

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

FREMONT, SUITE 2000

SAN FRANCISCO, CA 94105-2219

(415) 904-5260

W 15a



Filed:	January 23, 1998
49th Day:	March 13, 1998
180th Day:	July 22, 1998
Staff:	Bill Van Beckum
Staff Report:	June 24, 1998
Hearing Date:	July 8, 1998
Commission Action:	

STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 1-81-65-A4

APPLICANT: ROBERT BRINDLE

PROJECT LOCATION: U.S. 101 and Idlewood Lane, approximately 6 Miles south of Orick, Humboldt County (APN 518-062-21)

DESCRIPTION OF PROJECT PREVIOUSLY APPROVED: Improvements to the existing Redwood Trails Resort campground.

DESCRIPTION OF AMENDMENT: Relocate the main entrance road of the Redwood Trails Resort to a different location within an agricultural open space easement required to be offered for dedication as a condition of the original permit.

SUBSTANTIVE FILE DOCUMENTS: Humboldt County LCP

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the amendment request with special conditions. The principal issue raised by the application is the appropriate manner to preserve the site's agricultural resources while allowing non-agriculturally related development, the relocated road, within open space easement-protected pasturelands. The proposed road will occupy approximately the same amount of space in the pasturelands as the existing road, that is proposed for abandonment and removal. The existing road is an allowable use within the recorded open space easement. The existing access road will be removed and restored to grazing land, and as a result, the project will result in no net loss of usable agricultural within the agricultural easement. Staff is therefore recommending that a new open space easement, allowing the relocated road, be recorded over the same lands now protected by open space easement provisions (Special Condition No. 1), and

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that the abandoned road be restored to pastureland through specified revegetation methods (Special Condition No. 2). As conditioned, staff believes that the proposed development with the proposed amendment is fully consistent with the policies of the certified LCP.

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STAFF NOTES

1. PROCEDURE AND BACKGROUND: Section 13166 of Title 14 of the California Code of Administrative Regulations states that the Executive Director shall reject an amendment request if it lessens or avoids the intent of the approved permit unless the applicant presents newly discovered material information, which he or she could not, with reasonable diligence, have discovered and produced before the permit was granted.

The Commission's November 1981 approval of the original project, for improvements to the existing Redwood Trails Resort, a recreational vehicle (RV) campground with 110 spaces, included five special conditions intended to address (a) preservation of agricultural resources (Special Condition 1), (b) protection of riparian resources (Special Condition 2), (c) protection of visual resources (Special Conditions 3 and 4), and (d) provision of public access (Special Condition 5). An amendment to the project which authorized deletion of a trail easement, construction of an additional 45 campsites, relocation of the cafe and store, and other minor improvements (CDP No. 1-81-65A, approved by the Commission on December 1, 1983), modified Special Condition 4, to require additional visual resource protection measures, and deleted Special Condition No. 5.

Two subsequent permit amendment requests were submitted. The first of these, Amendment Application No. 1-81-65A2, was submitted in April 1984 and was withdrawn later in that year. The next amendment request, Application No. 1-81-65-A3, was approved by the Commission in October 1984, and authorized the conversion of 96 of the previously allowed 155 total RV spaces to membership only use, and the conversion of another 14 of the previously authorized spaces to membership only long-term lease use. The amendment also required the provision of 14 new RV spaces reserved for the public. The total number of RV spaces authorized by the original permit and the two subsequent amendments is therefore 169 spaces (of which 59 spaces, or 39% of all spaces, are reserved for public use).

Special Condition No. 1 of the original permit required, prior to issuance of the coastal permit, that the applicant record an irrevocable offer to dedicate an open space easement on the western portion of the campground property, subject to use restrictions, to ensure that certain portions of the Redwood Trails Resort property would remain available for agricultural use. The offer-to dedicate (OTD) open space easement was properly recorded and Special Condition No. 1 was satisfied.

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The OTD was accepted and recorded by the Coastal Conservancy in 1984. The Conservancy thus holds the easement for the people of the State. The open space easement runs with the land. The recorded easement document indicates in applicable part that:

No construction shall be permitted within this dedication area except for agriculturally-related structures or development approved under the terms of this permit.

The proposed amendment is to relocate one of the resort's existing main entrance roads from one location in the easement to a different location in the easement. This proposed change will not avoid the intent of the Commission in approving the original permit with Special Condition No. 1 in that the agricultural use of the area covered by the easement will be fully protected. The existing access road will be removed and restored to grazing land, and as a result, the project will result in no net loss of usable agricultural within the agricultural easement. Consequently, the Executive Director found that the amendment request would not result in a lessening or avoidance of the intent of the approved permit, and accepted the permit request for processing.

2. STANDARD OF REVIEW: The certified LCP is the standard of review for this amendment request. At the time the original permit application was acted upon by the Commission, the LCP for Humboldt County was not yet certified. Thus, the standard of review for the original permit application was the Coastal Act. Since that time, the Humboldt County LCP has been effectively certified (1986). Pursuant to Coastal Act requirements, after effective certification, the standard of review for all coastal permits and permit amendments is the LCP.

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I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:

The staff recommends that the Commission adopt the following resolution:

1. Motion:

I move that the Commission approve the amendment to Coastal Development Permit No. 1-81-65-A3 subject to conditions:

2. Staff Recommendation of Approval:

Staff recommends a **YES** vote and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

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3. Resolution to Approve Permit Amendment:

The Commission hereby approves the amendment to the coastal development permit, subject to the conditions below, on the grounds that the proposed development with the proposed amendment is consistent with the provisions of the Humboldt County Local Coastal Program, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See attached.

III. Special Conditions:

The following Special Condition shall replace Special Condition No. 1 of the original permit:

1. Prior to issuance of the amended coastal development permit:

a) The applicant shall dedicate to the California Coastal Conservancy an open space easement over portions of Humboldt County Assessor's Parcel Number 518-062-21, shown in Exhibit 8. No construction shall be permitted within this dedication area except for agriculturally-related structure or development approved under the terms of this permit, as amended. The dedication shall be recorded free of all liens and encumbrances except tax liens, and shall run with the land binding the landowner, his heirs, assigns, and successors in interest to the subject property. Prior to recordation, the form and content of the document shall be reviewed and approved by the Executive Director.

Special Conditions 2 through 4 of the original permit remain in effect. The following special condition shall be added to the original permit:

5. Roadway Restoration Plan

Revegetation of the abandoned Meadow Ranch Road shall conform to the recommendations set forth in attached Exhibit 7's "Landscaping Plan Design Specifications," contained in the Menzies' Native Nursery "Revegetation of Existing Pasture Land" report.

IV. Findings and Declarations.

The Commission hereby finds and declares:

1. Site Description

The Redwood Trails Resort is an existing  $\pm$  220-acre recreational vehicle (RV) campground in a rural portion of northern Humboldt County. The campground, approximately six miles south of the town of Orick, is less than a mile south of Stone Lagoon and is adjacent to Humboldt Lagoons State Park, just across

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Highway 101 to the west. See Exhibits 1-2. The campground is situated on the alluvial bottomlands of the MacDonald Creek Valley. Adjacent land uses include commercial timber production and agriculture. There are several residences on the adjoining parcels.

Two entrances provide access from the highway to the campground. One of these is Idlewood Lane, a private driveway, located about 200 feet north of the property's south property line at McDonald Creek. The other entrance, another private road, is Meadow Ranch Road, approximately 750 feet north of Idlewood Lane and 100 feet north of McBrindle Creek.

There is no sensitive habitat on those portions of the site where the proposed road and associated developments, including the removal of Meadow Ranch road, are proposed. However, both McDonald Creek and McBrindle Creeks are sensitive riparian habitats. Additionally, an area of grazed seasonal wetlands is located between Idlewood Lane and McBrindle Creek.

## 2. Original Project

The Commission's November 1981 approval of the original project, for improvements to the existing Redwood Trails Resort, a recreational vehicle (RV) campground with 110 spaces. An amendment to the project authorized construction of an additional 45 campsites, relocation of the cafe and store, and other minor improvements (CDP No. 1-81-65A, approved by the Commission on December 1, 1983).

A subsequent permit amendment (CDP No. 1-81-65-A3, approved by the Commission in October 1984) authorized the conversion of 96 of the previously allowed 155 total RV spaces to membership only use, and the conversion of another 14 of the previously authorized spaces to membership only long-term lease use. The amendment also required the provision of 14 new RV spaces reserved for the public. The total number of RV spaces authorized by the original permit and the two subsequent amendments is therefore 169 spaces (of which 59 spaces, or 39% of all spaces, are reserved for public use).

Existing development at Redwood Trails Resort includes 110 developed RV camping spaces, of the total 169 spaces authorized by the Commission in the original permit and the two subsequent permit amendments. Existing development at the site also includes an administration building, a recreation hall, a general store, parking area, caretaker residences, and other outbuildings and recreational facilities. See Exhibit 3.

Special Condition No. 1 of the original permit required that the applicant record an irrevocable offer to dedicate (OTD) an open space easement on the western portion of the campground property, subject to use restrictions, to ensure that certain portions of the Redwood Trails Resort property would remain available for agricultural use. The two pre-existing access roads, both of which pass through pasturelands in the western portion of the

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property, were allowed by the original coastal development permit to remain within the open space easement. The OTD was accepted and recorded by the Coastal Conservancy in 1984. The Conservancy thus holds the easement for the people of the State. The open space easement runs with the land.

### 3. Proposed Amendment

The proposed amendment to the permit is the development of a new main entrance/exit road that will be located north of Meadow Ranch Road. The purpose of the proposed road relocation is to accommodate and facilitate increased traffic movement, to and from the highway associated with development of 59 RV spaces authorized recently by Humboldt County through a separate coastal development permit. The amendment also proposes to abandon the existing Meadow Ranch Road and return it to pasture land after the new road is completed, and install a gate at Idlewood Lane to limit access on that road to emergency use only and for historic deeded access for logging puposes to properties inland of the campground. The existing and proposed access roads, all located in the recorded agricultural open space easement, are shown in Exhibit 4.

The proposed access road includes the incorporation of left-turn channelization features in its design at the road's Highway 101 intersection. These features, required by the California Department of Transportation (Exhibit 5), include the tapering of the highway's northbound lane to provide for the gradual transition to a broad expanse of pavement for ingress and egress at the highway end of the road. The tapering will be accomplished by widening the east side of the highway for a distance of approximately 540 feet to the north of the road's intersection with the highway and for approximately 400 feet to the south of the intersection. The narrowest points of the tapered edge would be at the north and south ends of this almost 1,000-foot length of highway widening. See Exhibit 6.

The road relocation is proposed because the alternative of simply upgrading either of the existing access roads to include the channelization features would result in the need to widen one or the other of the highway bridges over McDonald and McBrindle Creeks. These bridges, 200 feet and 100 feet, respectively, from the current Idlewood Lane and Meadow Ranch Road alignments, would not accommodate the approximately 390-foot-long left turn line tapers unless they were widened to do so. Widening either bridge would involve disturbances to creek banks and possibly to stream beds. By relocating Meadow Ranch Road approximately 320 feet to the north of its current alignment, the south terminus of the south taper can end just north of the the McBrindle Creek bridge's north end, thus avoiding the need for any bridge alterations. The applicant has stated that "a main entrance in the area of Meadow Ranch Road (instead of in the area of Idlewood Road) is recognized as the preferred area to accomplish this (channelization) with nominal change to the existing land as it is presently used." The proposed road relocation and abandonment project also includes the relocation of an entrance sign and the installation

of new lighting at the road's entrance. The applicant also proposes that the existing agricultural open space easement be amended to allow for the other proposed changes. The holder of the easement, the California Coastal Conservancy, has given preliminary approval to the applicant to change the easement to accommodate relocation of the entrance road (see Exhibit No. 12).

#### 4. Agriculture

The Humboldt County LCP North Coast Area Plan land use designation for the western portion of the campground property, where the access road relocation is proposed, is Agricultural Exclusive/Prime Lands. The rest of the property is designated Commercial Recreation. LCP zoning for the project portion of the property is Agricultural Exclusive.

Agriculture Policy 3.33.A.1. of the North Coast Area Plan states in part:

Lands outside the Urban Limit Lines that are prime agricultural lands based on the adopted definition of prime lands of the State of California shall be planned for continued agricultural use, and no division or development of such lands shall be approved which would lower the economic viability of continued agricultural operations on them.

