these marine resources are appropriately mitigated, and requires the submittal of an Eelgrass Mitigation and Monitoring Plan. As conditioned, the project is consistent with Coastal Act Section 30230 regarding protection of marine resources.

The noise produced during construction also has the potential to negatively affect marine resources, including fish. Generally speaking, construction activities such as pile driving produce compression waves that propagate through water and have the potential to injure organisms. In 2008, an interagency Fisheries Hydroacoustic Working Group produced an Agreement in Principle for Interim Criteria for Injury to Fish from Pile Driving Activities, which identified two criteria as upper limits of acceptable sound exposure for fish: 206 decibels (dB) peak and 187 accumulated sound exposure level (SEL) for all listed fish except those that are less than 2 grams, which instead have a limit of 183 dB accumulated SEL. Because listed fish such as coho and chinook salmon are known to occur in Bodega Harbor, the application of these criteria is appropriate.

The Mitigation Measures in the proposed project (**Exhibit 3**) already include provisions to keep noise from pile driving within the limits of the dual criteria. These include 1) minimizing the number of piles driven, 2) using a vibratory hammer if steel piles are used and impact hammer with a cushioning block if concrete piles are used, and 3) time constraints and noise monitoring. The methods for noise monitoring are not described in a high level of detail.

An independent study determined that driving concrete piles with an impact hammer produces 185-188 dB, and driving steel piles with a vibratory hammer results in 165-185 dB. More specifically, a 24-inch wide steel pile driven with a vibratory hammer produced 160 dB. Since

the piles in the proposed project will have a smaller 18-inch diameter, it is anticipated that the peak noise level will remain below 160 dB, which is below the dual criteria, and therefore it is not expected that the project will cause significant noise impacts.

However, to ensure pile driving does not cross the acceptable thresholds, **Special Condition 5** requires a Hydroacoustic Monitoring Plan describing methods for real time monitoring, provisions for the cessation of pile driving if underwater sound exceeds either of the dual criteria, and a plan for reducing sound for the remaining construction. Therefore, as conditioned, the project's pile driving will meet Coastal Act Section 30230 requirements.

Lighting also has the potential to disrupt marine resources by interfering with the behaviors and life history of species, among other effects. The proposed project includes the replacement of existing lighting with light equipped with timers, thus reducing impacts to marine species. However, this detail is not included in the project plans (**Exhibit 2**), so **Special Condition 1d** includes the provision that no new lighting shall be added, and that existing lighting fixtures shall be replaced with downcast fixtures that are adequate for the safety and ease of boater use while directing light away from sensitive resources. Lighting shall include timers with motion detectors to decrease the amount of time lights will be on. Therefore, as proposed by the Applicant, and as conditioned through **Special Condition 1d**, the proposed project's alterations to lighting at the two parks are consistent with the marine resource protection policies of the Coastal Act.

E. WATER QUALITY

Coastal Act Section 30231 requires that the productivity of coastal waters necessary for the continuance of healthy populations of marine species shall be maintained and restored by minimizing waste water discharges and entrainment and controlling runoff. Coastal Act Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

As is the case with most construction taking place in or near coastal waters, this project has the potential to affect coastal water quality during the construction phase and from the construction materials used. Through its proposed design and mitigation measures (**Exhibit 3**), the proposed project protects coastal water quality in several ways. First, the proposed project has incorporated best management practices (BMPs) to minimize and treat runoff from parking lots and the boat washing stations at both Doran and Westside Regional Parks. Generally speaking, parking lots have the potential to impact coastal water quality by increasing water velocity and delivering pollutants that accumulate on the pavement. Therefore, incorporating a BMP that slows water velocity and allows for the natural

degradation of pollutants before they enter coastal waters is preferred. The proposed project includes vegetated swales that accomplish these goals and meets the Coastal Commission's water quality recommendations. Secondly, the proposed project has also incorporated a number of mitigation measures (**Exhibit 3**) to address turbidity that may result from pile driving and dredging. The mitigation measures include 1) working from the existing ramp and/or a small barge to reduce turbidity, 2) vibrating the existing piles before removing them to allow sediment to slough off, 3) slowly removing the piles to allow sediment to slough off near the mudline, 4) pile driving during low tide, 5) monitoring nearby turbidity and deploying a silt curtain if turbidity crosses the allowable limit, 6) completing as much construction as possible away from coastal waters, 7) preventing equipment from discharging pollutants into coastal waters, 8) using a spill contingency plan for waste spills into the harbor, 9) using floating booms to contain debris, and 10) using pre-cast concrete for the boat ramps under the average higher high tide (MHHW) line.

In addition to the mitigation measures incorporated as part of the project, the Commission requires special conditions to further protect water quality. **Special condition 1b** requires additional BMPs to minimize the impacts of turbidity resulting from dredging, including stipulations that dredging activities shall be executed as quickly as practicable during low tides. **Special condition 1c** requires that all concrete, including concrete used for boat ramps and piles, be cured for at least 30 days in an upland location removed from possible contact with coastal waters. As conditioned, the proposed project is consistent with the water quality protection policies of the Coastal Act.

F. FILL OF WETLANDS

Coastal Act Section 30121 defines wetlands as:

...land within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Coastal Act Section 30233 limits fill in wetlands except for certain purposes. Section 30233 further limits fill activities to instances where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Section 30233(a) states:

The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- (4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- (6) Restoration purposes.
- (7) Nature study, aquaculture, or similar resource-dependent activities.

The proposed project includes the widening of the Westside boat ramp from two lanes to three lanes. The ramp extends from the parking lot down into the water to a depth of about 5 feet below mean lower low water (MLLW). Tidal mudflats within Bodega Harbor are located in the areas between the average higher high tide (MHHW) and the average lower low tide (MLLW). According to the Coastal Act Section 30121, mudflats are considered to be wetlands. Since the ramp extends higher than high tide and lower than low tide, only part of the ramp's length overlaps with tidal mudflats. Therefore, widening the ramp would fill 879 square feet in total, 637 square feet of which is open coastal waters, and 242 square feet of which is tidal mudflat.

At Doran, the project will result in 156 square feet of fill of coastal waters due to the addition of riprap stone at the base of the boat launch ramp, which is permanently inundated. Therefore, no fill of wetlands would occur at Doran.

Section 30233 requires that fill of coastal waters and wetlands must be 1) an allowable use, 2) the least environmentally damaging feasible alternative, and 3) provide adequate mitigation.

Allowable Uses

The purpose of the proposed 879 square feet of fill at Westside and 156 square feet of fill at Doran is to widen or improve boat launch ramps to accommodate the demand for recreational boating launch facilities at both Parks. Currently, boat trailers often line up and wait to launch their boats, causing traffic and circulation problems within both parks, and widening and improving the launch ramps would alleviate this existing burden to public access. Coastal Act Section 30233 (a) allows fill of open coastal waters and wetlands for expanded ports consistent with the intent of this project. Section 30233(a) also allows fill of open coastal waters and wetlands for new or expanded boating facilities. Thus, this type of modification is allowed in the seven allowable uses enumerated under Section 30233(a)

Least Environmentally Damaging Feasible Alternative

The project as proposed would widen and improve already existing boat ramps by the minimum amount necessary to alleviate recreational boating access problems in the two Parks. Alternatives for the proposed project, including the construction of a new launch ramp and no change, were considered but determined to be infeasible and ineffective at solving the traffic problem,

respectively. At Westside, alternative ramp widths were considered, and the minimum width that can safely accommodate boat launches was selected in order to minimize the amount of fill in coastal waters. Widening the launch ramps in their current locations would also restrict project impacts to within or directly adjacent to already developed areas. The construction plans and construction materials incorporated into the project discussed further in the water quality section above also minimize environmental impacts to adjacent areas and sensitive habitats. Thus, widening the boat ramps in the proposed locations is the least environmentally damaging feasible alternative.

Mitigation

As with other projects in the marine environment, development of this sort has the potential to lead to direct and indirect impacts on coastal resources. The Applicant has incorporated Mitigation Measures into the proposed project to avoid or minimize potential environmental impacts (**Exhibit 3**). These mitigation measures include measures to avoid or minimize construction-related adverse impacts to the marine environment and water quality, as well as to special-status wildlife species that are considered to have potential to occur within or nearby the project sites. The Commission also requires additional construction BMPs be incorporated into the project to further minimize and mitigate for potential impacts. **Special Condition 3** requires construction parameters that limit the area of construction, clearly fence off the minimum construction area necessary, keep equipment out of coastal waters, and require equipment and material storage away from tidal waters during non-construction times.

To mitigate for the loss of 242 square feet of wetland habitat (tidal mudflats) at Westside, the Applicant proposes to restore and convert degraded shoreline habitat approximately 500 feet north of the Westside launch ramp to tidal mudflats at a ratio of 2:1, which is an appropriate mitigation ratio for impacts to mudflats in this area, according to the Coastal Commission staff biologist Dr. John Dixon. Currently, a rip-rap wall separates the degraded shoreline from a raised vegetated bluff. This rip-rap wall was permitted by the Coastal Commission in 1993 in the size and configuration shown in **Exhibit 5.** Since 1993, some of the rip-rap has slumped onto the shoreline below. The proposed project involves restacking and stabilizing the rip-rap in its originally permitted configuration. Next, the shoreline below would be graded such that it is tidally inundated, thus creating a new inundation regime for mudflats. **Special Condition 2** requires the submittal of a Mudflat Mitigation and Monitoring Plan specifying the mitigation area, grading plan, riprap restacking plan, and monitoring criteria. As conditioned, the project mitigates for the impacts to wetlands consistent with Coastal Act Section 30233(a).

G. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Coastal Act Section 30240 requires the protection of environmentally sensitive habitat areas (ESHA) and states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks

and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The existing boat washing station at Doran Regional Park is located approximately 50 feet from the existing boat launch ramp. Boat trailers using the launch ramp often inadvertently drive into the boat washing station in their efforts to maneuver their boats onto the ramp. Additionally, vehicles regularly line up to use both the launch ramp and the boat washing station, particularly during high use times of the year. These use conflicts result in significant traffic and public safety hazards, and as a result, the proposed project includes the relocation of the Doran Park boat washing station to an area farther away from the boat launch ramp and the traffic lining up to use the ramp.

Initially, the proposed footprint of the new relocated boat washing station covered a dirt pullout area on the side of Doran Beach Road and some adjacent land to the south. In 2012, the
Applicant's biologists from Prunuske Chatham, Inc. produced a Biological Resources—Site
Analysis Report for the Initial Study performed for this project under the California
Environmental Quality Act (CEQA). These biologists determined that "northern foredune
vegetation is present at the proposed Doran boat wash location," and it is "dominated by
invasive non-native species European beachgrass (Ammophila arenaria) and iceplant, but
native dune species are also common, including beach strawberry, silver beachweed, coyote
brush (Baccharis pilularis), California goldenbush (Ericameria ericoides), beach evening
primrose (Camissoniopsis cheiranthifolia), and California poppy (Eschscholzia californica)."
The Coastal Commission staff biologist also examined the dune habitat in the proposed boat
washing station location and determined that the area, while degraded, is still considered
ESHA.

In response to these findings, Commission staff worked with the Applicant to examine other possible locations for the boat washing station in order to avoid impacts to ESHA. As a result, the Applicant has reconfigured the design of the new boat washing station to be two stations in tandem orientation, thus reducing and keeping the footprint of the new boat washing station within the existing compacted dirt pull-out on the south side of Doran Beach Road and outside of the existing degraded ESHA located on land to the south (Exhibit 4). This change is not yet reflected in the submitted project plans, so the change is required to be incorporated into the Revised Final Project Plans through **Special Condition 1a.** Similarly, the Applicant plans to incorporate a BMP such as a gravel trench that will capture effluent from the boat washing, but this change is also not yet reflected in the project plans. Effluent from the boat washing station would not negatively impact the dunes provided that such a BMP is used and provided that no soaps or substance besides freshwater are used during boat washing. These requirements are also incorporated in **Special Condition 1a.** Therefore, with the footprint modified, a BMP incorporated, and boat washing practices constrained through Special Condition 1, the new location of the Doran boat wash station would not directly impact ESHA, consistent with the sensitive habitat policies of the Coastal Act.

H. DREDGING

Coastal Act Section 30233 limits dredging except for certain purposes. Section 30233 further limits dredging activities to instances where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. Section 30233(a) states:

The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- (4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- (6) Restoration purposes.
- (7) Nature study, aquaculture, or similar resource-dependent activities.

The proposed project includes dredging the existing channel that leads from the Westside boat ramp to the main navigation channel leading in and out of Bodega Harbor. In order for vessels to safely launch at the Westside ramp, a minimum water depth of 4 feet below mean water level must be maintained throughout the entire length of the navigation channel. Westside's small channel was last dredged approximately 20 years ago, and portions of the channel have since accumulated sediment. Dredging would remove this shoaled sediment and improve the safety and navigability of the channel.

Section 30233 requires that dredging of coastal waters must be 1) an allowable use, 2) the least environmentally damaging feasible alternative, and 3) provide adequate mitigation. First, the proposed dredging activity would restore previously dredged depths in an existing navigational channel, so it constitutes one of the seven allowable uses enumerated under Section 30233(a)—specifically, Section 30233(a)(2). Second, there is no feasible less environmentally damaging alternative to maintaining this boat launch facility, as the navigability of the channel is integral to the entire facility's utility. The Applicant plans to minimize impacts by including the minimum amount of dredge material necessary to maintain a safe, navigable water depth—approximately 1,300 cubic yards—and by constraining dredging operations to an existing navigation channel. However, the amount of material to be dredged is not currently specified in the project plans;

therefore, **Special Condition 1b** specifies that the dredge amount will not exceed 1,300 cubic yards. Finally, the project description includes Mitigation Measures that address and minimize potential impacts from dredging activities on coastal resources, including pre-dredging biological surveys, the use of silt curtains, and a plan to perform the work from the existing ramp or from a small barge (**Exhibit 3**). These Mitigation Measures are supplemented by additional BMPs required in **Special Condition 1b**, including limiting dredging operations to low tide periods and executing them as quickly as possible.

Section 30233(b) of the Coastal Act requires that dredge spoils suitable for beach nourishment be used for such purposes or placed in a suitable longshore current system. Section 30233(b) states:

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

A geotechnical study found that the sediment to be dredged has an average sand content of 68%. Generally, sand content of 80% or greater is required in order for sediment to be considered suitable for beach nourishment. Therefore, the sediment to be dredged at the Westside navigation channel is not appropriate for beach nourishment. The location of the disposal site for the spoils is currently unspecified in the proposed project description. Therefore, **Special Condition 1b** requires that the revised project description include the disposal site, which shall be either the Redwood Landfill or a closer location that meets the requirements of Coastal Act policies and the conditions of this coastal development permit. As conditioned, the proposed project is consistent with Section 30233(a) and 30233(b) of the Coastal Act.