Agriculture Policy 3.33.B.1. of the North Coast Area Plan states in part:

The zoning of all agricultural lands shall not permit any use that would impair the economic viability of agricultural operations on such lands; and a conditional use permit shall be required of any proposed use not directly a part of agricultural production of food or fiber on the parcel.

The western 6-acre portion of the property, through which the existing access roads pass, is currently used as pastureland. These roads pre-date the 1981 permit for campground improvements that included the condition (Special Condition No. 1) that required the applicant to record an irrevocable offer to dedicate (OTD) an agricultural open space easement over this western portion of the property. As mentioned above, the OTD was accepted and recorded by the Coastal Conservancy in 1984. Exhibit 4 shows the approximate extent of the recorded open space easement.

The recorded easement document specifically states, in applicable part, that:

No construction shall be permitted within this dedication area except for agriculturally-related structures or development approved under the terms of this permit.

Although the pre-existing roads within the easement are not "agriculturally related" the original coastal permit for additional campground facilities allowed them to remain within the easement.

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Because the easement is situated between the campground and Highway 101, there are no feasible less environmentally damaging alternatives to provide the required access to the RV campground that would not also require changes to the agricultural open space easement. For example, modifying one or the other of the existing access roads to handle increased traffic volumes would necessitate bridge reconstruction and widening to accommodate the left turn lanes required by Caltrans, resulting in more filling and disruption of environmentally sensitive riparian habitat. Furthermore, there are no other public roads near the parcel that the development could tie into to provide the necessary access.

The County's January 23, 1998 findings for the conditional use permit for proposed improvements to the campground, which include, in the County's project description, the proposed road relocation, do not specifically address the proposed road relocation's consistency with the County's LCP. Rather, the findings state as "evidence" that "the proposed project is in conformance with all applicable policies and standards found in the North Coast Area Plan," and "is consistent with the purposes of the zone in which the site is located":

The only development activity in the AEP land use designation (and the AE zoning district) is the relocation of the existing sign to the north side of the new main entrance/exit. This sign was permitted under the original CUP and State CDP. Otherwise, a review of the submitted plot plan and North Coast Area Plan Land Use map (and the applicable zoning map) indicates the park expansion is not located in the Agricultural Exclusive/Prime Lands designation (or the Agriculture Exclusive zone).

It is not clear why the County limited its discussion of development within the property's agricultural use areas to the sign, when clearly the proposed road is within the same area.

In any event, since the proposed road will occupy approximately the same amount of space in the pasturelands as the existing road that is to be abandoned now occupies, it will not displace any more pastureland than does the existing road.

In addition, the applicant proposes to restore the road to be abandoned to pasture land. The applicant's botanical consultant has prepared a "Revegetation of Existing Pasture Land" report, with recommendations, concerning the proposed restoration. The report, prepared by Robert H. Menzies, Botanical Consultant (see Exhibit 7), describes the existing pastureland vegetation as "no apparent sensitive specie grasses, just browse remains and some buffalo grass with intermix subclovers and rye," and recommends a "self regeneration" approach for converting the "to be" abandoned road to pastureland. This approach involves transferring the existing top soil and soil horizon material from the area where the new road will be located to the abandoned road site. Once the abandoned road's surface is removed, the transferred soil material will be "folded back into the abandoned



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road," allowing for the self regeneration of existing browsing grass seeds that are already present in the top soil that will be transferred to the restoration site.

The botanical report states that, "Given the amount of browse by the existing elk herd the existing material will actually be hardier than were we to try to seed from scratch the same area." Furthermore, the report notes that given the site's flat topography there is little danger of soil erosion, even during the winter months, to interfere with the self regeneration process. Nonetheless, the report's recommended "Landscaping Plan Design Specifications" include, as a precaution "to ensure that during construction ... no debris or sedimentation will enter McBrindle Creek," the recommendation that construction occur only during summer months.

Restoration to agricultural lands of the strip of land upon which the existing access road is located will ensure that no net loss of agricultural land will result from the proposed construction of the new access road. By transferring the productive top soil from the location of the new road to the old road and otherwise providing for restoration of the site to pastureland as proposed, the proposed amendment would also not result in any net diminishment of the agricultural productivity of the land. The number of animals grazed on the site will not need to be reduced to accommodate the proposed relocation of access roads, and should the site ever be used for crops, the same amount of productive agricultural land would be available for this purpose as before. Therefore, the Commission finds that if the development with the proposed amendment is carried out as proposed by the applicants, the development with the proposed amendment will not lower or impair the economic viability of agricultural operations on the agricultural lands at the site, consistent with agricultural policies 3.33.A.1 and 3.33.B.1 of the certified Land Use Plan.

The recorded open space easement document does not allow for the development of new roads within the easement area unless the road is "agriculturally-related," which the proposed road is not. For the proposed road to be allowed, therefore, it is necessary (Special Condition No. 1) to record a new open space easement over the pastureland to specifically provide for the relocated road within the easement-protected agricultural lands within the subject property. The Commission attaches Special Condition No. 1, to require that a new open easement over the pastureland be recorded that would specifically provide for the relocated road within the easement-protected agricultural lands within the subject property. To ensure that the space now occupied by Meadow Ranch Road, once it is abandoned, is successfully restored to productive agricultural use as proposed by the applicant, the Commission attaches Special Condition No. 5, requiring project revegetation in conformance with the submitted "Landscaping Plan Design Specifications. As conditioned, the Commission finds that the project is consistent with the Humboldt County LCP North Coast Area Plan's agricultural protection policies.

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APPLICANT: **ROBERT BRINDLE**  
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5. CEQA:

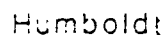
Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (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 impact that the activity may have on the environment.

As discussed above, the proposed development with the proposed amendment, as conditioned, will not have any significant adverse effect on coastal resources or on the environment. Therefore, the Commission finds that the proposed development with the proposed amendment can be found consistent with the requirements of the Coastal Act to conform to CEQA.

EXHIBITS

1. Regional Location Map
2. Area Location Map
3. Site Plan
4. Access Roads and Open Space Easement
5. Caltrans Letter
6. Channelization Plan
  - a. South End
  - b. North End
7. Botanical Report and Recommendations
8. Proposed Open Space Easement
9. Original Staff Report
10. Staff Report for CDP No. 1-81-65-A
11. Staff Report for CDP No. 1-81-65-A3
12. Conservancy Letter

1427R/WANG/bvb



**APPLICATION NO.**

1-81-65-A4

## REGIONAL LOCATION



BOUNDARY

ZONE

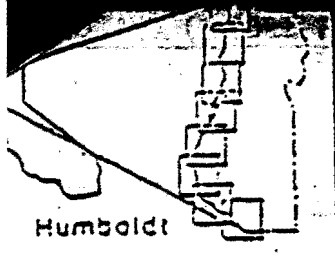
COASTAL

## LOCATION MAP



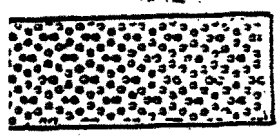
California Coastal Commission





Redwood National Park &  
Prairie Creek Redwoods  
State Park

KEY



State and federal  
park and recreation  
lands

Scale: 1 Mile  
|

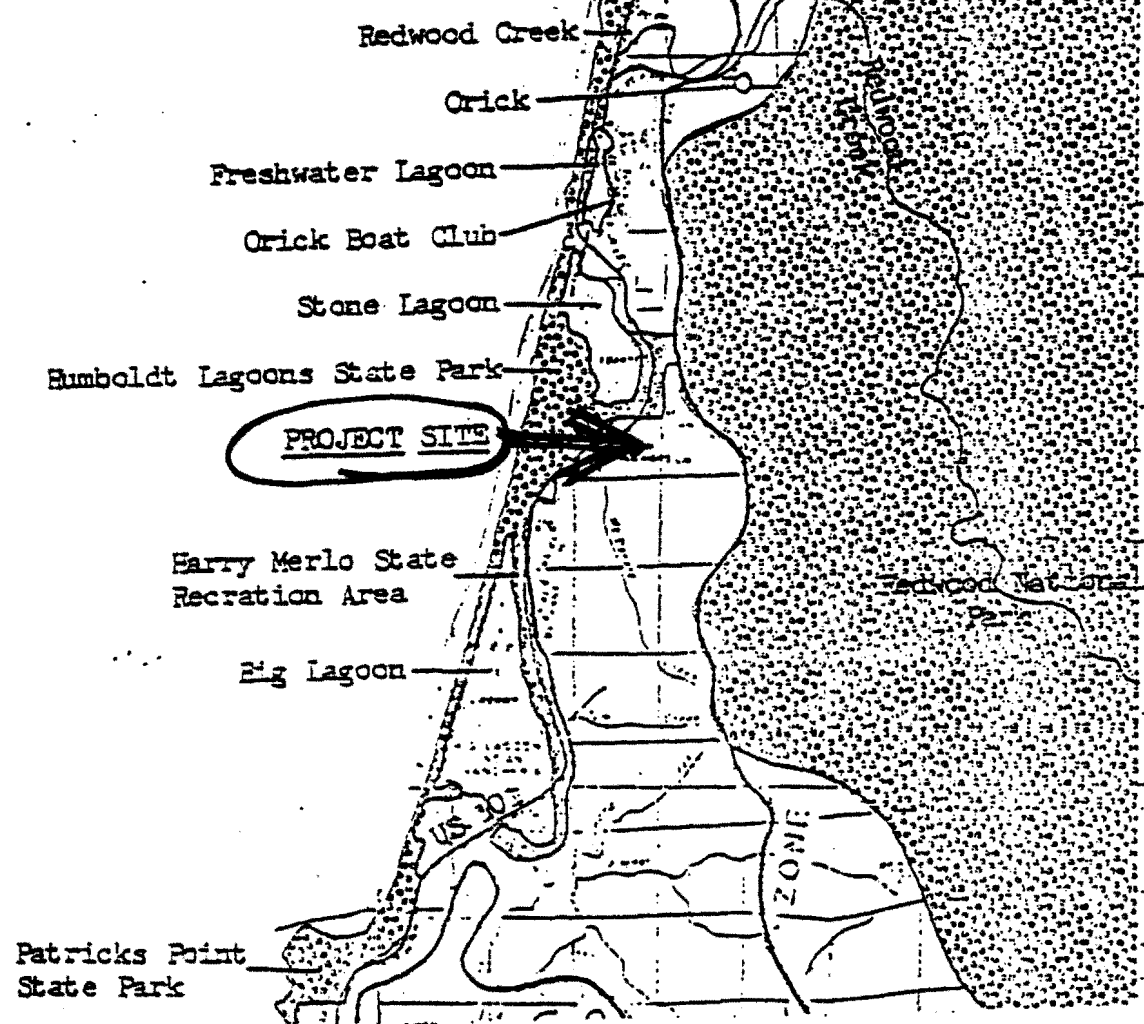


EXHIBIT NO. 2
APPLICATION NO.
1-81-65-A4
AREA LOCATION






# PLAN DRAWING

PREPARED UNDER 1995  
BY MICKEY FLESCHER

SEP 03 1997

HUMBOLDT COUNTY  
PLANNING COMMISSION

LELEUP:

	UNITY POLE
	WOOD SCULPTURE
	WELL
	PALE HYDRANT
.....	WASH (SHOWER) / BATHROOM, WASH STATION PAINT (PAINTED)
--- --	WATERLY LINE
E - 4	SHIPPING YARD
B - 4	ENGINE HOUSE
P - 4	ENGINE HOUSE
	PAVED DRIVE (CONCRETE) DRIVEWAY

THIS MAP, INCLUDING ATTACHMENTS LISTED  
IN "NOTES" ABOVE HAVE BEEN STUDIED  
AND APPROVED BY THE UNDERSIGNED:

Robert M. Smith, Jr.  
AGENT IN CHARGE, PHOENIX  
ADVANCED REPT SYSTEMS, INC.

12-15-95  
DATE

[illegible]

STATE WARDEN J. R. HARRIS

—WORTH LESS (10' TA-4)

UPLAND AREA

SLOPE

TOE-OF SLOPE

UPLAND AREA

PARCEL BOUNDARY GREATER THAN 100

RIAN EASEMENT  
ACTAL CONSERVANCY

PASTURE

**NORTH**

SCALE : 1" = 1'

LOCATION  
OF

PROJECT

EXHIBIT NO. 3
APPLICATION NO.
1-81-65-A4
SITE PLAN

# ATTACHMENT G - AREA & IMPROVEMENTS

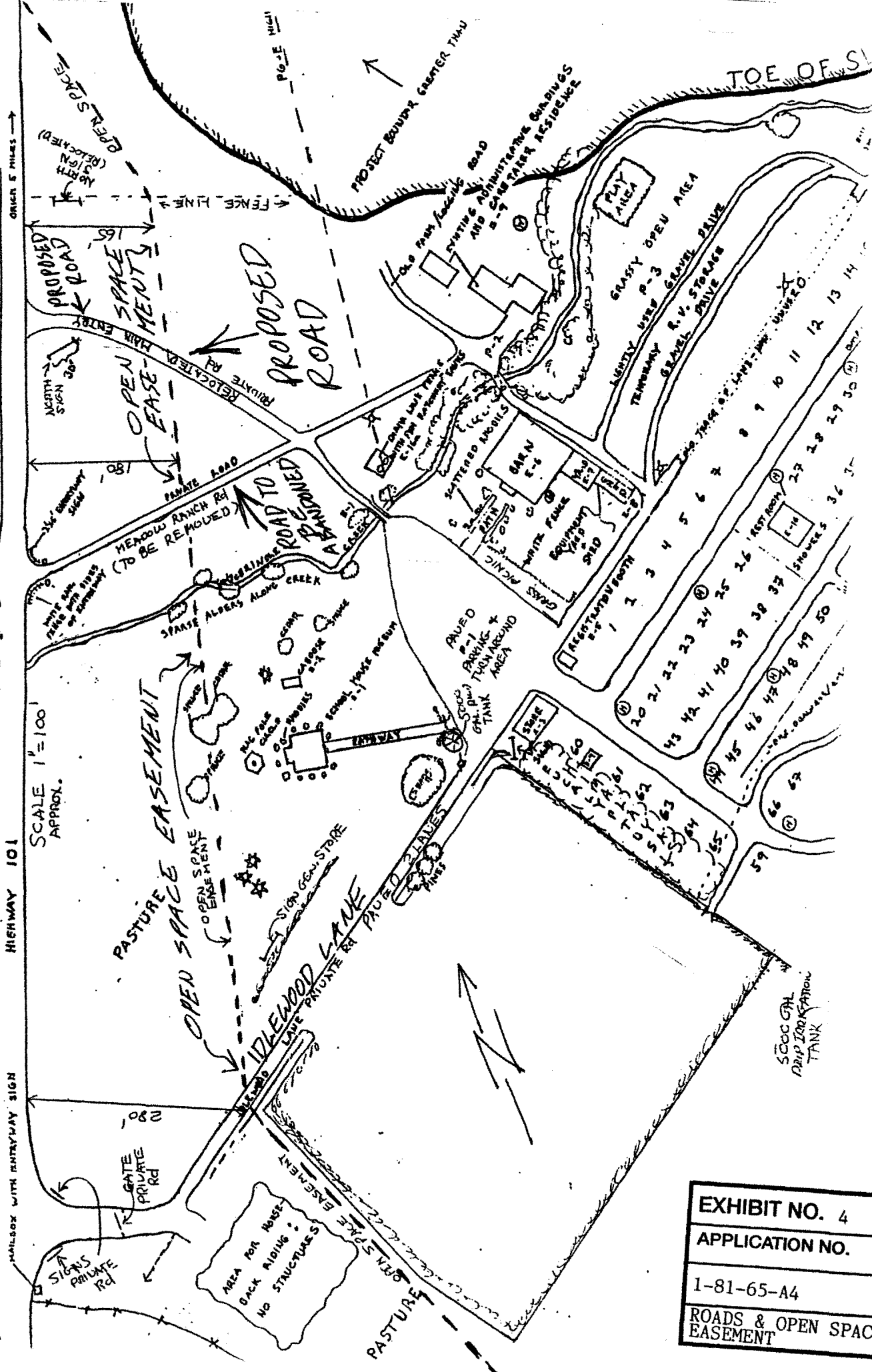


EXHIBIT NO. 4
APPLICATION NO.
1-81-65-A4
ROADS & OPEN SPACE EASEMENT

## DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P.O. BOX 3700  
EUREKA, CA 95502-3700  
PHONE 707/445-6463  
7) 445-6413



December 10, 1997

1-Hum-101-114.457  
Brindle/Redwood Trails  
CDP-13-97/CUP-05-97/SP-09-97  
APN 518-062-07; -21

Ms. Michelle Nielsen  
Planning Department  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

Dear Ms. Nielsen:

RECEIVED

DEC 10 1997

HUMBOLDT COUNTY  
ANNING COMMISSION

This letter is to inform you about a meeting that we had with Ralph McKinnon on November 19, 1997 concerning the proposed 59-unit expansion of Redwood Trails RV Park near Stone Lagoon. Attending the meeting from Caltrans were Linda Evans, Transportation Planning; John Tatum, Traffic Operations; and Charlie Fielder, Hydraulics.

Mr. McKinnon requested the meeting to discuss Caltrans' recommendations in the letter we sent to the County dated October 6, 1997. We discussed the recommended left-turn channelization and stated that we had not completed a warrant analysis but felt reasonably certain that warrants would be met for channelization. We offered that Mr. McKinnon could either accept that recommendation and pursue designing and planning the channelization or he could have a traffic study prepared to complete the analysis.

We also stated that channelization design requirements for the length of taper would result in the need to widen the bridge over McDonald Creek, because of the proximity of the McDonald Creek bridge to the existing intersection of Idlewood Lane and Route 101. We suggested a method to avoid the bridge widening would be to move the opening of Idlewood Lane farther to the north, away from the bridge. Mr. McKinnon suggested alternatively that the existing unnamed private road to the north could serve as the primary access instead. We responded that the alternate road would probably work as far as Caltrans is concerned, but would still need channelization at the developer's expense. We suggested that he work with the County in determining whether the alternate access road would be acceptable to the County and whether it would fit within the provisions of the Open Space Easement. Detailed engineering plans would need to be submitted with an Encroachment Permit application. The application for an Encroachment Permit would not be considered until after local permits have been approved. Mr. McKinnon requested that they be able to use the existing access at Idlewood Lane while the improvements are being made to the alternate access and channelization, should the construction phase enter into next summer's camping season. We stated that our preference is for mitigation measures to be implemented prior to impacts being realized as a result of construction of the proposed RV park expansion.

We provided Mr. McKinnon copies of pages from the Highway Design Manual concerning channelization design requirements, copies of the right of way maps and aerial photos of the highway adjacent to the project site. We also introduced him to Royal McCarthy, Encroachment Permit Engineer, who gave him copies of the application forms.

We informed Mr. McKinnon that Caltrans has been discussing existing drainage concerns with the California Department of Fish and Game. Since this is an existing drainage concern, not one created as a result of the proposed RV park expansion, we made it clear that we were not asking for mitigation of existing problems and that our discussion was merely informational. Minor drainage improvements may be needed in conjunction with

EXHIBIT NO. 5

APPLICATION NO.

1-81-65-A4 (1 of 2)

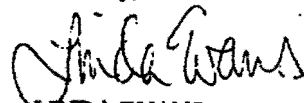
CALTRANS LETTER

Ms. Michelle Nielsen  
December 10, 1997  
Page 2

access opening improvements. Mr. McKinnon expressed a willingness to work cooperatively to improve the flow of drainage for reducing the chance of flooding and for improving fish passage.

If you have questions about this letter and what was discussed at the meeting, please give me a call at (707) 445-6412.

Sincerely,



LINDA EVANS

Associate Transportation Planner

cc: Dave McLeod  
California Department of Fish and Game  
619 Second Street  
Eureka, CA 95501