I. RECREATION AND PUBLIC ACCESS

- **30210.** In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.
- 30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.
- **30213.** Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
- **30220.** Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.
- 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or

commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

- **30223.** Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.
- 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.
- 30234. Commercial fishing and recreational boating facilities. Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.
- **30234.5.** Economic, commercial, and recreational importance of fishing. The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.
- **30253(e).** Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.
- **30604(c).** Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development permit is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

The proposed project upgrades two existing public facilities designed to provide public recreational opportunities on the coastline and in the waters of Bodega Harbor, thus upholding and fulfilling Coastal Act Sections 30224, 30234, and 30234.5. Facility improvements include upgrades to enhance disabled access, including provisions to comply with ADA codes (i.e. providing disabled access to the coastline every 0.5 miles). The proposed project has also been scheduled to avoid not only time periods during which fish and bird species are particularly sensitive, such as spawning and nesting seasons, but also periods of high recreational fishing use, including the winter crabbing season. Therefore, the proposed project minimizes impacts to existing recreational fishing and public access during its construction phase and will ultimately improve public access and recreational fishing at its completion.

Any potential public recreational use impacts will be mitigated through the Applicant's proposed Mitigation Measures and **Special Condition 3** that limit the area of construction, limit the times

when work can take place, clearly fence off the minimum construction area necessary, keep equipment out of coastal waters, require cleaning of public roadways adjacent to construction sites, and restore all affected public access areas at the conclusion of construction. In addition, to provide maximum information to the beach-going public during all construction periods, the Applicant must maintain copies of the CDP and approved plans available for public review at the construction sites, as well as provide a construction coordinator whose contact information is posted at the sites to respond to any public inquiries that might arise, as required by **Special Condition 3**. As conditioned, the project is consistent with the Coastal Act access and recreation policies cited above.

J. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

Sonoma County, acting as the CEQA lead agency, adopted a Mitigated Negative Declaration for the proposed project on February 26, 2013. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The preceding coastal development permit findings discuss the relevant coastal resource issues with the proposal, and the permit conditions identify appropriate modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date have been addressed in the findings above, which are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the proposed project, as conditioned, would have on the environment within the meaning of CEQA. Thus, if so conditioned, the proposed project would not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A)

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- 1. Bodega Bay Boat Launch Facilities Improvements Doran Park & Westside Park Draft Mitigated Negative Declaration and Initial Study. Moffat & Nichol, Prunuske Chatham, Inc. January 3, 2013
- 2. NOAA Draft California Eelgrass Mitigation Policy. National Marine Fisheries Service Southwest Region, Draft 12/7/2011
- 3. *MEMORANDUM:* Agreement in Principle for Interim Criteria for Injury to Fish from Pile Driving Activities Fisheries Hydroacoustic Working Group, June 12, 2008





Date: May 28, 2014

To: Bodega Bay Boat Launch Facilities Improvements Project File

Responsible Agencies

From: Sonoma County Regional Parks

Subject: CEQA Review – Project Description Amendment for

Bodega Bay Boat Launch Facilities Improvements

Sonoma County Regional Parks (SCRP) is planning *Bodega Bay Boat Launch Facilities Improvements* at two sites on Bodega Bay: Westside and Doran Regional Parks that provide boat launch ramps with boarding floats, parking for vehicles with trailers, boat wash outs, and fish-cleaning stations to support these recreational uses. Both facilities need renovations to improve accessibility for persons with disabilities and to replace aging structures and supporting amenities.

CEQA Review Process to Date

In compliance with the California Environmental Quality Act (CEQA), SCRP conducted an Initial Study for the project including review of issues raised during a public scoping process in fall of 2012. Based upon the Initial Study, a draft Mitigated Negative Declaration was prepared and circulated for public review from January 3, 2013, to February 4, 2013. On March 26, 2013, the Sonoma County Board of Supervisors reviewed the draft document with comments received and staff responses. In light of the whole record, the Board of Supervisors determined that the project, as planned, will have no significant environmental impact, approved the Mitigated Negative Declaration, adopted a Mitigation, Monitoring, and Reporting plan for measures to protect sensitive resources during construction, and approved the proposed project. SCRP filed a Notice of Determination with the County Clerk and State Clearinghouse.

Project Implementation Planning

Since project approval, SCRP has been moving forward with developing final plans and obtaining approvals from regulatory agencies. Part of the project is dredging a small shoal that obstructs access in the side channel from the main harbor channel to the Westside boat launch. The original project description included two options for material dredged from the channel – either use to restore a denuded dune area at Doran or disposal/reuse by other parties. The dune restoration option created a potential impact on *Abronia umbellata* ssp. *breviflora*, a California Native Plant Society list 1B.2 plant. After substantial work with the California Coastal Commission (CCC), it became clear that the level of planning effort and requirements for dune restoration were not actually feasible within the scope of the boat launch facilities improvements, so SCRP is now altering the project description, as shown below, to eliminate the dune restoration option for the dredge materials. Changes in the project description are denoted by strikeout for deletions and underlined italics for additions.

Project Description (Revised May 2014)

In order to provide improved access, amenities, and safety at boat launching facilities in Bodega Harbor, Sonoma County Regional Parks (SCRP) proposes facilities repairs and upgrades to address ramp safety; worn out parking lots, boarding floats, launch, and related amenities; disabled access; and degraded, non-hygienic fish-cleaning stations at Westside and Doran Regional Parks. Specific improvements to boating facilities would include:

Westside Park:

Boat Ramp Refurbishment: The ramp would be expanded by 5 feet to accommodate 3 lanes and resurfaced with
precast concrete planks; cast-in-place concrete would be used to repair cracks in the upper ramp. A scour hole at
the toe of the ramp would be repaired using rock slope protection and the ramp surface extended one foot to
prevent scour from reoccurring. Worn-out piles and boarding floats would be replaced. The replacement floating
dock would include a low freeboard portion for small boats, such as kayaks. A slotted gangway would be installed
on one side of the boarding float in order to improve disabled access and to allow more light penetration for
eelgrass habitat.

- Channel Dredging: Sediment accumulated at the bottom of the boat ramp since the last dredging (±20 years ago) would be removed using a small mechanical machine with an environmental excavation bucket to reduce turbidity. In addition, a silt curtain or portable cofferdam may be used around the area. The material would be loaded onto a small barge and taken to the near shore, loaded onto a truck with a sealed gate, and driven to the Cypress Day-use Area for placement in the dune restoration at Doran described below or moved to another a disposal/reuse area as agreed with the project's funder, the Department of Boating and Waterways (DBW), and resource agencies. Dredging would avoid the small area of eelgrass growing to one side of the channel.
- **Parking Area:** The parking area would be resurfaced and restriped to accommodate 99 car-and-trailer spaces, including 4 disabled spaces, and 21 car-only spaces, including 5 spaces for vehicles with disabled placards. Existing parking lot islands with large trees would be retained and an existing island with low shrubs will be removed for circulation. The fee entry station and signage would be replaced.
- Boat Washdown: The boat washdown area would be upgraded with timed hoses for water conservation.
- **Fish-cleaning Station:** The fish-cleaning area would be upgraded, including structural repair or replacement, fish-cleaning surface replacement, and fish-processing upgrades.
- **Trail and Picnic Tables:** A new, concrete trail would be built to provide disabled access to the fish-cleaning station. The trail would be installed in the area where normal use patterns have already established a path. Three picnic tables on concrete pads would be located along the path.

Doran Park:

- **Boat Ramp Refurbishment:** The boat ramp would be resurfaced with precast concrete planks. Worn out piles and boarding floats would be replaced. The replacement floating dock would begin with a gangway and include a low freeboard portion for small boats and to improve disabled access.
- **Boat Washdown:** The boat washdown would be moved out of the parking lot and across the street for improved traffic flow and safety. The new location would be a pullout from the east-bound lane across from the Coast Guard Station.
- *Fish-cleaning Station:* The fish-cleaning station would be repaired/upgraded, which would involve structural repair or replacement, fish-cleaning surface replacement, and hose upgrades.
- Parking Area: The parking area would be resurfaced and restriped. Improvements may include features such as raised islands of plants or vegetated swales. A pedestrian sidewalk would be added along the water side of the parking lot for improved safety. The gravel parking area immediately west of the currently paved area would also be surfaced and striped. A vegetated swale for improved water retention and filtration would be added in the center of the parking area between the existing paved and gravel lots.
- Dune Restoration: The opportunity created by clearing the Westside channel of accumulated sand and soil would provide materials for restoration of foredune habitat at the Cypress Day use Area at Doran. The area proposed for restoration has been worn away by unrestricted visitor use and is now open sand, although within the line of existing dunes. The restoration area would be contoured to create lateral dunes 2.5-3 feet high with paths between them. The area would be planted and seeded with foredune natives and fenced during the plant establishment. Trails would be developed to protect the enhanced habitat.

Additional CEQA Review

CEQA Guidelines §15162(c) states that, after approval of a project, further review is not required unless there will be additional discretionary approvals of the project AND the conditions in §15162(a) apply. This project still requires discretionary approval from the CCC; however, the conditions in §15162(a) do not apply. That section states that there will be no further environmental review unless:

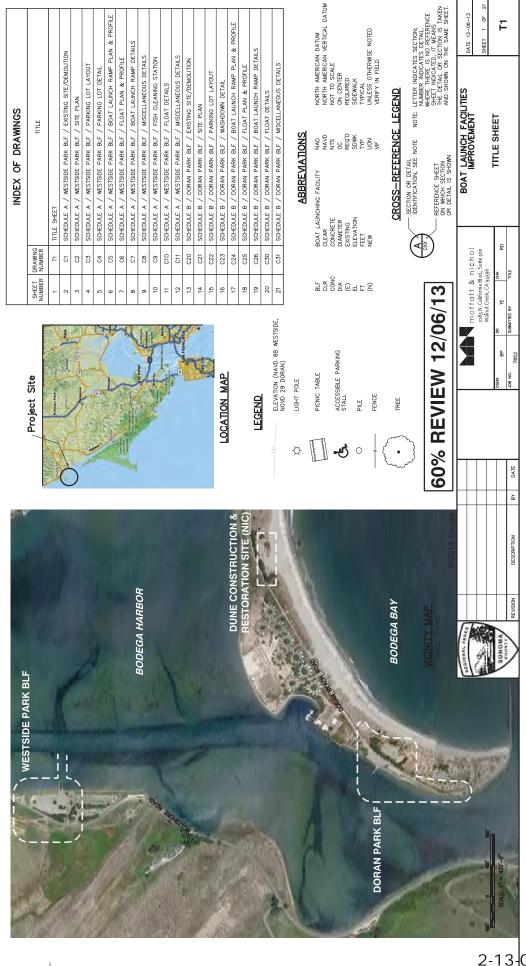
- The project will have one or more significant effects not discussed in the original CEQA document;
- Significant effects originally discussed will be substantially more severe than previously shown;
- Mitigation measures previously identified as infeasible turn out to be feasible and would substantially reduce significant impacts of the project, but the project proponent declines to implement them; or
- Mitigation measures not analyzed in the original document would substantially reduce one or more significant effects of the project, but the project proponent declines to implement them.

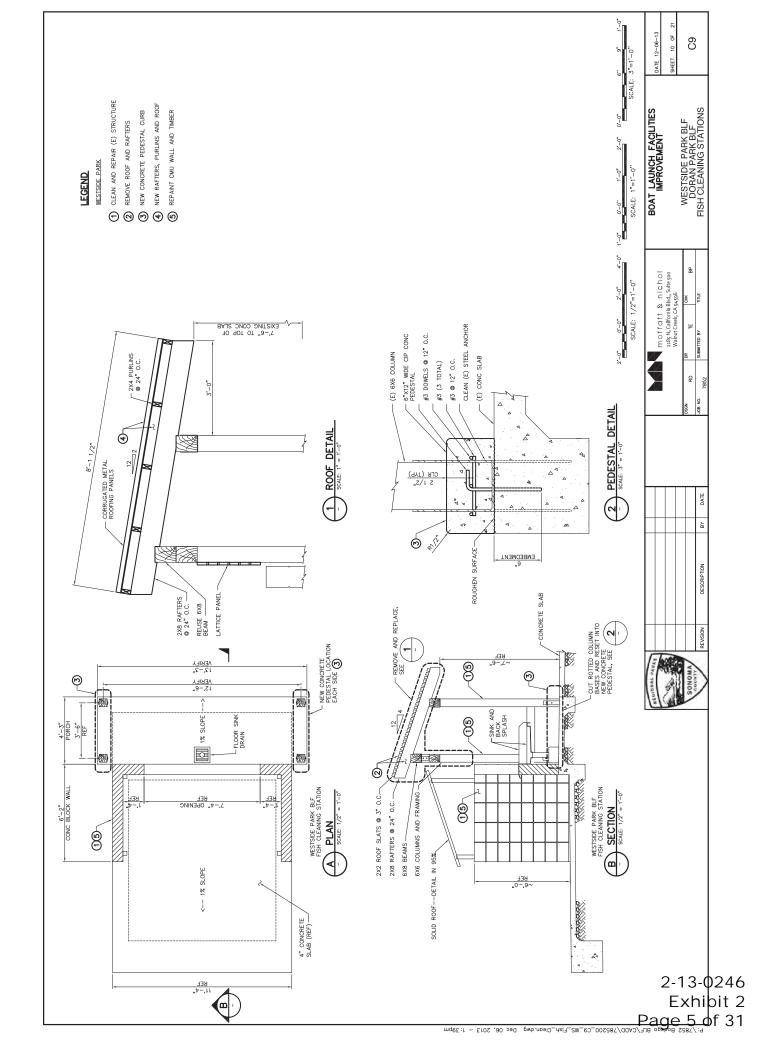
Removing the dune restoration from the project eliminates one of the alternatives for the dredge material disposition (dune restoration) but leaves the other alternative previously evaluated (i.e., transport to a disposal/reuse area as agreed with the project's funder and resource agencies).