LGE:scl

EXHIBIT NO. 5
APPLICATION NO.
1-81-65-A4 (2 of 2)
CALTRANS LETTER



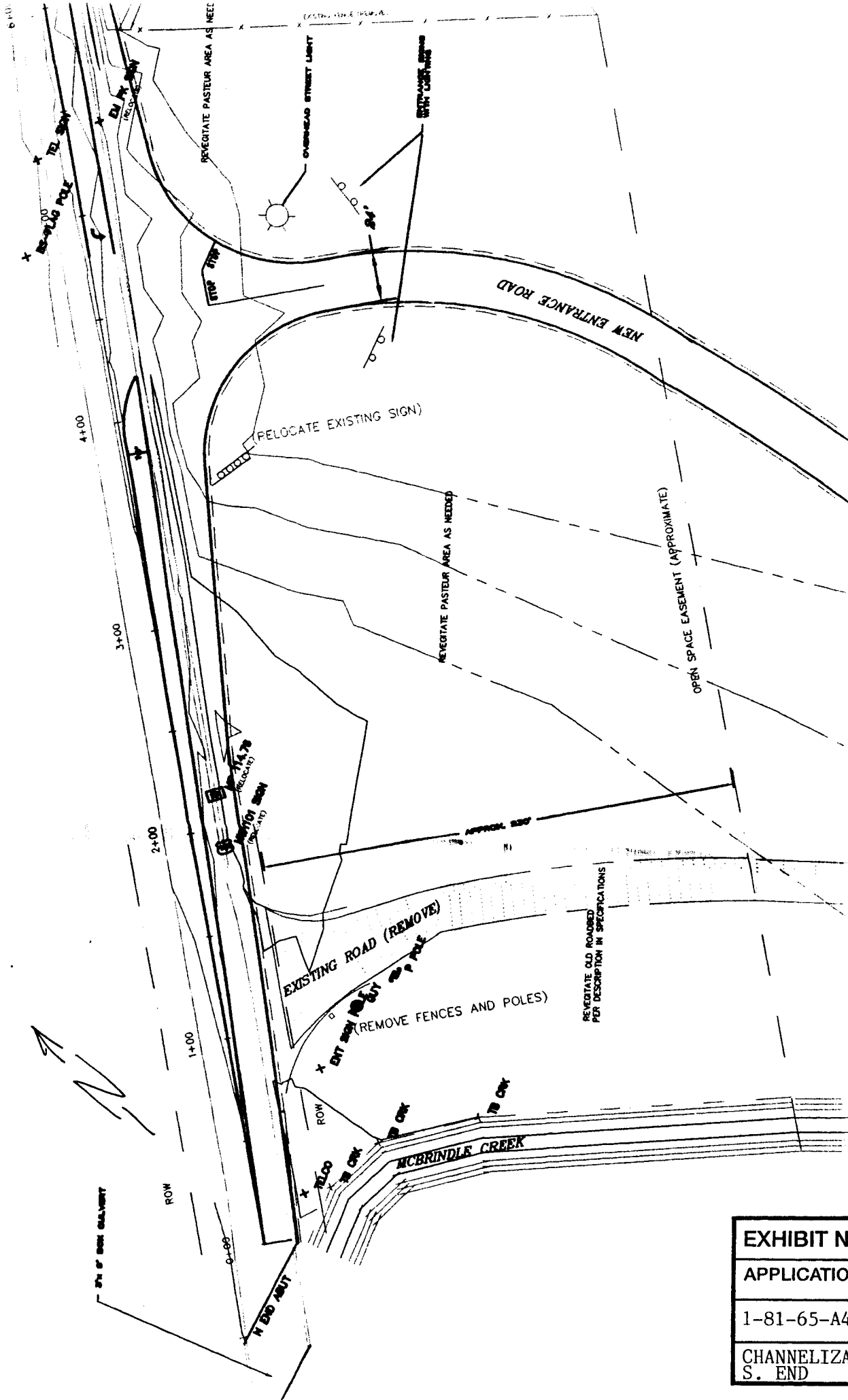


EXHIBIT NO.	6a
APPLICATION NO.	
	1-81-65-A4
CHANNELIZATION PLAN	S. END

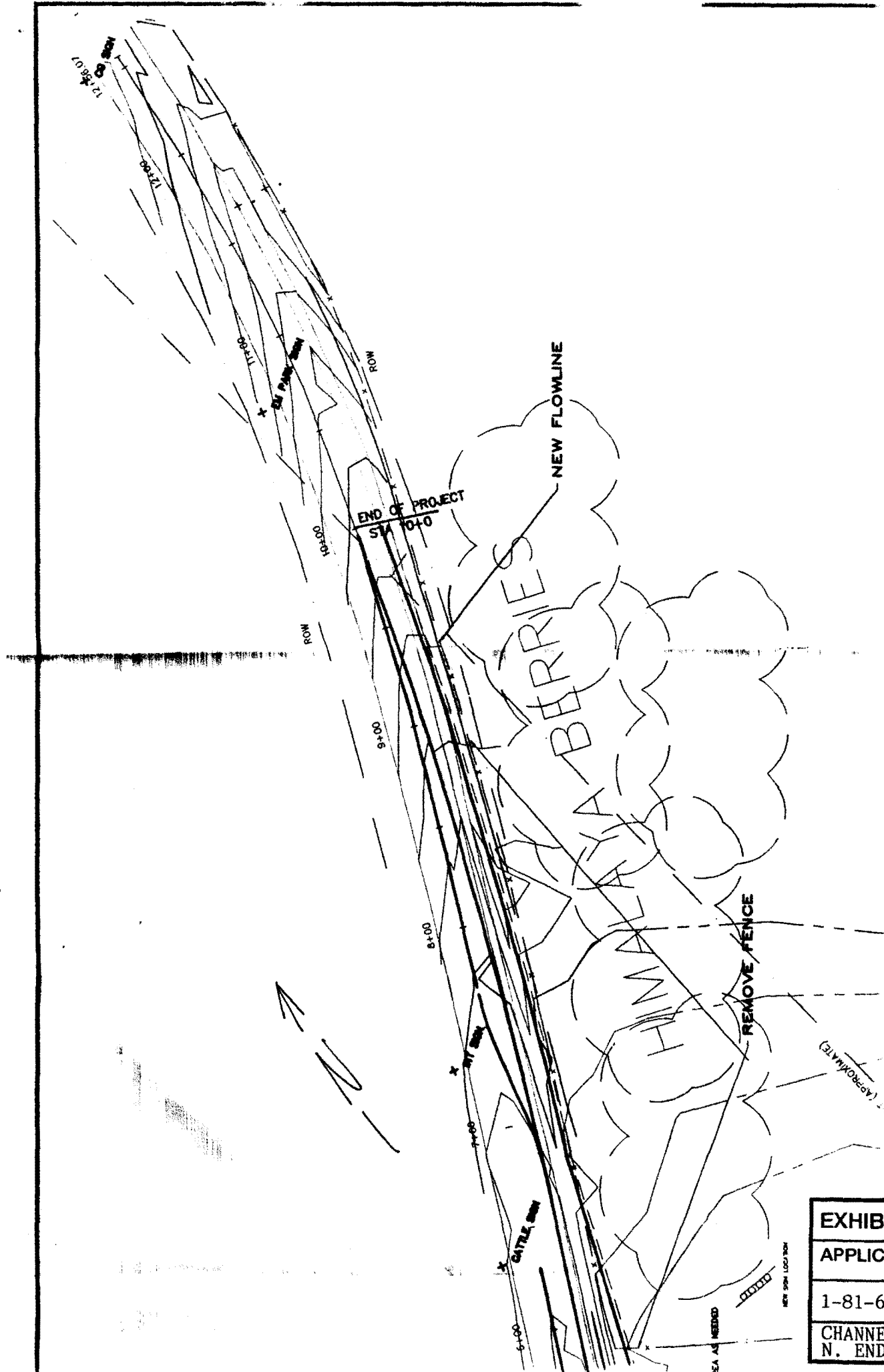


EXHIBIT NO. 6b

APPLICATION NO.

1-81-65-A4

CHANNELIZATION PLAN  
N. END

# MENZIES' NATIVES NURSERY

BOTANICALS - NATIVE & RARE LANDSCAPES  
P.O. BOX 9 10716 N. OLD STAGE RD. WEED, CA 96094-0009  
(916) 938-4858 FAX (916) 938-4777



California Coastal Commission  
45 Fremont Street Suite 2000  
San Francisco, Ca 94105-2219

RECEIVED  
APR 27 1998

Mr Bob Merrill:

As per Permit Amendment Application # 1-81-65-A4

CALIFORNIA  
COASTAL COMMISSION

After designing the landscape for native plantings on this project, there seems to be several areas that you still need additional information. These areas of concern are as follows:

## Revegetation of existing Pasture Land:

There seems to be no apparent sensitive specie grasses, just browse remains and some buffalo grass with intermix subclovers and rye. This project will see the existing top soil and soil horizon material from the new road area to be pulled off and stored to use on the 'to be' abandoned road. Within this material there should remain a sufficient amount of grass species seed that will naturally regerminate when the material is folded back into the abandoned road. This will allow for a self regeneration, with our management of revegetation, to naturally sustain and perpetuate itself. Given the amount of browse by the existing elk herd the existing material will actually be hardier than were we to try to seed from scratch the same area. It seems with the present topography and soils response that I have observed, there is no real erosion to this site at present, nor is there during the winter months when is of greatest concern to our environment and surrounding habitat.

Were we to add seed to the material for enhancing, a mix of Lynn perennial rye, festuca rubra (red fescue), festuca ovina (sheep fescue) and a clover of yet undetermined specie would be suggested. We would want to ask the local Fish and Game botanist what she would recommend for this clover.

As to watering the area of seeding and planting material, just the coastal dew point will be sufficient to germinate these soils with seed. When our water trucks are working on the grading of the roads, we will water to better establish this revegetative regermination of existing native species.

Himalaya berries will be removed during this process as this is an invasive alien and also interferes with the sight corridors.

In those areas, other than the above that are disturbed, we will utilize our seed mix to fill in and enhance so a better, and more complete integration of the habitat occurs. This will allow a more natural statement to the end product.

This area is an 'easy' revegetation project as there really does not appear to be an erosion problem scenario.

Thanking you for your time and consideration in these matters I remain,

Robert H. Menzies  
Botanical Consultant

EXHIBIT NO. 7

APPLICATION NO.

1-81-65-A4

BOTANICAL REPORT  
(p. 1 of 3)

# COASTAL DEVELOPMENT PERMIT NO. 1-81-65-A4

## LANDSCAPING PLAN DESIGN SPECIFICATIONS

### PER ATTACHED LETTER AND ENGINEERING LANDSCAPE PLAN

1. **Meadow Ranch Rd and all fencing, signs, and lighting** that are existing will be removed and the grounds and area will be returned to natural pasture as per letter description and plans. **Existing Road (Remove)**
2. **Precautions will be taken** to ensure that during construction and removal of items in #1, no debris or sedimentation will enter Mc Brindle Cr.
  - a. No debris left on site during construction.
  - b. Construction will occur during summer months; protection provided for, if it rains. (There is no drainage into Mc Brindle Creek, even during the winter from this site.)
  - c. Revegetation (per Menzies description) will be introduced as quickly as possible.
3. Relocation of existing signage with new signs and lighting as shown on plans.
4. Removal of fencing near the HWY, including the Himalaya Berries near the road to improve line of sight and to eliminate an alien species of plant.
5. The replacement and repair of disturbed pasture area affected by construction of the project as (per Menzies description).
6. There are no trees in the affected area and no plans to plant in the area. This will avoid conflict with sight distances on the HWY.
7. Minimum shoulders with pasture grasses right next to the new road will reduce the visual aspect of the road and enhance water percolation in the area. (There is very good percolation in this whole site particularly as the new road is at the high point of this site).
8. Topo aspect (contour @ 1 foot intervals) shows that the main road areas of construction are almost level.
9. No erosion or erosion possibilities are likely at this site, due to the topography and soil characteristics of good percolation. (As noted in letter and on plans).
10. **Precautions of quick and sustained revegetation will always be of the highest priority for the winter months.**

EXHIBIT NO. 7
APPLICATION NO.
1-81-65-A4
BOTANICAL REPORT (p. 2 of 3)

← STATE PARKS + RECREATION LAND THIS SIDE OF HWY 101 →

PROPERTY  
BOUNDARY  
100' + FT  
PAST THIS PAPER BORDER

LINE  
CONTOURS  
②  
6 //

-NEW ENTRY

QUALITY RESORTS OF AMERICA LAND  
THIS SIDE OF HWY 101

• Rd TO BE RETURNED TO PASTURE

SCALE: 1" = 40'

DATE	8/17/00			
SCALE:	1" = 40'			
DESIGNED:	OPS			
DRAWN:	OPS			
CHECKED:	---			
ENGINEER:	OPS			
		8	BY	DATE
				REVISIONS

P.O. BOX 1362 MT. SHASTA, CA 96067 (530)926-2608

**PREPARED FOR:**

P.O. BOX 620870  
ORANGEVALE, CA 95662

ORICK

**CALIFORNIA**

SHEET	1
OF SHEETS	
JOB No. 9809	

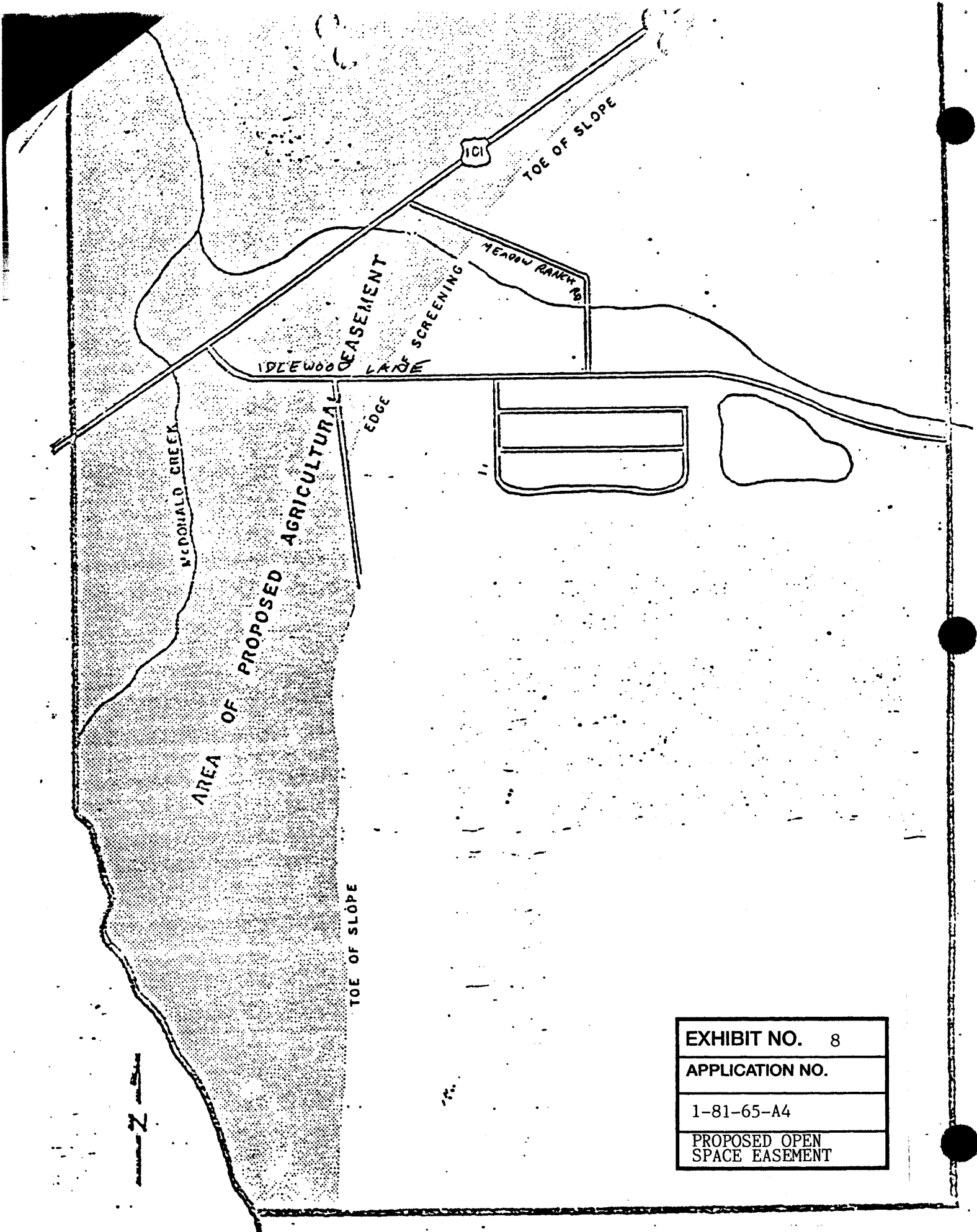


EXHIBIT NO.	8
APPLICATION NO.	
	1-81-65-A4
PROPOSED OPEN SPACE EASEMENT	

California Coastal Commission  
North Coast District  
1656 Union Street, Room 150  
Eureka, California 95501  
(707) 443-1623

FILED 9/8/81  
49th 11/27/81  
STAFF REPORT 10/20/81  
HEARING DATE 11/5/81  
STAFF ANALYST Tim Ash  
BF / MM  
PC/DD

## COASTAL PERMIT: REGULAR CALENDAR

### STAFF REPORT AND PRELIMINARY RECOMMENDATION

EXHIBIT NO.	9
APPLICATION NO.	
	1-81-65-A4
	Original Staff Report (page 1 of 8)

APPLICATION NO. 1-81-65

APPLICANT: Robert Brindle  
Star Route 1, Box 280  
Trinidad, CA 95521

AGENT: Trump & Sauble, Inc.  
202 M Street  
Eureka, CA 95501

#### PROJECT DESCRIPTION

PROJECT LOCATION: Located east of US 101 at Stone Lagoon, six miles south of Orick, Humboldt County.