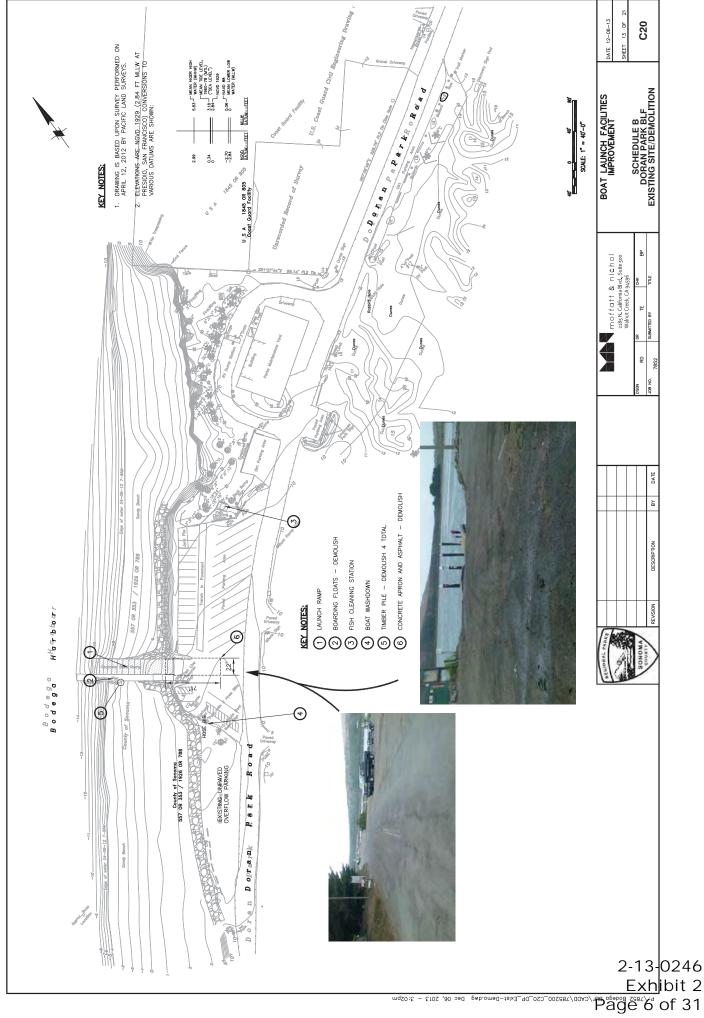
Since the original CEQA analysis found no significant impacts from project implementation, and the revision in the project description does not produce any new significant impacts, no new analysis is required.

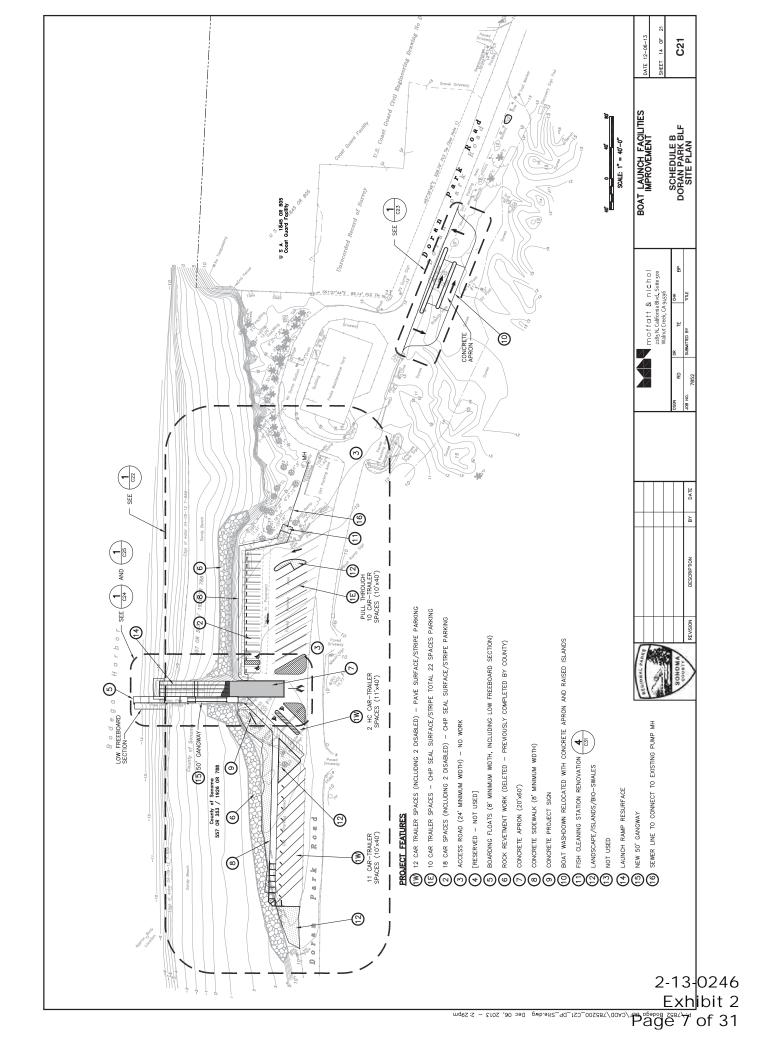
BOAT LAUNCH FACILITIES IMPROVEMENT SCHEDULE A - WESTSIDE PARK **SCHEDULE B - DORAN PARK**

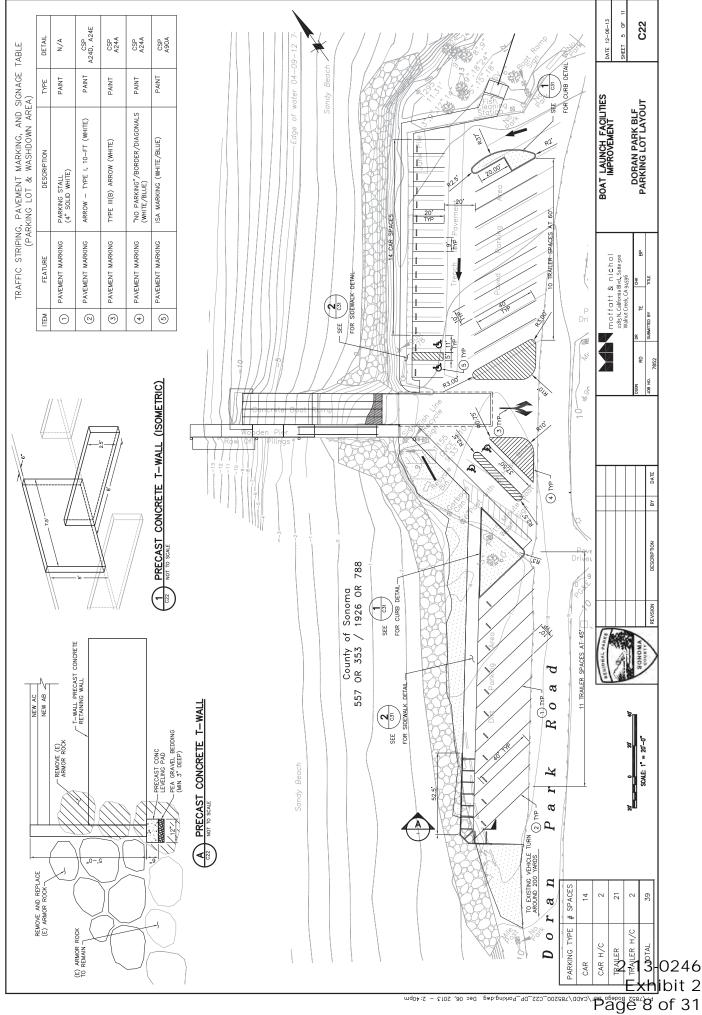
SONOMA COUNTY REGIONAL PARKS, BODEGA BAY, CALIFORNIA

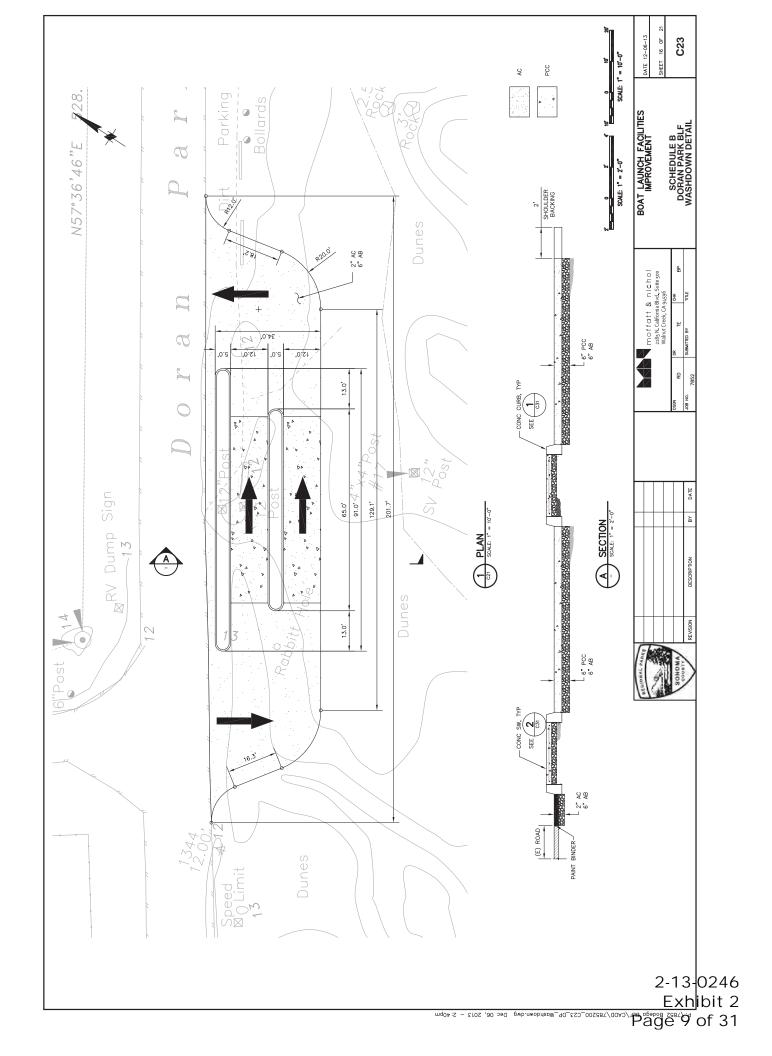


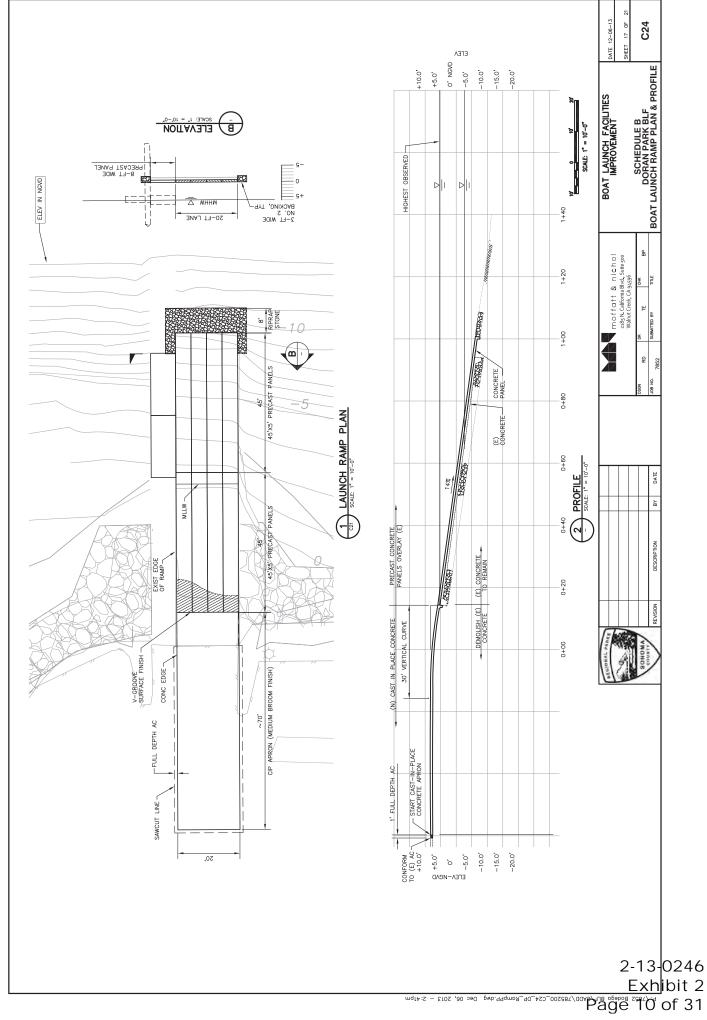


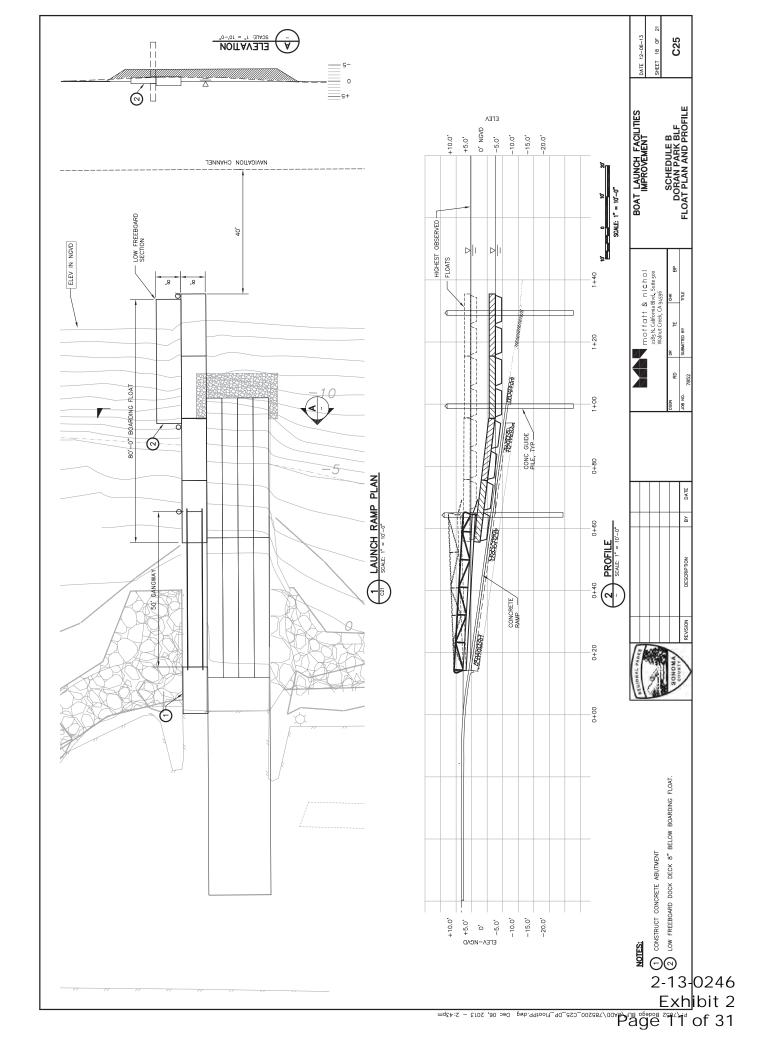


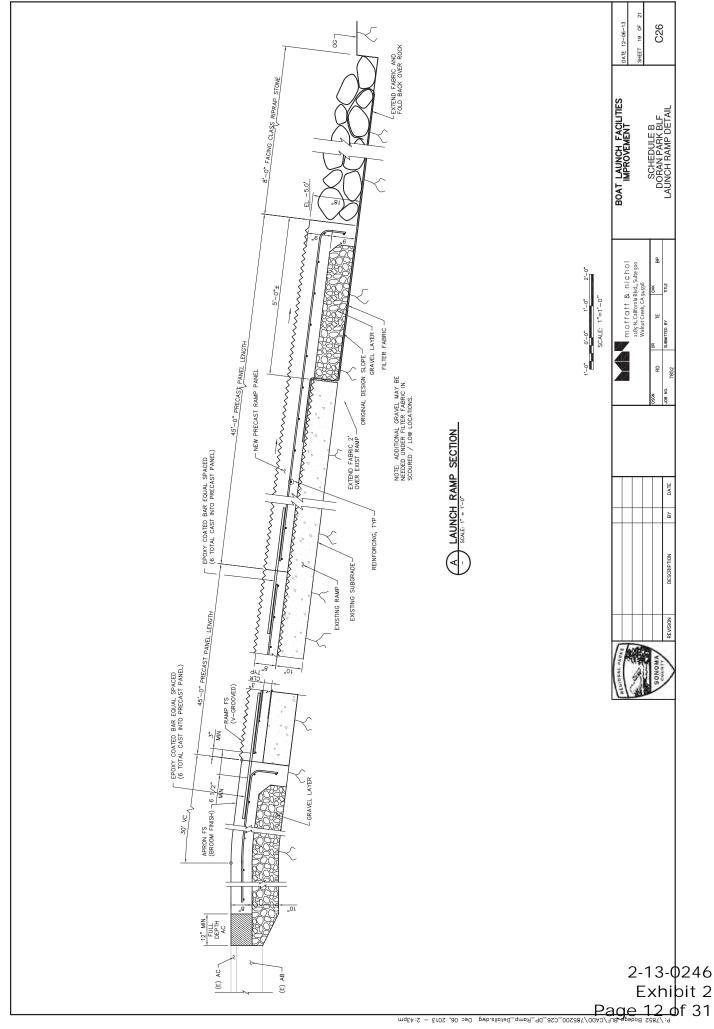


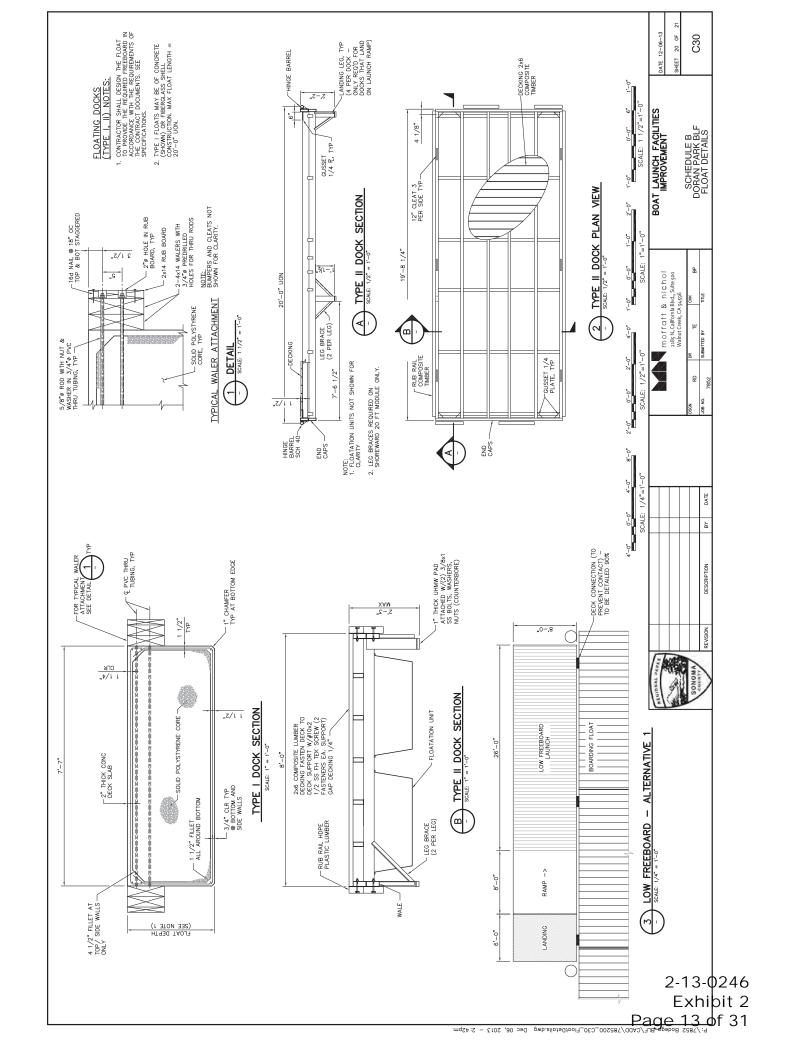


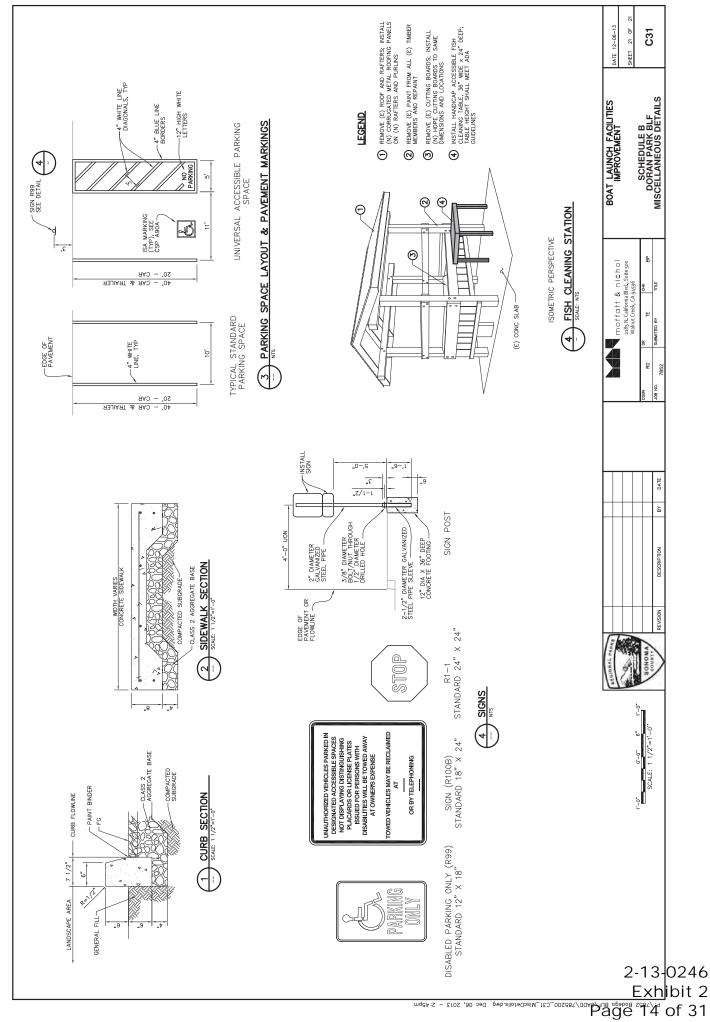












BOAT LAUNCH FACILITIES IMPROVEMENT SCHEDULE A - WESTSIDE PARK

SONOMA COUNTY REGIONAL PARKS, BODEGA BAY, CALIFORNIA



WESTSIDE PARK BLF

BODEGA HARBOR

ABBREMATIONS CORRECTION OF STREET ACCESSIBLE PARKING STALL PICNIC TABLE JICHT POLE **-**5 °

- CONTACT THE COUNTY IMMEDIATELY UPON FINDING FIELD CONDITIONS THAT CONFLICT WITH THE DRAWINGS. ALL FIELD ADJUSTMENTS SHALL BE APPROVED BY THE COUNTY BEFORE CONSTRUCTION. representatives of the departural of pains and recreation, division of boating and waterways shall be allowed access to all parts of the construction wor
- . PROTECT ALL EXISTING FEATURES TO REMAIN FROM DAMAGE
- 5. VERIFY THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES BEFORE CONSTRUCTION: CALL UNDERGROUND SERVICE, ALT I—(B00)—227—2800 OR 811.
- MEEP THE PROJECT SITE IN A NEAT AND ORDERLY CONDITION, FREE OF RUBBISH AND DEBIGS, AT ALL THES.
 - all concrete shall gure for 30 days pricr to installation in waters of Bodega Harbor.

CROSS-REFERENCE LEGEND

VICINITY MAP

BODEGA BAY

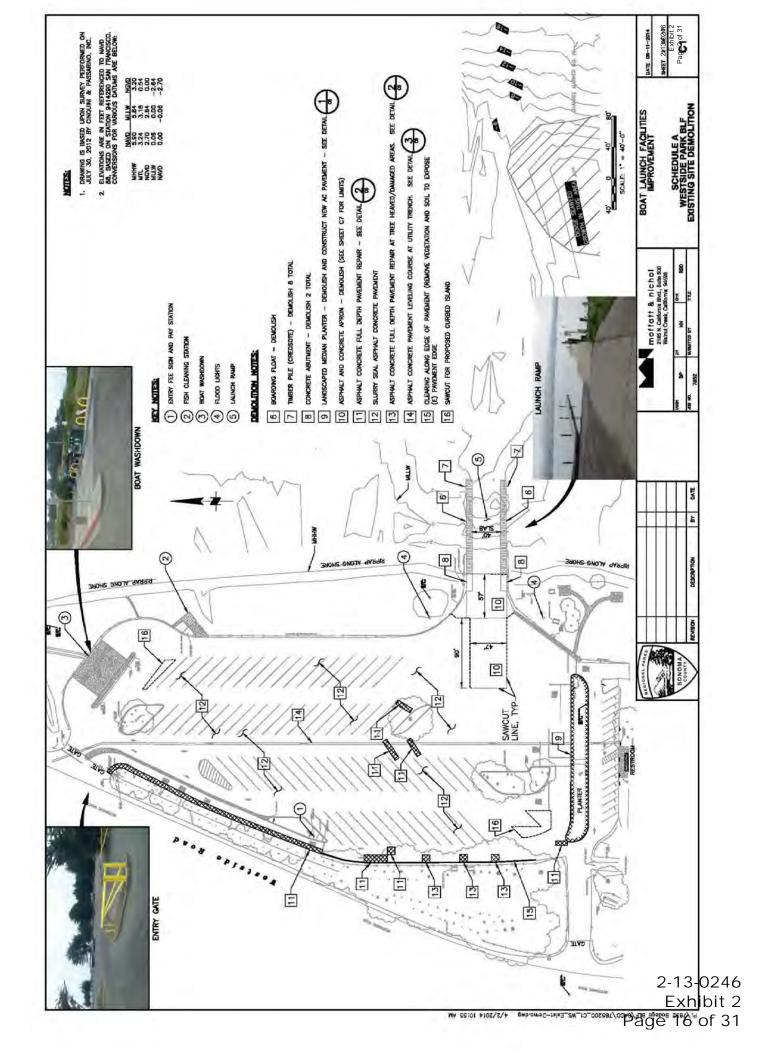
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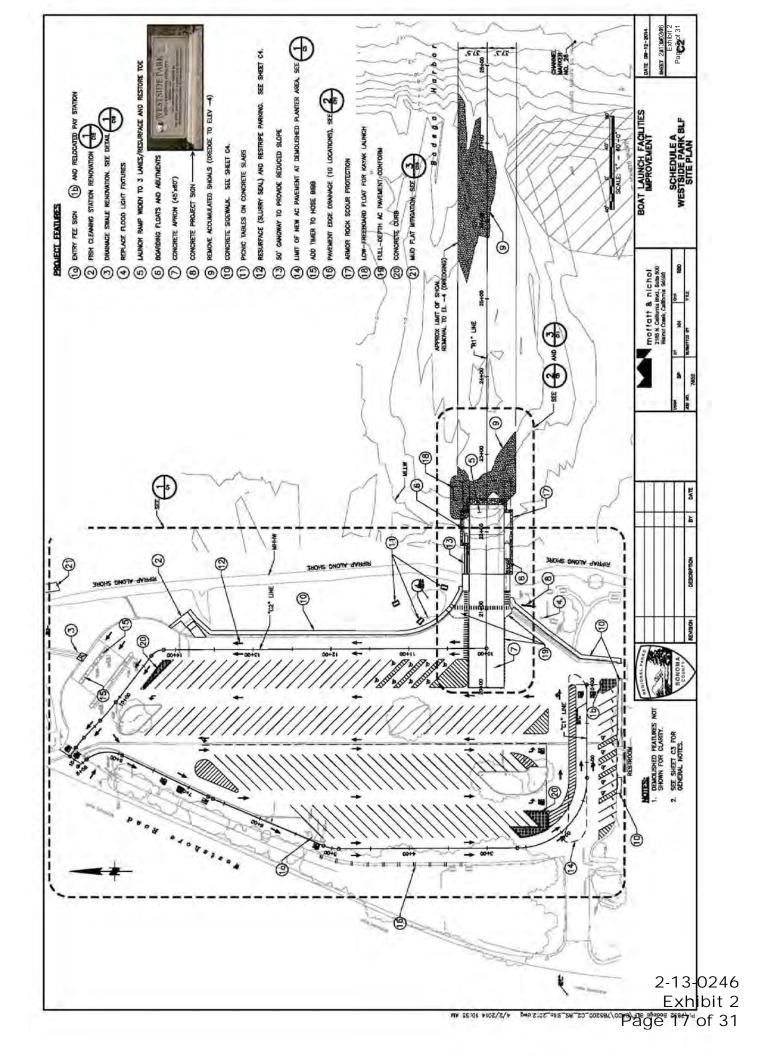
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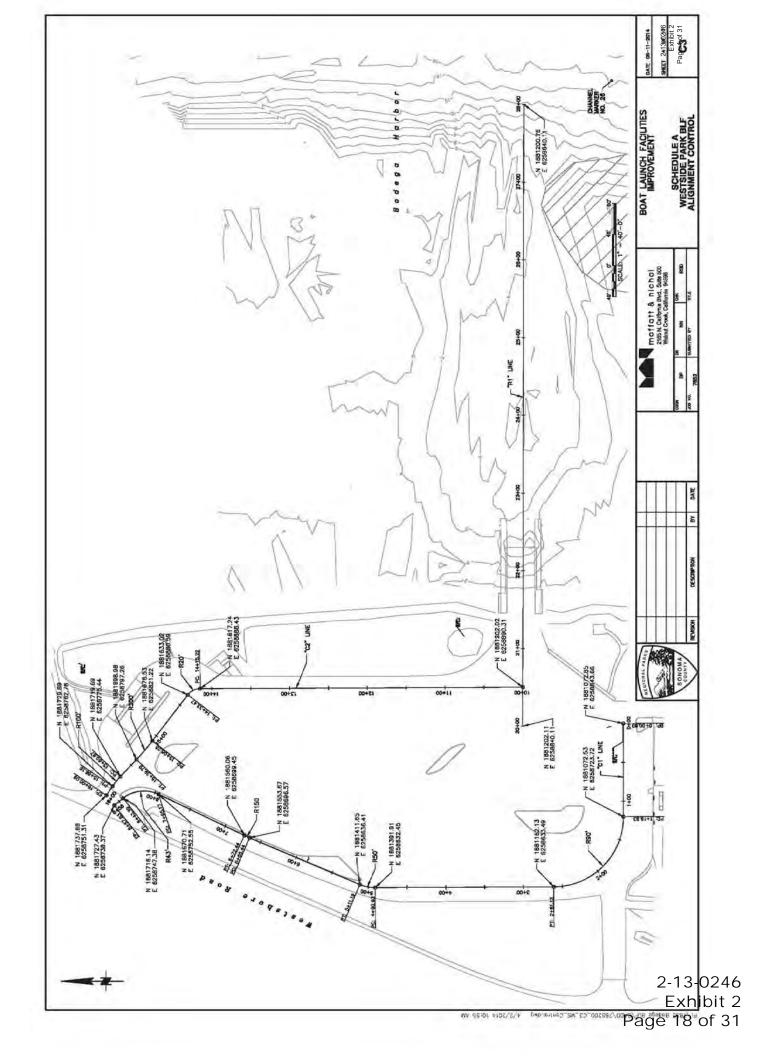
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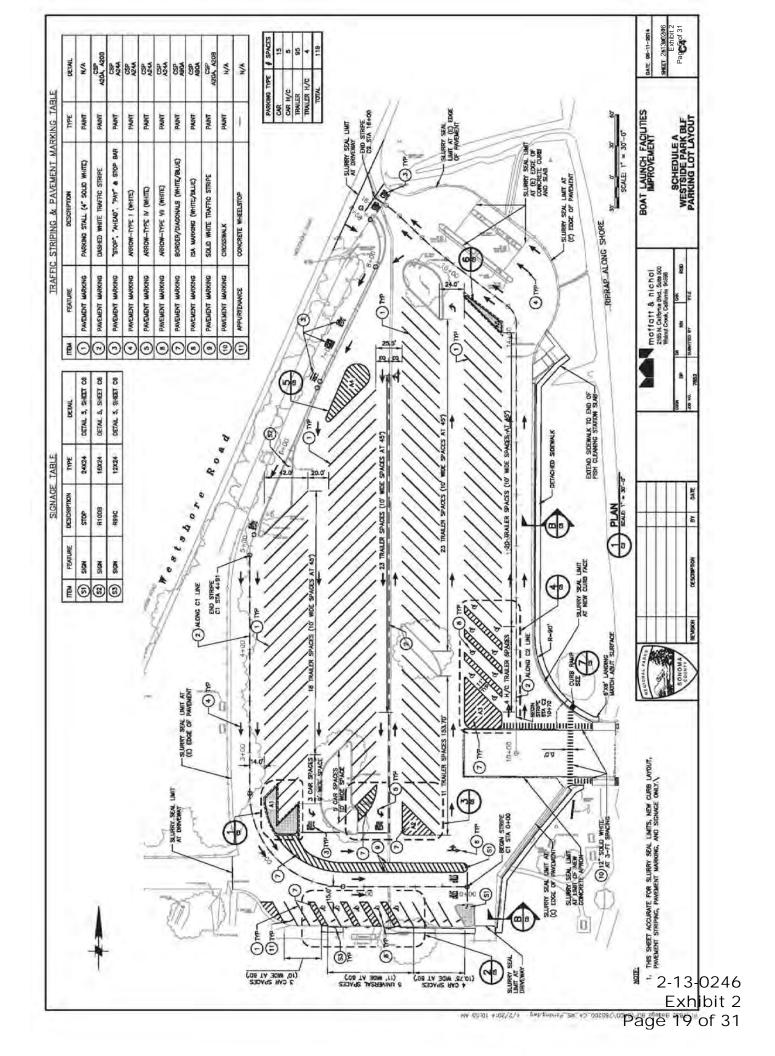
BOAT LAUNCH FACILITIES IMPROVEMENT TITLE SHEET