PROJECT DESCRIPTION: Improvements to an existing campground to include: 7,400 sq. ft. general store/cafe; 2,000 sq. ft. pool shelter and swimming pool; installation of water, sewer (leachfield) and electrical lines to existing campsites; conversion of 912 sq. ft. barn to recreation hall; construction and relocation of 3 signs; use of Stone Lagoon Schoolhouse as a museum/gift shop; a 1 acre parking lot and tennis courts.

LOT AREA 114 acres ZONING Unclassified  
BLDG. COVERAGE 4,000 sq. ft. (LCP) PLAN DESIGNATION grazing, crops and open uses, 1 unit/20 acres  
PAVEMENT COVERAGE N/A PROJECT DENSITY N/A  
LANDSCAPE COVERAGE N/A HEIGHT ABV. FIN. GRADE N/A

LOCAL APPROVALS RECEIVED: Humboldt County Planning Dept., Regional Water Control Board

#### SYNOPSIS OF RECOMMENDATION

Recommendation: Approval with conditions. The proposed project raises issues relating to protection of coastal visual resources and the maintenance of water quality. Conditions requiring structural setbacks from streams, landscaping and open space easement offer will protect these resources consistent with Coastal Act policies. The applicant is in opposition to the open space easement condition because it may require renegotiation of his financing with the previous owner.

SITE CHARACTERISTICS: See findings

SURROUNDING LAND USE: See findings

COASTAL ACT ISSUES: Visual Resources, Marine Resources, Local Coastal Program.

STANDARD CONDITIONS: See attached.

SPECIAL CONDITIONS: See attached.

RESOLUTION: The staff recommends the commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

1. Prior to issuance of a coastal development permit and therefore prior to construction:
  - a. The applicant shall record an offer to dedicate to a public agency or private association approved by the executive director an open space easement over portions of Humboldt County Assessor's Parcel numbers 302-171-28 and 29 shown in Exhibit 2. No construction shall be permitted within this dedication area except for agriculturally-related structures or development approved under the terms of this permit. The offer to dedicate shall be recorded free of all liens and encumbrances except tax liens, shall be irrevocable for a period of 21 years running from the date of recordation, and shall run with the land binding the landowner, his heirs, assigns, and successors in interest to the subject property. Prior to recordation, the form and content of the document shall be reviewed and approved by the executive director of the commission.
2. Proposed development, except development consisting of improvements to existing structures, shall not be constructed within 100 feet of any streams on the subject parcel.
3. All utilities to be constructed under the terms of this permit shall be undergrounded.
4. Prior to the issuance of the permit and therefore construction, applicant shall submit to the executive director for his approval:
  - a. Plans detailing the size, design, location and materials to be used in construction of the proposed tennis courts and swimming pool shelter. Those plans should insure that the proposed structures are subordinate to the environment and do not detract from the scenic values of the MacDonald Creek valley.
  - b. Landscaping plans designed to mitigate the potential adverse impacts of development allowed through this permit. Said plans shall include information detailing the location, age and species of proposed plantings. The plantings shown in these approved plans should be maintained and replaced where necessary due to damage or disease. Necessity in this case should be defined by the vegetative screens effectiveness in screening the proposed project from views from US 101.
  - c. Revised plans showing locations of two on-site signs.



FINDINGS AND DECLARATIONS

1. Development Description: Improvements to an existing campground to include: 7,400 sq. ft. general store/cafe; 2,000 sq. ft. pool shelter and swimming pool; installation of water, sewer (leachfield) and electrical lines to existing campsites; conversion of 912 sq. ft. barn to recreation hall; construction and relocation of 3 signs; use of Stone Lagoon Schoolhouse as a museum/gift shop; a 1 acre parking lot and tennis courts.
2. Site Description: The project site is bordered by Dry Lagoon State Park and agricultural lands to the west and north, timberlands to the east, and timberlands and residences to the south along MacDonald Creek Road. MacDonald Creek and its unnamed tributary flow through the parcel to Stone Lagoon. The regional commission heard four permits for the project site, approving NCR-74-A-208 (Mead), NCR-75-A-264 (Mead), 75-P-115 for improvements to the campground, and denying NCR-77-C-134 (Dutra) for division of agricultural lands and the project site. The state commission has heard one appeal, 141-78, Arras, approving a single family home on an adjacent parcel.
3. Development: Section 30250 of the Coastal Act states, in part:

"New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels."

"Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors."

The proposed project consists of improvements to an existing visitor-serving facility. The project site is located adjacent to Dry Lagoon State Park. The regional commission in previous action on the subject parcel found that the dedication of an open space easement was necessary in order to minimize potential adverse impacts of the previously permitted development. The open space easement was to be recorded prior to the issuance of the portion of the permit for road improvements. The road improvements to date have not begun; the open space easement has not been recorded. The commission finds that while the proposed project will have significant adverse effects on coastal resources, those effects will be mitigated by conditions of approval including landscaping, plantings and open space easement offers.

4. Visual Resources: Section 30251 of the Coastal Act provides:

"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be

visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."

The project area is identified as a highly scenic area in the California Coastline Preservation and Recreation Plan and as a coastal scenic area in Humboldt County's visual resources technical study. The visual resources of the area include views of the open pasturelands and wooded hillsides of the valley of MacDonald Creek which are visible from US 101, particularly the northbound lanes descending from Truckman's sink. Humboldt County's local coastal program calls for the dedication of an open space easement over the agricultural portions of the subject parcel to maintain and protect the scenic qualities of the MacDonald Creek valley. The proposed project, as conditioned, will provide for substantial improvements to the existing visitor-serving facility while at the same time providing for the long term maintenance and protection of scenic values on the subject parcel. The open space easement is necessary, in light of the extraordinary scenic values, to insure that it is clear to the present owner and to subsequent owners, that structures that are contemplated to be built on the parcel in the future, if any are permitted, must be built only on specified portions of the property. This legal stipulation would appear to be particularly important in view of the applicant's history of repeated development on the parcel without the benefit of a coastal development permit. Additional conditions requiring undergrounding of utilities. Submission of additional plans for design review will insure that scenic values in the project area are protected.

Included in the applicant's proposal is a relocation of two signs previously approved by the regional commission in a previous permit (79-P-115) and the construction of an additional sign. The relocation would in the case of one of the signs (the southernmost) also entail an amendment of the six foot height limitation. The new proposed site is lower in topography than the roadbed. A sign having a height of greater than the earlier limitation of six feet in this location would have an impact similar to the impact of a six foot sign at the previously approved location. These two signs have already been erected without a coastal development permit and it is evident to the commission that the signs in their new locations are sited in a manner that is protective of the scenic qualities of the area; perhaps more so than in their previous locations. The additional sign applied for by the applicant, however, is not consistent with the intent of the previously issued permit which limited the applicant to two on-site signs. Nor is the additional sign in conformance with the policies in Humboldt County's local coastal program for on-site signs in scenic coastal areas.

Those policies call for a 40 square foot limitation on on-site signs. The applicant's approved signs exceed this figure by a factor of seven. The commission finds that approval of the applicant's proposal would be inconsistent with past commission action, action that was neither appealed by the applicant nor contested at the public hearing. The approval would set a precedent for other exceptions to the proposed sign policies that would result in a cumulative degradation of visual resources. The commission therefore finds that the proposed third sign is inconsistent with Section 30251 of the Coastal Act and finds that submission

of revised plans deleting the third advertising sign is necessary in order for the proposal to be consistent with Chapter 3 policies of the Coastal Act.

5. California Environmental Quality Act; Alternatives to the proposed project include:

- 1) No project
- 2) A project of greater scope
- 3) A project of lesser scope
- 4) Relocation of proposed structures

The proposed project, as conditioned, includes measures that will mitigate any potential significant adverse environmental effects. Vegetative screening and the requirement that structural designs be subordinate to the environment will minimize adverse impacts on visual resources.

6. Coastal Access: The coastal trail is proposed to pass through the subject parcel. At this time, the location of the trail has not been determined. The commission finds that since interagency coordination must occur prior to the siting of the trail (LCP provision) the requirement of an access easement at this time would be premature. The lack of such a requirement at this time should not be taken to indicate that the commission believes the provision of coastal access at the project site to be unnecessary.

7. Local Coastal Program: The commission finds that the proposed project, as conditioned, is consistent with the provisions of Humboldt County's local coastal program for the project site. The site has been planned for mixed use; the property will be utilized for visitor-serving commercial use and agricultural use. The proposed third sign is inconsistent with the local coastal program and has been eliminated by condition. As conditioned, the proposed project will not prejudice the ability of Humboldt County to prepare a local coastal program in conformance with the requirements of Chapter 3 of the Coastal Act.

8. Coastal Act Violations: The approval of the proposed project does not preclude the commission from pursuing its legal remedies for any violations of the Coastal Act on the project site.

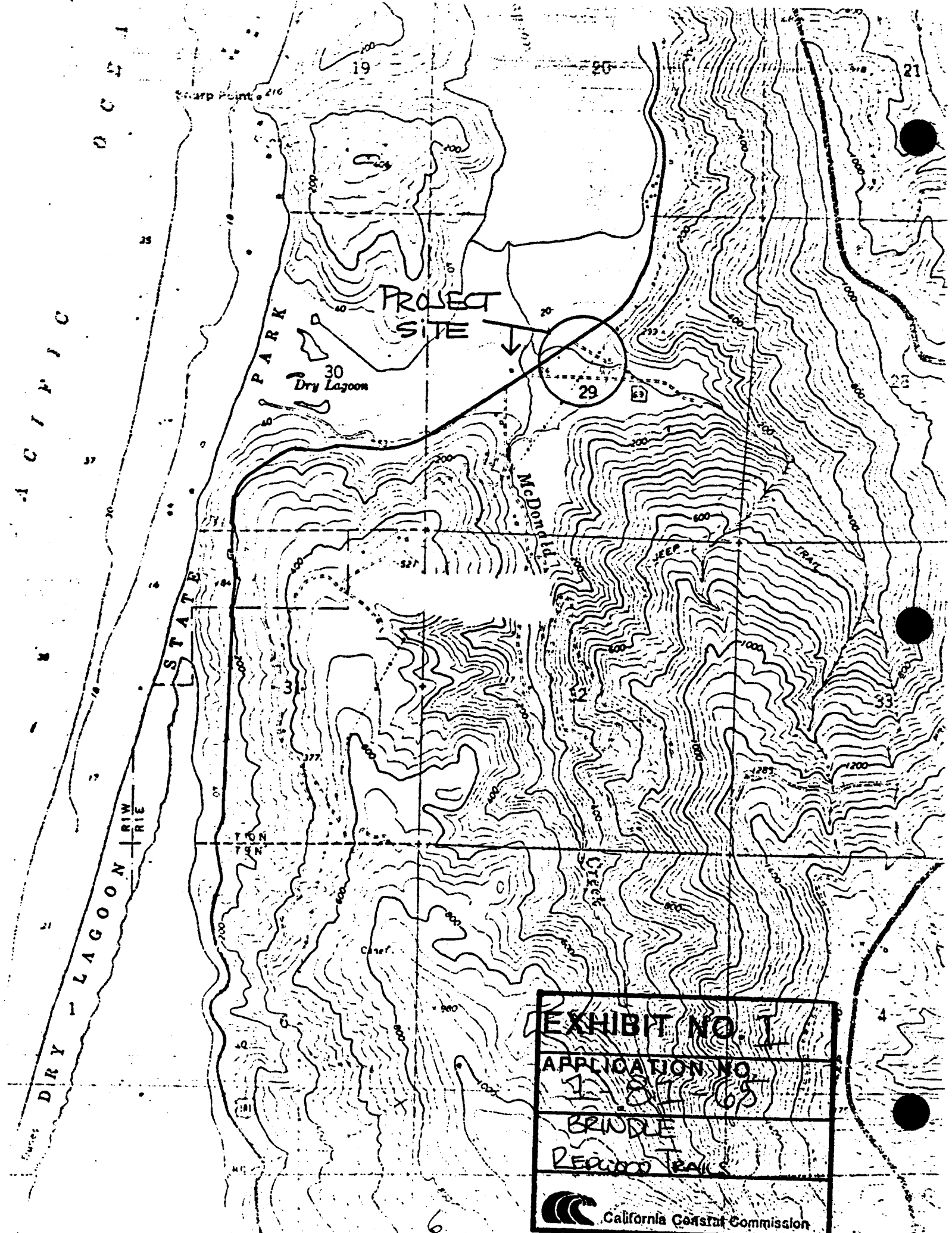



EXHIBIT NO. 1
APPLICATION NO. 1-81-65
BRINDLE
REDWOOD TRAILS
 California Coastal Commission