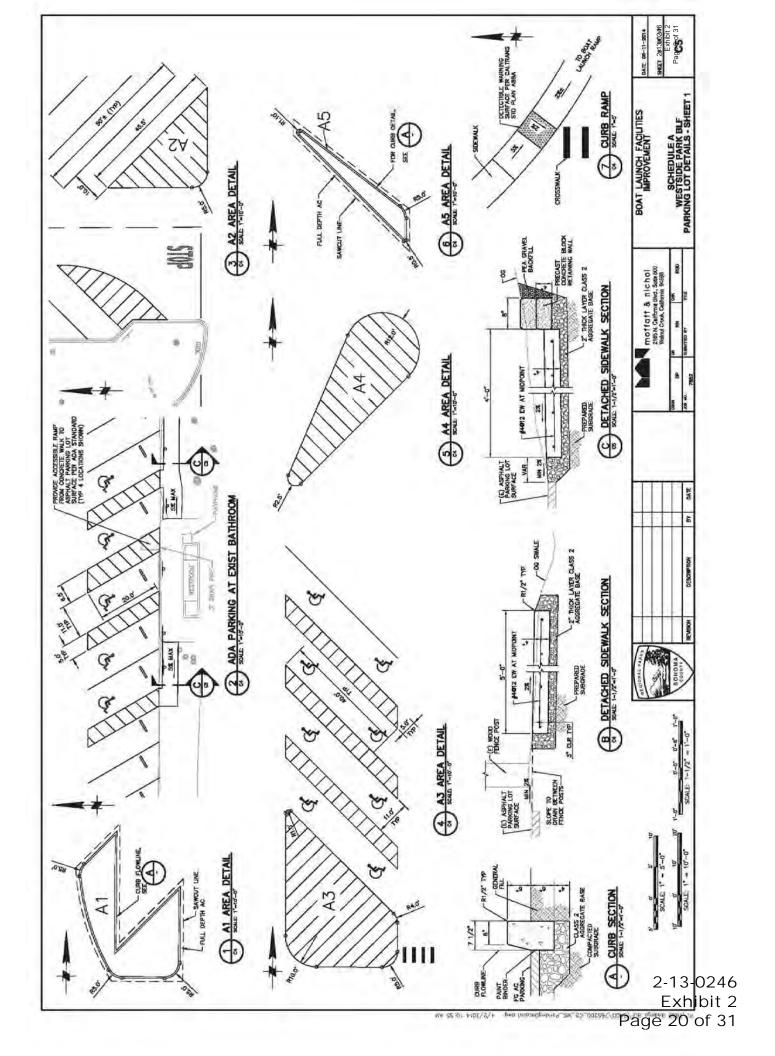
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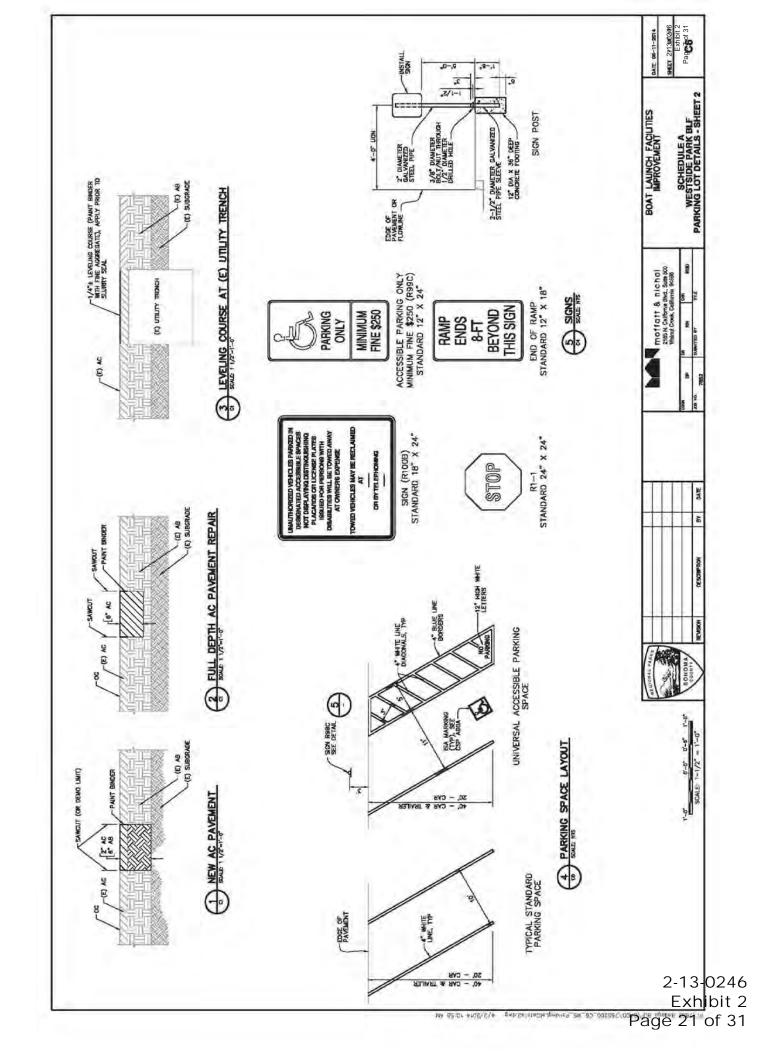


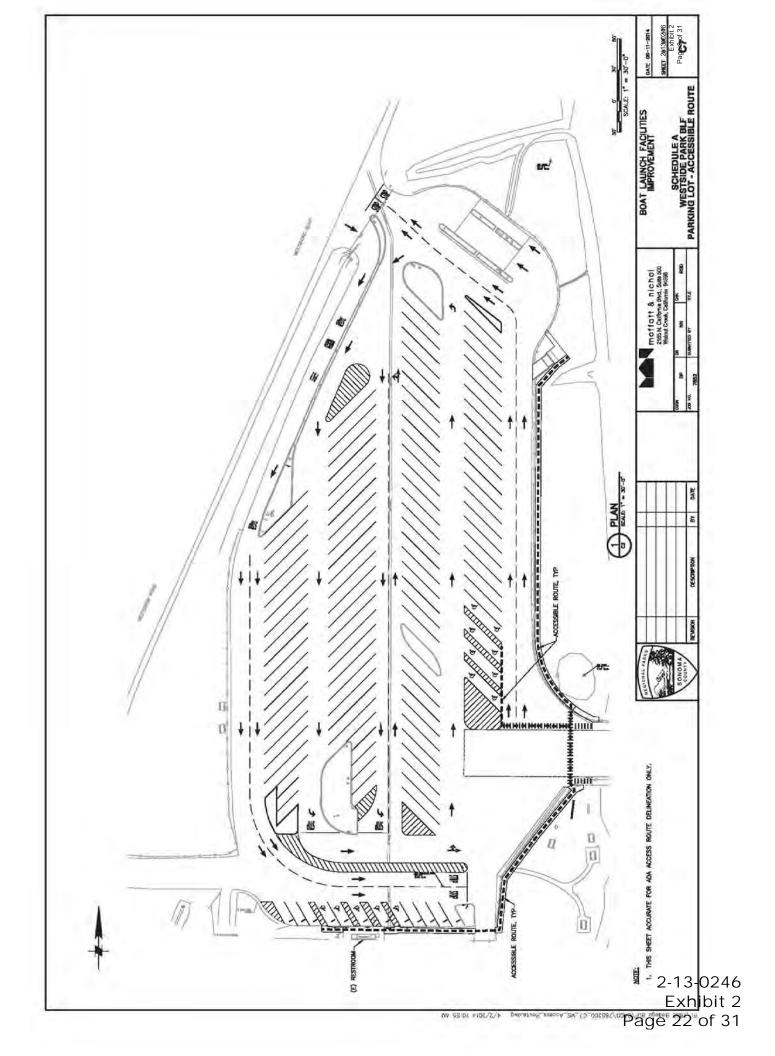


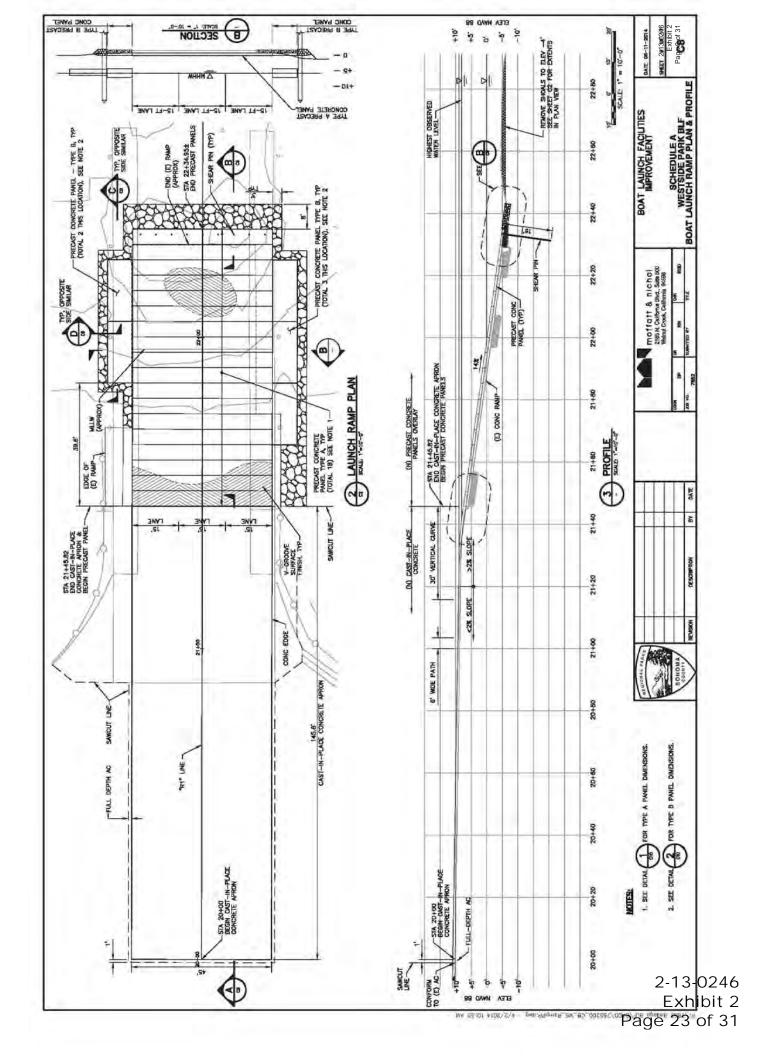


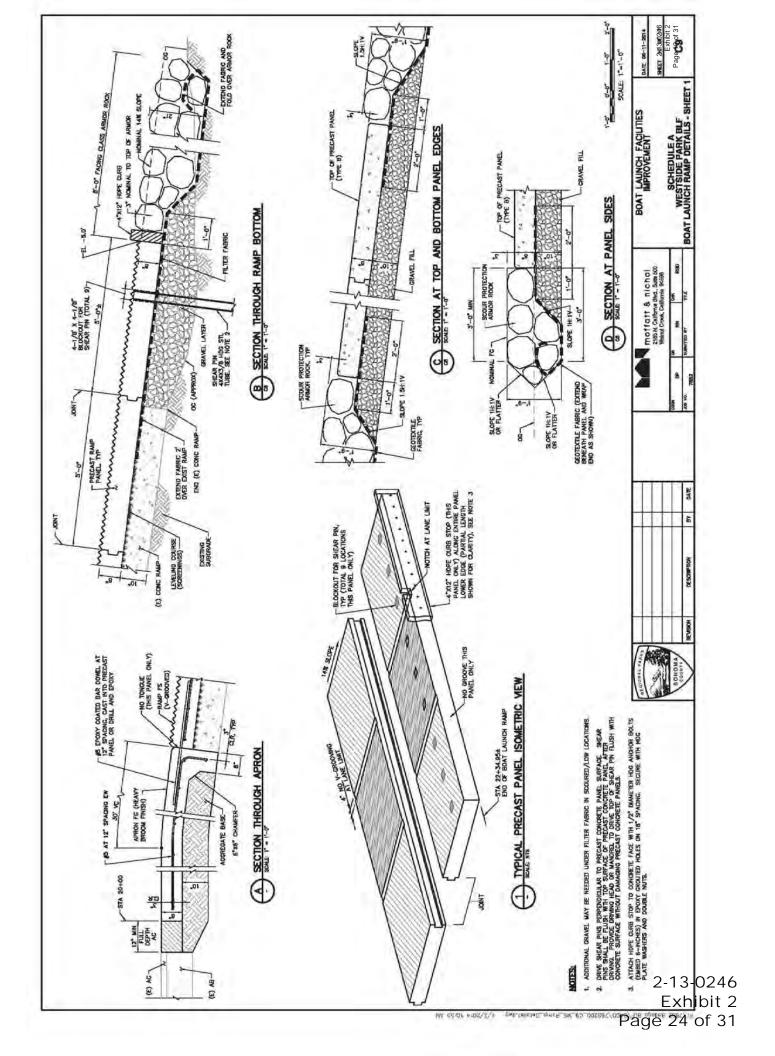


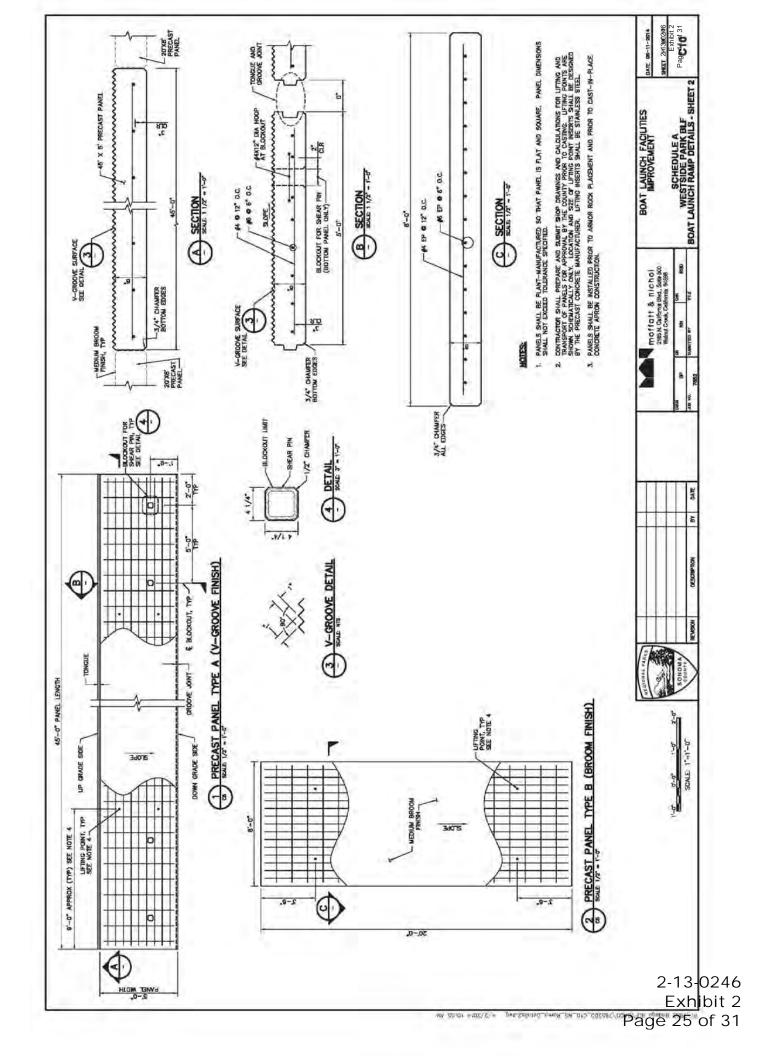


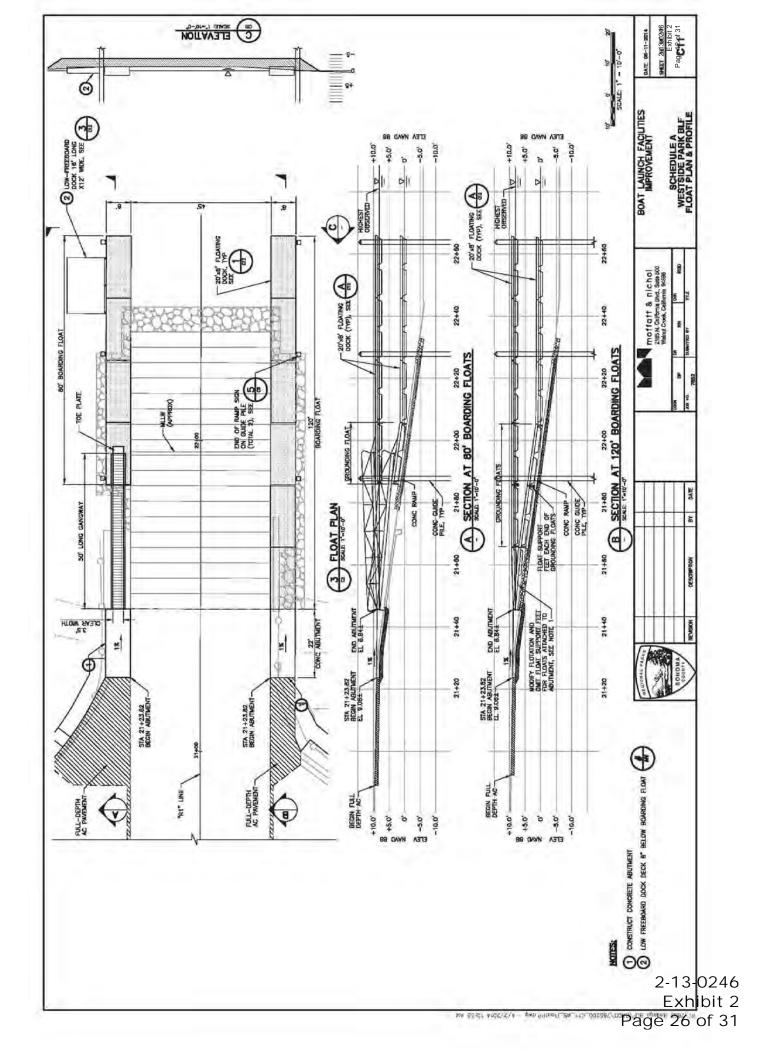


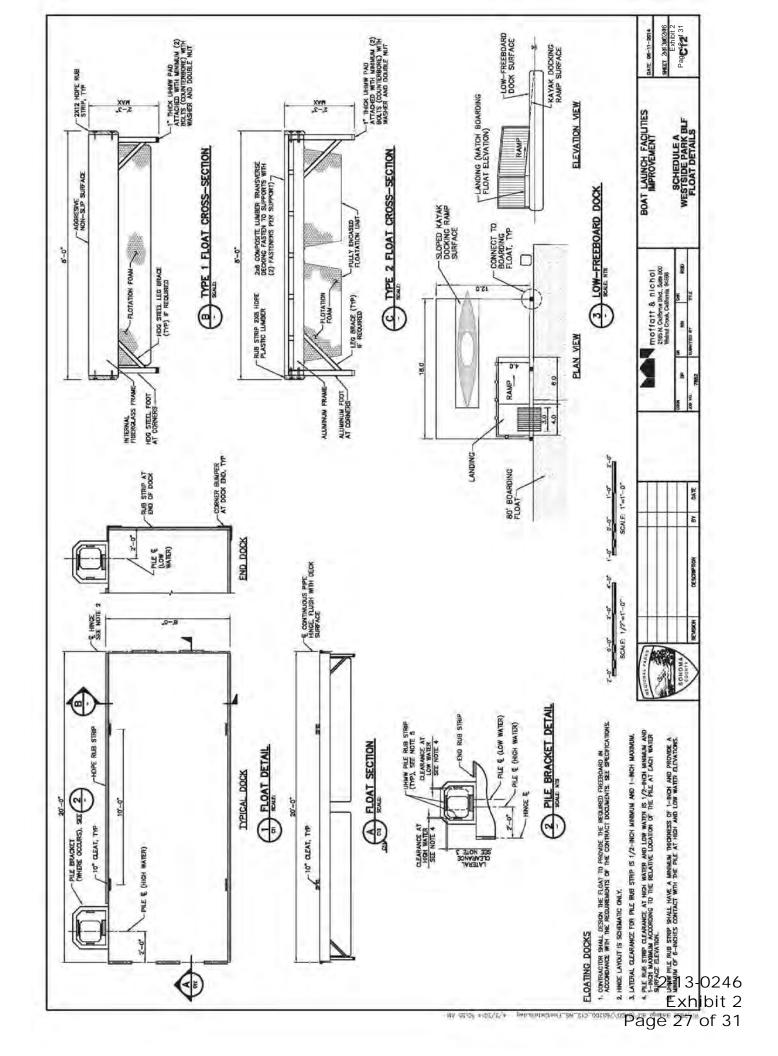


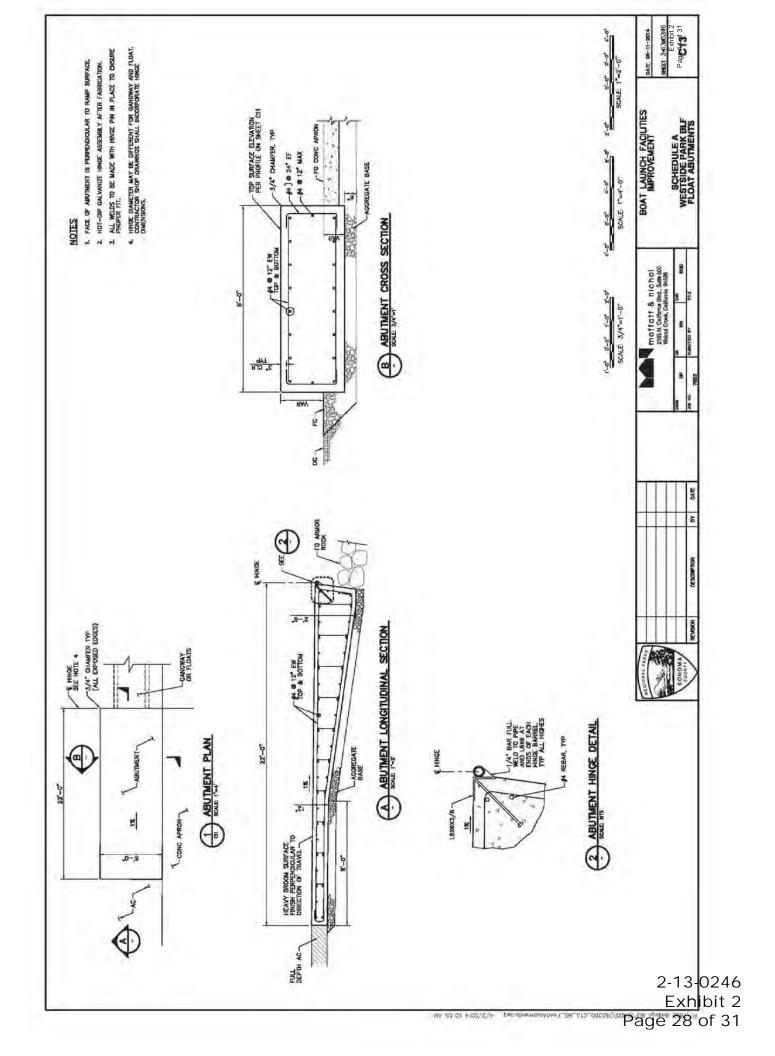


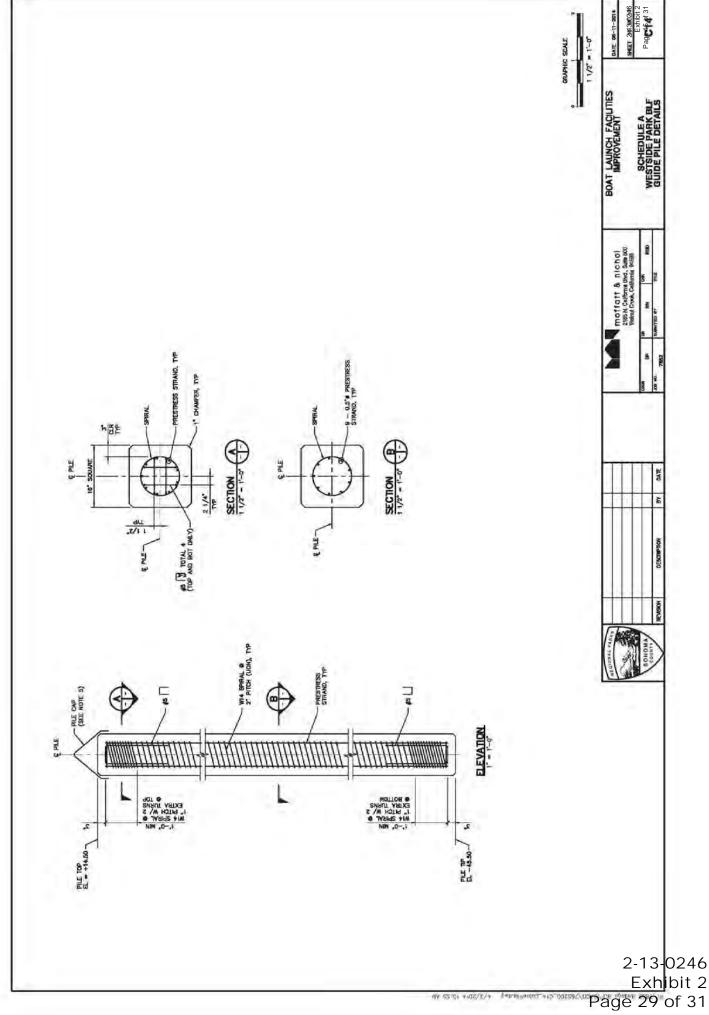


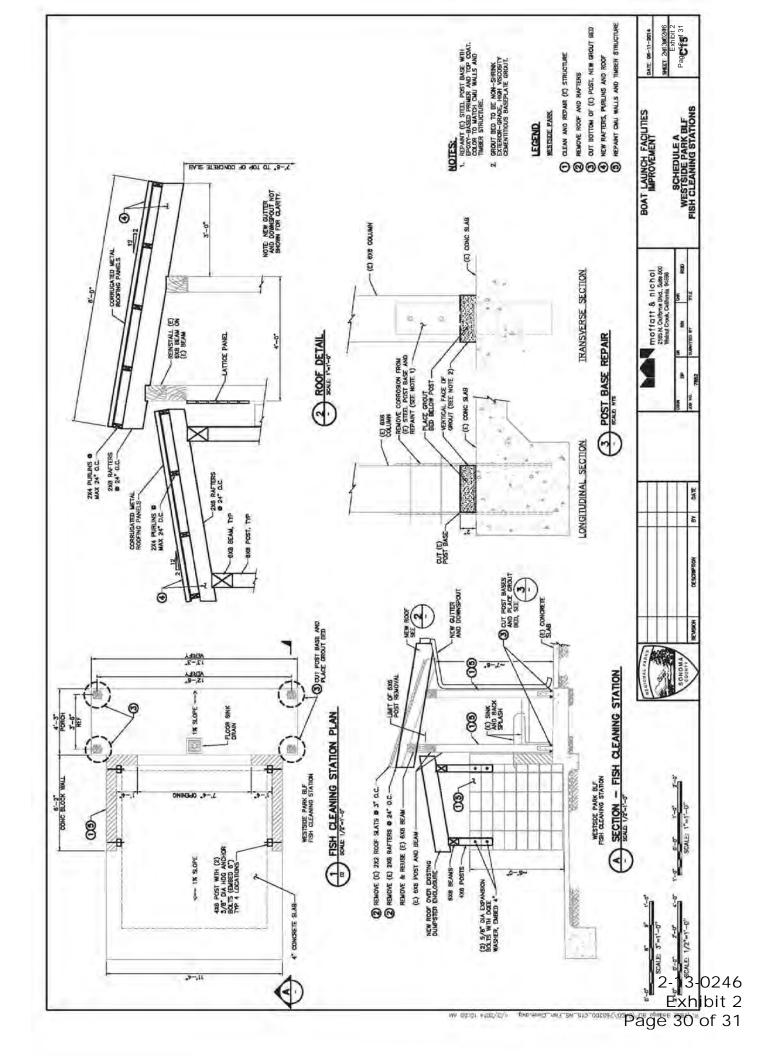


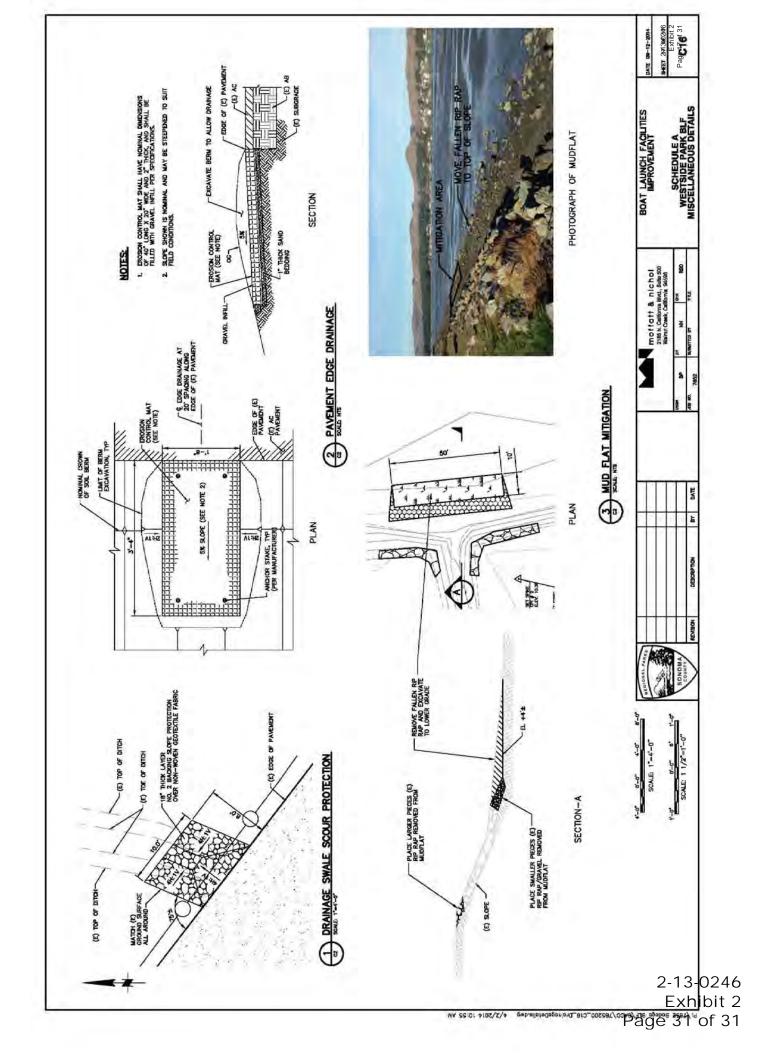












Bodega Bay Boat Launch Facilities Improvements Doran & Westside Regional Parks Mitigation, Monitoring, and Reporting Plan

State Clearinghouse #: 2012092001



Prepared for:
Sonoma County Regional Parks
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February 26, 2013

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Mitigation, Monitoring, and Reporting Plan

Introduction

Sonoma County Regional Parks (SCRP) is proposing upgrades to the boat launch facilities at Doran and Westside Regional Parks. SCRP has performed environmental analyses and determined that there are potentially significant impacts on biological resources, cultural resources, hydrological resources and water quality, noise, and traffic. No potential effect was identified as significant, and this list contains a greenhouse gas mitigation that has been included to render project emissions as climate-friendly as possible. Mitigation measures have been included in the project to render any potential issues less-than-significant. In order to approve the proposed Bodega Bay Boat Launch Facilities Improvements, the Sonoma County Board of Supervisors must commit to this Mitigation, Monitoring, and Reporting Plan (MMRP) or equally effective measures according to Public Resources Code §21081.6.

Structure of Document

The table below presents the mitigation measures from the MND/IS sorted by the timeframe in which they will occur: design, preconstruction, construction, and post-construction. Within each time section, measures are listed by the person who will need to do them and then the mitigation number. Each mitigation measure has a brief description of the action and where successful accomplishment of the mitigation will be recorded.

A few of the measures require a more detailed explanation than is compatible with the table. Measures Biol-2 and Biol-15 are restoration mitigation projects. Preliminary restoration plans, including success criteria, are in MND/IS Exhibits B and M, respectively. Detailed plans will be drafted as part of the 100% plans. Mitigation Measure Biol-7, in conformance with NOAA Fisheries' guidance, delays development of a site-specific eelgrass plan until after the post-construction survey. However, the main elements, activities, and success criteria are provided in Exhibit H. All of the exhibits are included in the MMRP by reference. The mitigation measures that reference the exhibits are marked with an asterisk in the table below to indicate that there is further information.

Mitigation Measures Biol-2, Biol-5, Biol-7, Biol-12, and Biol-15 have elements in more than one timeframe or will be performed by more than one entity, so they appear on the table more than once.

Mitigation Table

Who Performs	Mitigation Measure	Action	Documentation
Design			
Engineer/ Landscape Architect	Biol-2*	A detailed restoration plan will be prepared for pink sand verbena at the Cypress Day-use Area to minimize impacts on this species and to improve, to the extent feasible, habitat conditions.	Final Project Plans
	Biol-4 & Hydro-3	All proposed gangways will be made of light-transmitting grating to provide a minimum of 40% light transmittance to the water surface.	Final Project Plans
	Biol-12	All pilings will be fit with devices to prevent perching by piscivorous birds.	Final Project Plans
	Noise-2	The minimum number and size of piles necessary to support the floating docks and gangways will be used.	Final Project Plans

Who Performs	Mitigation Measure	Action	Documentation		
Prior to Construction					
Contractor	GHG-1	Contractor will investigate availability and cost of low-carbon concrete precast pieces and use if feasible.	Bid Contract		
	Traf-1	Several days prior to closures, the contractor will place signs at appropriate turnoff points several days prior and during construction to alert boaters that the facilities are not accessible and to direct them to the alternative facility.	Bid Contract		
	Biol-3	Prior to project commencement, a qualified biologist will conduct a training session for all construction crew personnel that will include discussion of the sensitive biological resources within the project sites and the potential presence of special-status species, their habitats, protection measures, and permit conditions.	NOAA/ CDFW Notice		