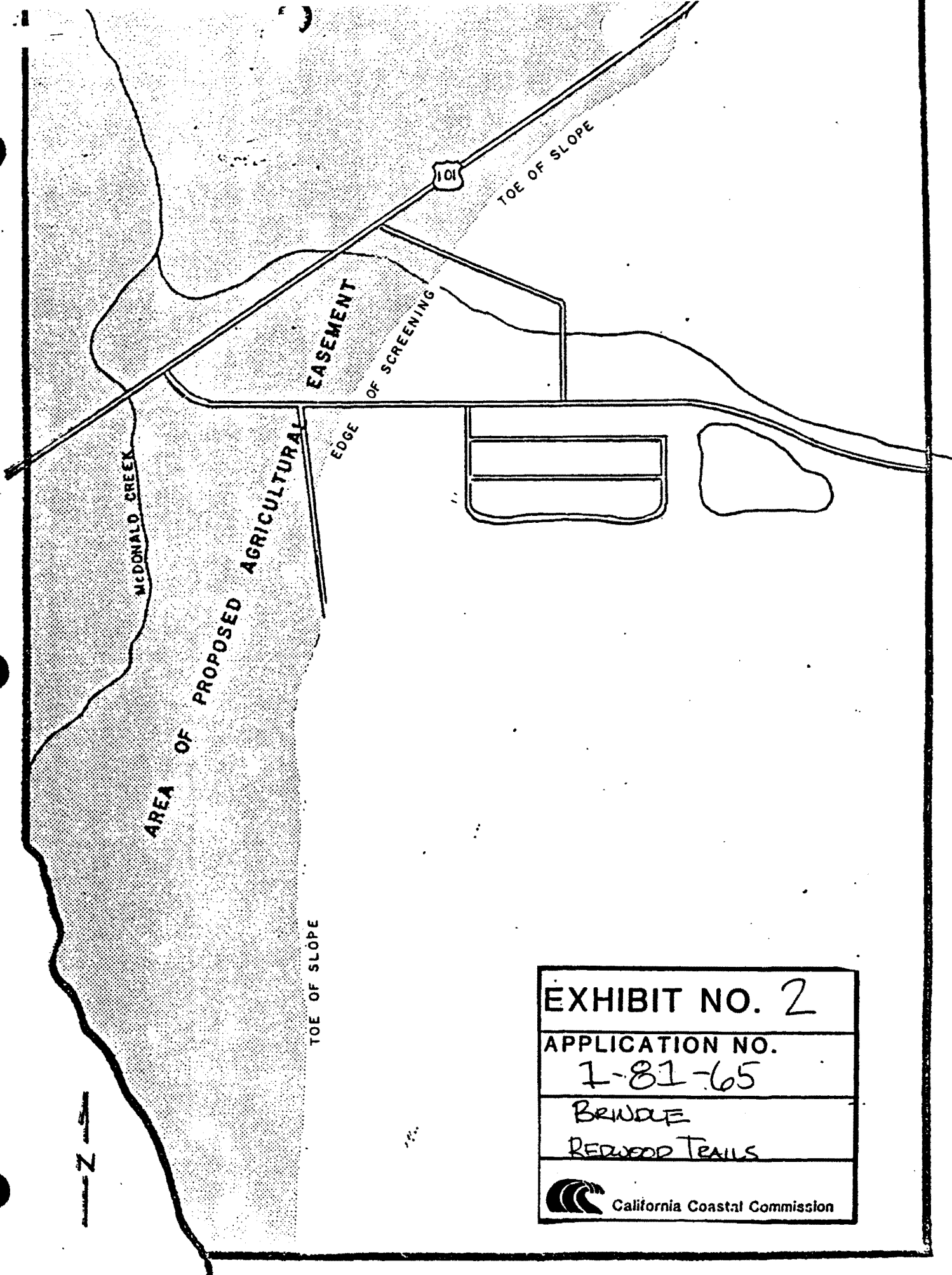



EXHIBIT NO. 2
APPLICATION NO. 7-81-65
BRINDLE REDWOOD TRAILS
 California Coastal Commission

ADDENDUM to - 1-81-65 Robert Brindle

Page 2, Condition 1, line 6. "Humboldt County Assessor's parcels number 302-171-28, 29" should read as follows:

"Humboldt County Assessor's parcel #518-062-21."

Attachment A
APPLICATION NO. 1-81-65A3
California Coastal Commission

Floor

120th Day: May 4, 1981  
 Staff: Dan Ray/LP  
 Staff Report: November 10, 1980  
 Hearing Date: Nov 10-Dec. 2, 1980  
 PD SD

# MATERIAL AMENDMENT

## STAFF REPORT AND PRELIMINARY RECOMMENDATION

APPLICATION NO. 1-81-65A

APPLICANT: Robert Brindle

AGENT:

EXHIBIT NO. 10
APPLICATION NO. 1-81-65-A4
Staff Report for CDP No.
1-81-65-A (page 1 of 8)

## PROJECT DESCRIPTION

PROJECT LOCATION: Redwood Trails, at the intersection of U.S. 101 and Idlewild Lane, approximately six miles south of Orick, Humboldt County.

PROJECT DESCRIPTION: Amendment of coastal development permit to authorize an additional 45 campsites, relocate a proposed cafe, store, and gas pumps, delete trail easement and gazebo, and construct road improvements and pond.

LOT AREA 220 acres ZONING Exclusive Agriculture-Highway Commercial

BLDG. COVERAGE 9,400 square feet (LCP) PLAN DESIGNATION Exclusive Agriculture - Commercial Recreation

PAVEMENT COVERAGE 32,250 square feet PROJECT DENSITY N/A

LANDSCAPE COVERAGE 15,000 square feet HEIGHT ABV. FIN. GRADE 26 feet

LOCAL APPROVALS RECEIVED: Humboldt County

SUBSTANTIVE FILE DOCUMENTS: Northcoast Area (Humboldt County) Land Use Plan: General

Management Plan: Dry Lagoon State Park and Harry A. Merlo State Recreation Area.

STAFF NOTES: On November 5, 1981, the Commission approved a coastal development permit for improvement to the existing Redwood Trails campground. The new development authorized by the permit included a 7,400 square foot general store and cafe; 2,000 square foot swimming pool and pool shelter, installation of water, sewer (leachfield) and electrical lines to existing campsites; conversion of 912 square foot barn to recreation hall; construction and relocation of three signs; use of Stone Lagoon Schoolhouse as a museum and gift shop; and construction of a one acre parking lot and tennis courts.

The staff recommends that the Commission adopt the following resolution:

I. Resolution - Approval with Conditions

The Commission hereby grants an amendment for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is in conformance with the certified Local Coastal Program, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Conditions

1. Protection of Visual Resources. Condition 4 of permit 1-81-65 is revised to provide:

Prior to the issuance of the permit and therefore construction, the applicant shall submit to the Executive Director for his approval:

a) Landscaping plans designed to mitigate the potential adverse impacts of development allowed through this permit. Said plans shall include information detailing the location, age and species of proposed plantings. The plantings shown in these approved plans should be maintained and replaced where necessary due to damage or disease. Necessity in this case should be defined by the vegetative screen's effectiveness in screening the proposed project from views from U.S. 101.

b) Revised plans showing locations of two on-site signs.

c) Final plans identifying the materials and colors of exterior facades of the store and cafe to subordinate this structure to its setting and ensure its compatibility with the Stone Lagoon Schoolhouse.

All work conducted under this permit shall be consistent with these revised plans as approved by the Executive Director. Required landscaping shall be installed prior to operation of the campsite, store, and cafe.

2. Public Access. Condition 5 of permit 1-81-65 is deleted.

3. Other Conditions. The findings and conditions, permit 1-81-65, with the exception of conditions 4 and 5 as revised above, are incorporated into this amendment. The applicant shall abide by the standard conditions and special conditions 1, 2, and 3 in the original permit.

III. Findings and Declarations

The Commission finds and declares as follows:

A. Project Description. Redwood Trails is an existing recreational vehicle park located adjacent to Humboldt Lagoons State Park at the intersection of U.S. 101 and Idlewild Lane, approximately six miles south of Orick in Humboldt County. Existing development at Redwood Trails includes 111 space recreational vehicle spaces, a museum located in the restored Stone Lagoon Schoolhouse, a store, barn, parking area, two residences, and other outbuildings.

On November 5, 1981, the Commission approved a coastal development permit for improvements at Redwood Trails, including construction of a 7,400 square foot cafe and store, a 2,000 square foot swimming pool and pool shelter, a one acre parking



lot and tennis courts, installation of utilities to existing campsites, conversion of the barn to a recreation hall, construction and relocation of three signs, and use of the schoolhouse as a gift shop.

The proposed amendment would authorize the relocation of the proposed store and cafe, addition of 45 campsites, construction of a 4,700 square foot horse barn, road improvements, and a pond, and deletion of the gazebo and a required offer of dedication of trail easements.

The proposed store and cafe would be relocated from a site east of the existing parking area and adjacent to the barn to a site west of the parking lot and about 75 feet east of the restored schoolhouse. Recently planted landscaping located between the schoolhouse and the newly proposed location of the store and cafe will, when fully grown, screen the store and cafe from the schoolhouse and from the views of travelers on U.S. 101. A gazebo which had been proposed as part of the development of the cafe and store would be deleted.

The proposed campsites will be developed on about four acres of presently undeveloped land located south of the private lane extending east from Idlewild Road. Development of this area for a swimming pool and tennis court had been authorized under the existing coastal development permit. As proposed by the amendment, the new campsites would include 38 recreational vehicle spaces and seven tent spaces. As proposed, these campsites will be available to the general public. Landscaping would be planted along the western boundary of the new campsites to screen them from the view of travelers on U.S. 101.

Road improvements on the site would include widening of Idlewild Lane, a County maintained road, from the present twelve feet to twenty-four feet in width. These road improvements were required by Humboldt County as a condition of rezoning of the site. In addition, a graveled lane would be constructed along the eastern margin of the McDonald Creek bottomlands, leading from the campground to a location about 1,300 feet to the south. A one acre pond and a 3,700 square foot horse barn would be constructed at the southern terminus of the lane.

Finally, a required offer of dedication of an access easement along a potential coastal trail route would be deleted. The proposed easement would have linked the Dry Lagoon portion of Humboldt Lagoons State Park with recently acquired State parklands east of Stone Lagoon.

B. Locating New Development. The project is located on the alluvial bottomlands of the MacDonald Creek Valley. These bottomlands are presently used for cattle pastures and have been managed for dairy production in the past. The soils at the site are Kerr silt loams, a prime agricultural soil with a Storie index rating of 90 and a Soil Conservation Service capability classification of Class I. The project site includes approximately 110 acres of these agricultural lands.

The project is bounded on the west and north by Humboldt Lagoons State Park. Recreational day use areas within the park are located at the Dry Lagoon beach to the west of the project site and along the shoreline of Stone Lagoon to the north. The Department of Park and Recreation's Humboldt Lagoons State Park general management plan proposes development of an interpretive center, picnic area, and recreational boating facilities at Stone Lagoon, and a new enroute camping area at Dry Lagoon.

Coastal Act Section 30241 provides, in part:

"The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

. . . (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands . . .

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), of this section and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands."

Coastal Act Section 30250(c) provides:

"Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors."

In addition, Coastal Act Section 30223 provides:

"Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible."

Humboldt County's certified Northcoast Area land use plan implements these policies by designating those portions of the site's bottomlands presently in agricultural use for exclusive agriculture. The site's existing recreational development and the wooded uplands to the east are designated for commercial recreation use. Stables and watershed management activities are permitted as conditional uses within the exclusive agricultural designation. Visitor-serving development is permitted within the commercial recreation designation. The plan's policies provide that visitor-serving development of rural commercial recreation lands may be permitted when:

"(a) The proposed development includes adequate on-site services for water, waste disposal, parking and other facilities necessary to serve the proposed use.

(b) The proposed development would not create traffic flows detrimental to agricultural or forestry uses in the planning area; except that where the proposal includes a showing that such adverse impacts will be mitigated through road improvements or other means within two years of project approval, the development shall be approved;

(c) No location within the urban limit area is more feasible.

(d) The development does not constitute conversion of agricultural or timber lands inconsistent with the requirements of this chapter.

(e) In the case of visitor serving facilities, that an established recreational use exists in the immediate area, or will be provided by the development, for which the visitor-serving facility is an appropriate commercial service."

In addition, the plan includes specific policies applicable to development of the Redwood Trails area. These policies require, among other things, that new visitor-serving development of the site be accompanied by an offer of dedication of an open space or conservation easement over the bottomlands planned for exclusive agriculture.

As proposed, the amendment conforms to these policies. The development permitted within the area designated for exclusive agriculture is limited to construction of a horse barn and pond which are permitted uses as stables and watershed management under the plan's policies. The four acres of prime agricultural soils that will be developed for the campsite expansion are not planned for exclusive agriculture in the certified plan, and make up to only four percent of the site's prime farmlands. Conversion of these lands will not adversely affect the economic viability of the lands designated for exclusive agriculture. The condition of this permit requiring dedication of an open space or conservation easement over the site's exclusive agricultural lands is unaffected by this amendment, and will help to ensure that these lands remain available for agricultural use. For these reasons, the site's agricultural lands will not be adversely affected by the adjacent visitor-serving development.

Expansion of the campground will provide additional visitor-serving facilities in close proximity to the adjacent lagoons, beaches, and day use areas of Humboldt Lagoons State Park. Adequate water and parking are available. As proposed, the additional campsites permitted will be installed as dry units without individual wastewater connections. Individual wastewater connections for the new recreational vehicle spaces may be installed in the future by amendment of this permit and subject to the review and approval of the Regional Water Quality Control Board. The improvement of Idlewild Lane permitted by this development and required by Humboldt County will ensure that traffic generated by Redwood Trails will not conflict with use of the County road for access to the commercial timberlands east of the development.

For these reasons, the project, as amended, conforms to Coastal Act Sections 30223, 30241, and 30250(c).

C. Visual Resources. The project area includes valuable scenic resources. The open pasturelands and wooded hillslopes of the MacDonald Creek valley provide a pastoral setting for highway travelers and visitors to Humboldt Lagoons State Park. The Old Stone Lagoon School, located on the site, is a historic structure of local significance. The school was constructed near the turn of the century and serves as a rare and very visible example of the architecture of the one room schools which once dotted rural Humboldt County. The school is the central site of the book, Schoolma'am: The Letters of Eleanor Ethel Tracy, by Harriet Delong.

The site's visual resources are recognized by the Department of Parks and Recreation's (DPR) California Coastline Preservation and Recreation Plan. DPR's general management plan for Humboldt Lagoons State Park emphasizes the importance of the pasturelands and wooded hillslopes to the area's scenic values and proposes to maintain bottomlands within the park adjacent to the project site as open pastures.

Coastal Act Section 30251 provides:

"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall

be sited and designed to protect views to and along the ocean and scenic coastal areas, minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."

In addition, Section 30240(b) states, in part:

"Development in areas adjacent to . . . parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas. . ."

Humboldt County's certified Northcoast Area Land Use Plan implements these policies by including the project site and surrounding lands in designated coastal scenic and coastal view areas. The policies of the plan provide for design review of new development within these areas, and require, among other things:

(2) That the exterior design, lighting and landscaping combine to render the overall appearance compatible with the natural setting as seen from the road.

(3) That no development, other than landscaping, signs, utilities, wells, fences and a driveway for access to the public road where required, be located within fifty feet of the public road.

(4) That all feasible steps have been taken to minimize the visibility of parking areas from the public road.

(5) Exterior lighting shall be shielded so that it is not directed beyond the boundaries of the parcel.

In addition, specific policies applicable to development at Redwood Trails provide:

The Old Stone Lagoon Schoolhouse shall be maintained as close to its historic appearance as is feasible.

New structures and development not screened by existing vegetation shall be planted for screening from Highway 101.

As noted earlier, the policies also provide for the dedication of open space or conservation easements over the agricultural portions of the bottomlands to ensure the protection of the site's open, pastoral setting.

The exterior facades of the cafe and store authorized under this permit are modeled after agricultural structures associated with the site's pastoral setting (Exhibit 2). The resiting of this structure as proposed in this amendment will relocate the building about 250 feet closer to U.S. 101 than is authorized by the present permit. As resited, the building will be located 350 feet from U.S. 101 and 75 feet from the restored schoolhouse. As resited, the building will be more visible from U.S. 101 and Humboldt Lagoons State Park, and will appear larger in bulk when viewed from the highway and park than would be the case if the initial site was

retained. The existing landscaping on the site will provide less effective screening of the project from U.S. 101 than would be the case in the site initially approved in this permit. The structure's new location will, however, screen the existing parking area from highway views. The new campsites to be developed under this amendment would be highly visible to travelers on U.S. 101.

In compliance with the provisions of the County's land use plan, the proposed development includes landscaping along the development's western margin to reduce the project's visibility from U.S. 101 and ensure its compatibility with the MacDonald Creek valley's visual setting. The permit's condition requiring submittal of a landscaping plan and maintenance of the landscaping will be unaffected by this amendment. The condition is necessary to ensure that the landscaping as installed and maintained will effectively screen the development which otherwise would be highly visible from U.S. 101. In addition, because the cafe and store's new location will be more visible from U.S. 101 and Humboldt Lagoons State Park than the location initially proposed, and will remain visible from the highway and park until the landscaping grows sufficiently to screen it, the conditions of this amendment require review and approval of the structure's facade colors and materials to ensure that they are subordinate to and compatible with their setting. The permit's existing condition requiring dedication of an open space or conservation easement over the site's agricultural bottomlands will be unchanged by the amendment.

Because the permit, as amended, includes landscaping to screen the development from U.S. 101 and Humboldt Lagoon's State Park and proposes a structural design subordinate to and compatible with its setting, the project conforms to Coastal Act Sections 30251 and 30240(b).

D. Coastal Access. The access component of Humboldt County's certified Northcoast Area Land Use Plan provides for a coastal trail route linking Dry Lagoon to the State parklands east of Stone Lagoon and continuing through the adjacent Redwood National Park. One potential route for such a trail is through the Redwood Trails development. The land use plan policies applicable to Redwood Trails provide that:

In cooperation with State Parks and Recreation, Redwood National Park, and other appropriate agencies, the developer shall investigate opportunities and participate in the provision of access from Humboldt Lagoons State Park to Redwood National Park.

Coastal Act Section 30212 provides, in part:

"(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected.

In conformance with this policy and the provisions of Humboldt County's Northcoast Area Land Use Plan, the conditions of the project's coastal development permit require an offer of dedication of an access easement along this trail route.

In June, 1983, the State Parks and Recreation Commission adopted a new general management plan for Humboldt Lagoons' State Park. The adopted plan provides for development of the coastal trail route described in the County's LUP entirely on the State park land. For this reason, dedication to an access easement for a coastal trail route across the project site is unnecessary. The condition requiring such dedication is removed by this amendment.

The adopted park management plan encourages provision of a trailhead and horse trailer parking area at Redwood Trails to provide equestrian access to the park lands east of Stone Lagoon. However, the scale and location of equestrian trails within the State park and adjacent Federal park lands is still uncertain.

Because of this uncertainty, it is infeasible to now identify a proper site at Redwood Trails for the trailhead and parking area recommended by the State park plan. These facilities can best be developed in cooperation with the park agencies when their equestrian trail program is sufficiently developed to permit adequate identification of a desirable location, size, and design for the recommended facilities. For these reasons, dedication or development of these facilities is not required as a condition of this permit.

E. Relationship to Coastal Act Violations. The project is on a site where alleged Coastal Act violations are being pursued for activity which has occurred on this parcel. This permit in no way will affect the ability to pursue any violations which have occurred or reflect upon the allowability of such actions. Nor will it prejudice separate action upon coastal permits for past or future activity on this parcel.

California Coastal Commission  
North Coast District  
350 "E" St., 4th Floor  
Eureka, California 95501  
(707) 443-1623

49th Day: August 7, 1984  
180th Day: December 18, 1984  
Staff: Bruce Brindle/05/09/10  
Staff Report: October 19, 1984  
Hearing Date: October 24-26, 1984

PC DD

RE: Item was withdrawn at Commissions  
July 11, 1984 Hearing at Applicant's  
Request.

APPU.

## COASTAL PERMIT: MATERIAL AMENDMENT

10-24-84

### STAFF REPORT AND PRELIMINARY RECOMMENDATION

APPLICATION NO. 1-81-65A3

APPLICANT: Robert Brindle

EXHIBIT NO.	11
APPLICATION NO.	1-81-65-A4
Staff Report for CDP No.	
1-81-65-A3 (page 1 of 8)	

### PROJECT DESCRIPTION

PROJECT LOCATION: Redwood Trails, at the intersection of U.S. 101 and Idlewild Lane, approximately six miles south of Orick, Humboldt County.

PROJECT DESCRIPTION: Coastal Development Amendment for the conversion of 96 public recreation vehicle sites to membership only, conversion of 14 public sites to long-term lease by members only and retention of 45 previously approved recreation vehicle sites for public use.

LOT AREA 220 acres ZONING Exclusive Agriculture-Highway commercial

BLDG. COVERAGE N/A (ICP) PLAN DESIGNATION Exclusive Agriculture

PAVEMENT COVERAGE N/A PROJECT DENSITY N/A

LANDSCAPE COVERAGE N/A HEIGHT ABV. FIN. GRADE N/A

LOCAL APPROVALS RECEIVED: Humboldt County Conditional Use Permit

SUBSTANTIVE FILE DOCUMENTS: Northcoast Area (Humboldt County) Land Use Plan: General Management Plan: Dry Lagoon State Park and Harry A. Merlo State Recreation Area; Draft Redwood National Park General Management Plan; Development of Tourism at Orick: A Marketing Study (D. C. Allen).

STAFF NOTES: On November 5, 1981, the Commission approved a coastal development permit for improvement to the existing 110-unit Redwood Trails campground. The new development authorized by the permit included a 7,400 square foot general store and cafe; 2,000 square foot swimming pool and pool shelter. Installation of water, sewer (leachfield) and electrical lines to existing campsite; conversion of 912 square foot barn to recreation hall; construction and relocation of three signs, use of Stone Lagoon

Schoolhouse as a museum and gift shop; and construction of a one acre parking lot and tennis court.

On December 1, 1983, the Commission approved an amendment to the project's coastal development permit authorizing construction of an additional 45 campsites, relocation of the cafe and store, and other minor improvements. (Attachment A).

In October, 1983 staff for the first time became aware that Redwood Trails was operating as a campground available exclusively to members. The applicant informed the staff that the 45 new units proposed in December 1983 amendment, however, would be open to members of the general public, and the public availability of the newly permitted campsites was noted in the Commission's findings. The staff at that time informed the applicant that a coastal development permit would be required for 14 long-term memberships which were a subdivision and lease of the affected campsites. The staff did not inform the applicant that a coastal development permit was required for the conversion of the remaining 96 existing campsites, as staff believed that the 45 newly permitted campsites would provide an adequate balance of publicly available and exclusively membership facilities.