Qualified	Biol-5	A qualified biologist will be on-site prior to and during construction, as needed, to perform surveys and monitor sensitive habitats and species.	NOAA/ CDFW Notice	-	
Biologist	Biol-6	Prior to dredging, project biologist will conduct biological surveys to assess impacts on submerged aquatic vegetation and provide contractor guidance to avoid patches if possible.	NOAA/ CDFW Notice	•	
	Biol-7	Prior to and after construction, a qualified biologist will conduct surveys for the extent of eelgrass in the project area. During the consultation process with NOAA Marine Fisheries involved in obtaining a USACE permit, standards will be agreed upon for determining an adverse impact. Should the project adversely affect eelgrass, SCRP will implement eelgrass mitigation as agreed with NOAA Marine Fisheries.	NOAA/ CDFW Notice		
SCRP	Biol-15	Prior to improvements at Westside, SCRP will set aside a section of shoreline between Westside and Spud Point Marina to allow the water to reclaim an area exceeding 250 sq.ft. for tidal mudflat.	Final Project Plans	*restore 484 squ of shore between	
	Cult-1	SCRP will notify the FIGR representative when construction of pads for the tables and path at Westside and excavation of the tidal mudflat restoration area will occur so he/she can be there for the ground disturbance.	Notice to FIGR	Westsid Spud Po Marina t mudflat	
	Cult-2	SCRP will hold a preconstruction meeting to acquaint project personnel with the possibility of encountering sensitive cultural resources. Prehistoric resources may include chert or obsidian flakes, projectile points, mortars, and pestles; dark friable soil containing shell and bone dietary debris; heat-affected rock; or human burials.	Bid Contract	accordir to the M Mitigatic Monitori	
Construction					
Contractor	Biol-2*	A detailed restoration plan will be implemented for pink sand verbena at the Cypress Day-use Area to minimize impacts on this species and to improve, to the extent feasible, habitat conditions.	Bid Contract		
	Biol-8 and Hydro-1	Dredging will be performed using a small mechanical machine with environmental bucket working from the existing ramp and/or a small barge to reduce turbidity.	Bid Contract		

Who Performs	Mitigation Measure	Action	Documentation
	Biol-9	When removing piles, contractor will hit or vibrate the pile first to break the bond between the sediment and the pile to minimize the likelihood of the pile breaking and to reduce the amount of sediment sloughed.	Bid Contract
	Biol-10	Contractor will slowly remove piles to allow sediment to slough off at or near the mudline.	Bid Contract
Contractor	Biol-11	Contractor will encircle the pile with a silt curtain from the surface of the water to the substrate during removal if turbidity above threshold limits occurs. The following criteria of turbidity increase will be used, and, if criteria are exceeded, work will stop, and silt curtains will be utilized once the turbidity has been reduced to within the allowable limits. Water quality monitoring will occur during operations to determine if increased turbidity outside the dredging area, approximately 50 feet from the edge of the dredging footprint, is present. If so, the Contractor will install a turbidity/silt curtain or equivalent structure/method around the dredging area prior to initiating further dredging. Under SCRP's proposed criteria, activities may not cause turbidity increases in surface water to exceed: a) Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed one NTU. b) Where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20%. c) Where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs. d) Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 NTUs.	Bid Contract
	Biol-14	To avoid construction impacts on intertidal mudflats and eelgrass, a silt curtain will be kept on hand during construction activities that have sediment-dispersing potential. If sediment plumes or clouding occurs, construction will immediately halt until the sediment curtain has been deployed.	Bid Contract
	Cult-3	In the unlikely event that previously undocumented cultural resources are encountered during project construction, the construction supervisor will temporarily halt work at that specific location. A qualified archaeologist will be contacted immediately to record and evaluate the find and work with SCRP representatives to implement avoidance, preservation, or recovery measures as appropriate prior to any work resuming at that specific location. Should artifacts be determined to belong to FIGR, guidance from the Tribe's representative will be followed regarding their disposition.	Bid Contract

Who Performs	Mitigation Measure	Action	Documentation
	Hydro-2	The dredge material will be placed into a containment facility on shore to allow drying before transport to be ultimately placed for dune restoration. The dredged material will remain within the onsite containment facility only until dry enough to be removed to the designated final placement site, or no more than 45 days. The containment facility will be approximately 40 feet by 40 feet and constructed of concrete barrier rail (K-Rail) lined with filter fabric to contain the sediment and allow water to drain out. Drained water will percolate into the sandy soil beneath and be contained with straw bales or similar material to prevent surface flow into the harbor. The precise location and dimensions of the facility will be developed by the contractor and submitted for approval prior to construction commencement. Once the material is suitable for transport, it will be loaded onto dump trucks with sealed gates to prevent any material or residual water from leaking outside the truck bed. Following project completion, the containment site will be returned to pre-project conditions.	*the Redwood Landfill or oth acceptable dredge disposal location. Bid Contract
	Hydro-4	Piles will be driven and removed during low tide periods when substrates are exposed in intertidal areas to minimize amount of sediments re-suspended in the water column or as agreed with NOAA Fisheries according to Mitigation Measures Biol – 6 and 7.	Bid Contract
	Hydro-5	When removing piles, the pile will be hit or vibrated first to break the bond with the sediment, which will minimize the likelihood of the pile breaking and reduce the amount of sediment sloughed.	Bid Contract
Contractor	Hydro-6	Piles will be removed slowly to allow sediment to slough off at or near the mudline. If turbidity develops during construction, the dredge area or pile will be encircled with a silt curtain from the surface of the water to the substrate.	Bid Contract
	Hydro-7	To minimize construction-related impacts and to eliminate increased turbidity from overwater construction, most of the float and gangway construction will be completed off site where the various components will be assembled; therefore, the only inwater work would be floating into place and securing with the use of small hand loads.	Bid Contract
	Hydro-8	No equipment will be operated in areas of flowing or standing water in such a way as to result in the discharge of pollutants into Bodega Harbor; no fueling, cleaning, or maintenance of vehicles or equipment will take place within any area where an accidental discharge to water of the State may occur; and any earth moving work will be performed outside of areas of flowing or standing water.	Bid Contract
	Hydro-9	The contractor will have a spill contingency plan for hazardous waste spill into the harbor. Spill contingency plan will include floating booms and absorbent materials to recover hazardous spills. Non-buoyant debris discharged into the Bay will be recovered by divers as soon as possible after loss.	Bid Contract
	Hydro-10	All vehicles and equipment operating within or adjacent to the harbor will be visually inspected for waste releases before the vehicles or equipment begin conducting work for the day. Spillage and leaks will be noted during any point that they occur within or adjacent to the harbor during the day. Presence of any spillage from leaks will be noted and will be immediately removed from the harbor or adjacent areas and disposed of at a permitted facility.	Bid Contract

Who Performs	Mitigation Measure	Action	Documentation
	Hydro-11	Floating booms will be used to contain debris discharged into the harbor, and any debris discharged will be removed as soon as possible but no later than at the end of each day.	Bid Contract
	Hydro-12	Precast concrete pieces will be used to resurface the boat ramps up to the MHHW line. Above MHHW, cast-in-place concrete will be used to finish the ramp and the access connection.	Bid Contract
	Noise-1	Construction will occur in the daytime during the work week (Monday through Friday from 7 am to 7pm).	Bid Contract
Contractor	Noise-3	Concrete piles may be driven by impact hammer; however, if steel piles are utilized, they will be driven by vibratory hammer. If an impact hammer is used, a wooden cushioning block will be placed between the hammer head and pile to reduce both air and underwater noise levels. This will reduce air sound pressure levels by 5 dBA, bringing the project into compliance with both County and NOAA Fisheries standards.	Bid Contract
	Noise-4	To achieve compliance with NOAA Fisheries' underwater noise standards and protect marine organisms, underwater noise transmission will be reduced by: • Driving piles only during periods of minimal current (slack tide). • Conducting underwater noise monitoring and implementing noise barriers such as bubble curtains or temporary noise attenuation piles if necessary. • If NOAA Fisheries recommends work windows, pile driving will be performed only during those windows.	
	Noise-5	In order to comply with County standards, clam-shovel dredging will require either: • Total dredging time be less than 6 days per year, or • Noise monitoring be performed for the first hour of dredging activity to confirm that the project is meeting County standards. If noise levels exceed the County standards, a temporary noise barrier will be erected in the transmission path between the project and the Spud Point residential neighborhood.	Bid Contract
	Noise-6	For protection of marine mammals and other marine species, the contractor will: • Bring loud mechanical equipment on-line slowly. • Maintain sound levels below 90 dBA in air when pinnipeds (seals and sea lions) are present. • During pile driving with an impact hammer and during dredging: o Maintain a 200-foot safety zone around sound source in the event the sound level is unknown or cannot be adequately predicted. • Halt work activities if a marine mammal enters the 200-foot safety zone. • Allow marine mammals to completely exit the project area before pile driving or work with other loud mechanical equipment resumes.	Bid Contract
Qualified Biologist	Biol-5	A qualified biologist will be on-site prior to and during construction, as needed, to perform surveys and monitor sensitive habitats and species.	NOAA/CDFW Report
	Biol-13	Immediately following removal of the existing over-water structures, project biologist will employ a best professional effort to dislodge attached, mobile, native species of animals and relocate to minimize mortality.	NOAA/ CDFW Report

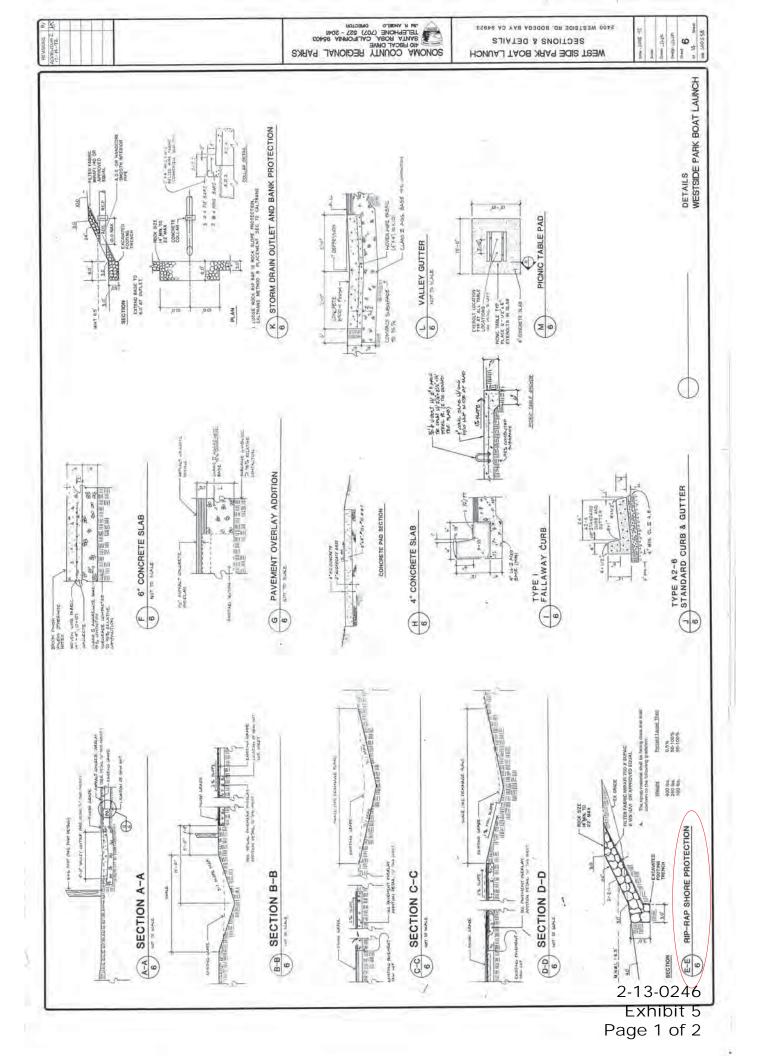
Who Performs	Mitigation Measure	Action	Documentation
SCRP	Biol-1	To avoid potential losses to breeding birds, construction activities will occur outside of the critical breeding period (March 15 to August 15). If activities must occur during the normal breeding season, precautionary measures are required. The work area will be surveyed by a qualified biologist to determine if active nests are present. If active nests or behavior indicative of nesting are encountered, those areas plus a 50-foot buffer area for small songbirds and 200 feet for larger species (e.g., raptors, owls, etc.) designated by the biologist will be avoided until the nests have been vacated. If the construction site is left unattended for more than two weeks during the breeding season, another survey will be completed to determine if breeding birds have moved back into the area and are occupying active nests; similar buffer zones will be established. If construction commences prior to the start of the current breeding season, preconstruction surveys will not be necessary.	Bid Contract
	Cult-4	If any human remains are encountered during construction, these and their context will not be altered until the County Coroner and a qualified professional archaeologist have evaluated the situation and determined an appropriate course of action. If it turns out that the remains are Native American, the most likely descendant will be contacted through the Native American Heritage Commission, and project work will halt while a respectful arrangement is reached.	Report to NAHC if action
Post-Con	struction		
	Biol-5	The qualified biologist will report on construction monitoring for sensitive habitats and species.	NOAA/CDFW Report
Qualified Biologist	Biol-7	Prior to and after construction, a qualified biologist will conduct surveys for the extent of eelgrass in the project area. During the consultation process with NOAA Marine Fisheries involved in obtaining a USACE permit, standards will be agreed upon for determining an adverse impact. Should the project adversely affect eelgrass, SCRP will implement eelgrass mitigation as agreed with NOAA Marine Fisheries.	NOAA/CDFW Report
SCRP	Biol-2*	A detailed restoration plan will be prepared for pink sand verbena at the Cypress Day-use Area to minimize impacts on this species and to improve, to the extent feasible, habitat conditions. The detailed plan will be prepared from the current conceptual plan during final project design. More information regarding pink sand verbena mitigation, success criteria, and monitoring is available in Exhibit B: Dune Restoration Conceptual Plan.	SCRP Project File
	Biol-15*	Prior to improvements at Westside, SCRP will*set aside a section of shoreline between Westside and Spud Point Marina to allow the water to reclaim an area exceeding 250 sq.ft. for tidal mudflat.	Report to Wetland Tracker
	Traf-2	Safety signage will be added to the project site that states: "To prevent boating accidents, do not use adjacent lanes during storms or rough seas."	SCRP Project File

*restore at least 484 square feet of shoreline between
Westside and Spud Point Marina to tidal mudflat according
to the Mudflat Mitigation and Monitoring Plan.



DORAN PARK – BOAT LAUNCH IMPROVEMENTS

New Boat Wash-Out Location



SONOMA COUNTY REGIONAL PARKS 2400 WESTSIDE RD. BODEGA BAY, CA 94829 DRAINAGE / IMPROVEMENT PLAN WESTSIDE PARK BOAT LAUNCH DRAINAGE / IMPROVEMENT PLAN WESTSIDE PARK BOAT LAUNCH WESTSIDE ROAD HOSE THEE LET PETAIL. RES 2-13-0246 Exhibit 5 Page 2 of 2

Pacific Coast Groundfish FMP – The Pacific Coast Groundfish FMP covers over 90 species of fish that live on or near the bottom of the ocean. These include 64 species of rockfish (including widow, yellowtail, canary, shortbelly, and vermilion rockfish; bocaccio, chilipepper, cowcod, yelloweye, thornyheads, and Pacific Ocean perch); 12 species of flatfish (including various soles, starry flounder, turbot, and sanddab); 6 species of roundfish (lingcod, cabezon, kelp greenling, Pacific cod, Pacific whiting [hake], and sablefish), 6 species of sharks and skates (leopard shark, soupfin shark, spiny dogfish, big skate, California skate, and longnose skate), and several other species, including ratfish, finescale codling, and Pacific rattail grenadier (Council 2011b).

Bodega Harbor has the potential to support a number of fish species covered by the Pacific Coast Groundfish FMP, including Pacific sanddab, leopard shark, cabezon, kelp greenling, lingcod, English sole, starry flounder, sand sole, and shortbelly rockfish (Commins et al. 1996). Additional species are reported nearby in the Tomales Bay watershed and may be present in Bodega Harbor as well (Kelly and Fox 1995).

Eelgrass Beds

Bodega Harbor supports extensive beds of eelgrass, a vascular, perennial marine plant that grows in large colonies or beds in soft-bodied bays and estuaries. Eelgrass typically occurs in shallow waters from 0 to 6 feet below mean low tide (Jepson Interchange 2011). Comprehensive eelgrass bed surveys around the project sites were not completed as part of this assessment or the site analysis report (PCI 2012). However, visual observations of eelgrass locations were noted from shore at low tides. Eelgrass was observed to the northeast of the existing boat ramp at Doran Park (Figure 2; Photos 1 and 2). This area is a relatively large bed of eelgrass; however, it appears beyond the limits of construction. At Westside Park, two isolated clumps of eelgrass are present in deeper water areas within the Westside launching area; two isolated clumps are present on the north and south side of the boat ramps (Figure 3; Photo 4). Along the navigation channel within Bodega Harbor and adjacent to the access point from Westside Park, extensive eelgrass beds also occur. Since the proposed project will not be implemented until 2013/2014 at the earliest, more detailed surveys of the project sites will need to be completed prior to commencing construction to more accurately determine the extent of eelgrass within the area.

6 Impacts on Biological Resources

Activities associated with the proposed project may affect resources utilized by management fish species and their habitats within Bodega Harbor. The following activities that may affect EFH and other biological resources include dredging, fill material, pile installation and removal, and over-water structures (NOAA Fisheries 2003). At Westside Park, the project will result in a net increase in 879 square feet of fill (concrete and gravel) and 282 square feet increase in over-water structures, reduction

Project Photographs – Doran Regional Park



Photo 1. Existing boat ramp and dock at Doran Regional Park.



Photo 2. Eelgrass bed to the northeast of the boat ramp at Doran Regional Park.

Project Photographs – Westside Regional Park



Photo 3. Existing boat ramp and docks at Westside Regional Park.

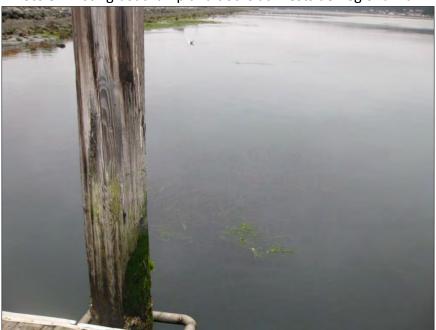


Photo 4. Eelgrass bed on north side of the dock.