In February, 1984 the applicant expressed his desire to develop the 45 newly permitted spaces for membership only use. The staff informed the applicant that amendment of his coastal development permit would be required for this conversion.

The applicant applied for this request in April, 1984 but as the application was incomplete it was not filed and set for hearing until July 11, 1984. Staff recommendation was for denial for the conversion of the 45 unconstructed sites to membership only and the applicant requested continuance of the hearing. The applicant has since dropped this request; the 45 already approved sites will remain for public use, and the remaining 96 sites be designated membership only and 14 sites being designated as long-term lease for members only. As the applicant already has Commission approval for the 45 public sites (1-81-65A), attachment A) the only issues are the 96 sites being and designated membership only and the 14 long-term lease sites. The 110 (96 + 14) sites have been converted to membership only as well as the applicant selling the 14 sites as permanent sites (see attachment B).

#### Preliminary Staff Recommendation:

Staff recommends that, following a public hearing the Commission adopt the following resolution and findings:

#### I. Approval with Conditions

The Commission hereby grants a permit for the proposed development subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

#### CONDITIONS:

1. Prior to transmittal of this amendment the applicant shall record a deed restriction in a form subject to the approval of the Executive Director which states



that the previously approved 45 sites (1-81-65A) and the 14 public sites required in condition #2 shall be utilized for public use only. The deed restriction shall be binding on the applicants and all successors in interest.

2. The applicant shall create 14 new public recreational vehicle sites to offset the loss created by the designation of the 14 long-term lease sites. The 14 new sites shall not be located within the designated open space area or any environmentally sensitive habitat area.

3. The applicant shall furnish, within 60 days of transmittal of this permit, a final site plan showing the following:

a) final location of all previously approved projects and this amendment.

b) final landscaping design, including but not limited to, species, placement and management procedures to insure continued survival. The landscaping must commence prior to June 1, 1985 and be completed by September 1, 1985. The landscaping shall be designed to provide maximum screening from Highway 101.

c) Spaces 34, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 57, 58, and 711 shall be designated as long-term leases for members only.

d) The location of the previously approved 45 public use sites and the 14 new public use sites required as a condition of this permit.

e) The final site plan, after acceptance by the Executive Director, shall be notarized and signed by the applicant and shall supercede all other plans on file regarding this permit.

f) Two small signs added to the existing highway signs advertising public campground sites.

4. The applicant shall, upon request, furnish to the Executive Director, or his successor, a monthly receipt log showing the sites are being utilized by the public.

5. The applicant shall provide the required public campsites by August 1, 1985 or furnish an equal number of public campsites within the existing Redwood Trails Campground.

## II. FINDINGS AND DECLARATIONS

A. Project Description. The project amendment is for the conversion of 110 recreational vehicle spaces from public use to membership only and the designation of 14 of the 110 spaces as long term lease for members only. The 14 spaces are existing units of the already developed Redwood Trails Campground. The "owners" of these spaces already have a signed contract with the applicant that states there will be no limitation on the members length of stay in the space assigned. The members right to use a specific space extends to the year 2071 (see attachment B). The remaining 96 spaces are on a membership only basis which allows the members to use the facilities of Redwood Trails and its affiliated resorts on a space available basis. At the present time, excluding the 14 permanent members, there are 763 memberships sold to members of Redwood Trails.

Coastal Act Section 30106 defines development as including a change in the density or intensity of use of land. The conversion of these spaces to membership only is such a change in use. Judicial determinations have emphasized that mere "quantitative" changes in use should not limit the requirements of the Coastal Act. Instead, the court has determined that "qualitative" changes could irrevocably commit coastal resources to uses inconsistent with the Coastal Act, defeating clear legislature directives (Stanson v. San Diego Coast Regional Commission (1980) 101 Cal. App. 3d, 38, 47, citing Friends of Mammoth). The conversion of a campground to a facility available exclusively to members creates such a qualitative change in the use of that property, as it will no longer be available to members of the general public but only to those who can afford to pay a membership and maintenance fees for the privilege of camping there. The cumulative effects of such changes could drastically alter the nature of the public's use of the coastal zone. Such cumulative impacts have been judicially recognized as a legitimate concern in approving and denying coastal development (Stanson, supra, 101 Cal. App. 3d 38, 48). Pursuant to PRC Section 30009, the entire Coastal Act, including the definition of "development" must be liberally construed to accomplish the purposes and objectives of the Coastal Act.

This project is in some respects analogous to a time-share conversion. Although portions of the application do not recreate separate legal interests in land and therefore are not technically a land division, its effect is similar to that of the conversion of a hotel or motel to time-share use. This conversion has been legally structured in such a manner that no Department or Real Estate review is required. Therefore, it is even more important that its impact on public access and coastal resources is reviewed under the Coastal Act. The legislature has specified that certain time-share projects have adverse impacts on public access and therefore has recognized the need to analyze time-share projects under Coastal Act policies (PRC Section 30610(h)). This intent should not be frustrated where the impacts are analogous and jurisdiction can be asserted.

The counties of Sonoma and Marin have determined that similar conversions of existing campgrounds within their coastal areas are development within the Coastal Act's definition. The Commission has also previously determined that such conversions are development (permit 2-83-26, Thousand Trails, Inc.).

B. Public Recreation and Visitor-Serving Uses. The project site is located adjacent to Humboldt Lagoons State Park approximately six miles south of Orick (Exhibit 1). Other parks and public recreation lands, including Redwood National Park, Harry A. Merlo State Recreation Area, Big Lagoon County Park, and Patricks Point State Park, occupy 23 miles of coastline in the project area, extending from the Humboldt-Del Norte County line 16 miles north of the project site to Patricks Point 7 miles to the south. The area receives substantial recreational use by local residents and many visitors drawn by the region's coastline, redwood forests, and the fishing and recreational boating opportunities of Redwood Creek and Freshwater, Stone, and Big Lagoons. In 1983, about .5 million visits were recorded in Redwood National Park and in Prairie Creek Redwood State Park.

Public recreation and tourism is increasing in the area. Recreational use of the area is projected to increase by 20 percent to 81 percent between 1980 and 1990 depending on the assumptions and methods used in the projections (tourism at Orick, a marketing study, D. C. Allen).

Overnight accommodations for visitors to the region are limited. Public parks in the area include 263 overnight campsites. Five motels near Orick offer 64 rooms and 19 recreational vehicle spaces. According to park officials, public campsites in the area are filled to capacity from mid-June through Labor Day. Accurate data on the number of persons turned away from park campsites is unavailable, but one indication of the shortfall of overnight units in the region is the number of campers utilizing informal parking areas along the Freshwater Spit. According to Park officials, an average of 150 vehicles and peaks of up to 200 vehicles parked along the spit nightly in summer, 1983.

Opportunities for new coastal public camping and commercial visitor-facilities in the area are limited. Plans for public parks in the area propose addition of only 80 additional campsites. Humboldt County's certified Northcoast Area Plan designates only one additional site, 20 acres adjacent to Freshwater Lagoon, for commercial recreation use. This site is presently occupied by the Orick Boat Club, a small membership resort.

Coastal Act Section 30213 provides in part:

"Lower cost visitor and recreational facilities shall be provided, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred."

In addition, Coastal Act Section 30210 provides, in part:

". . . maximum access . . . and recreational opportunities shall be provided for all people . . . (emphasis added)."

Finally, Coastal Act Section 30222 provides, in part:

"The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial or general commercial development . . ."  
(PRC Section 30222, emphasis added).

This project involves the conversion of 110 sites to membership only with 14 of these 110 sites being designated long-term lease for members only. According to the applicant, membership in Redwood Trails requires an initial fee of approximately \$4,700. According to some of the permanent members the initial fee for their long term lease ranged from approximately \$8,000 to \$12,000. Existing public campground fees range from \$8.00 to \$14.00 per night. The project raises a question of whether lower cost visitor and recreational facilities would be protected, and whether public recreational opportunities will be enhanced.

Of the 155 (110 + 45) existing and proposed spaces, 45 would be made available to and for the public in addition. As conditioned, the applicant must create 14 additional public sites within the park area to compensate for the 14 sites that were sold by the applicant on long term leases. Thus, in total, 59 spaces would be made available to the public in an area where past practices by the applicant has excluded the public by creating a membership only campground. Thus, as conditioned, the project would not significantly reduce the availability of affordable recreational facilities in the area. In fact as conditioned, this project would make available 14 additional sites that do not exist within the area at the present time.

If the applicant was allowed to do a total membership only conversion, its adverse impacts to public recreation could not be mitigated by providing new sites at public parks. Most public park facilities proposed for the area are either already funded or cannot be constructed until other related projects, such as presently unfunded road improvements, are completed. The applicant already enjoys the benefits of prior conversion of 110 existing sites to membership only status. Thus, by creating 45 public sites (already approved) and requiring 14 additional sites (to replace the permanent sites) the Commission would make approximately 39% of Redwood Trails available to the public, thus, allowing a responsible mix of public, membership, permanent sites and insuring conformance with Coastal Act Sections 30210, 30213, and 30222.

C. Local Coastal Program. Humboldt County's certified Northcoast area land use plan (LUP) designates the Redwood Trails campground and the adjacent hillslopes for commercial recreation use. The land use plan describes the purpose of the designation as:

"to protect sites suitable for the development of commercial recreation facilities, and for visitor-service facilities appropriate to assure recreational opportunity for visitors to the area" (emphasis added)

The plan incorporates the Coastal Act policies on public access and recreation facilities including Sections 30210, 30213, and 30222 cited above. The plan does not include specific provisions affecting time-share or membership facilities, as these types of uses were not anticipated when the plan was developed. Specific provisions controlling these uses could be developed in the LCP's zoning phase to implement the Coastal Act policies incorporated in the plan.

The area plan, in Section 3.36B, includes policies controlling residential use of recreational facilities. The plan provides:

"In an approved recreational vehicle park, the residential occupancy of recreational sites by mobile homes shall be allowed up to 20% but not to exceed a total of 10 such existing sites from June through August and up to 80%, but not to exceed 40 from September through May."

Thus, as this policy is written, the designation of 14 sites as permanent sites may be inconsistent with the policy except for the fact that all 14 sites are very seldom occupied at the same time during the summer months. In fact, all 14 members of Redwood Trails have primary residences in other parts of the state. The applicant, has in the past, bought up prior permanent sites as they became available. With the condition requiring the creation of 14 new sites to offset the loss of the 14 long term lease site and the fact the newly created sites must be made available to the public, 39% of the park would then be public use. Section 3.36 C of the LUP provides:

"It is the policy of this County to prefer the private sector as the provider of visitor-serving facilities. To this end, land has been reserved, as shown on the plan map, for private commercial visitor-serving uses; and the County discourages public agencies from establishing visitor-serving facilities, beyond the level of overnight campgrounds and picnic areas in public parks."

Implementation of this LUP policy would, as stated, require the private sector to carry the largest burden of public usage visitor-serving facilities. This can be done if the private sector is allowed to diversify his visitor-serving uses. To require a facility to be completely available to the public is an excellent idea in the summer time but without much merit in winter months when tourist travel is light or non-existent. On the other hand, to allow the private sector parks to be membership only would deprive the traveling public adequate visitor-serving facilities but at the same time, generate year round revenue, i.e., membership fees to the park owner. The Commission in approving this permit has struck a balance where as the needs of all parties are protected. The backbone of the park (permanent members) are allowed continuous use of the park at the specific site they bought in 1981/82. About four more sites than allowed under the LUP but still a small enough number so as not to change the percentage breakdown of the overall park membership.

The general membership will continue to have their use to the park subject to the conditions of their contract and the traveling public will have 59 sites (45 previously approved and 14 replacement sites) available. The park owners will be assured of a year round cash flow and will be more able to plan for the future of the park. The Coastal Act policies regarding visitor serving facilities will be enforced in that a total of 59 new spaces will be created within an area that has been identified as needing these types of facilities. Coastal Act Section 30001.5 states in part that:

"9b) assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic need for the people of the State."

The project as conditioned meets this section of the Coastal Act and the project as conditioned is in conformance with other applicable sections of the Coastal Act and the County of Humboldt certified land use plan, north coast segment.

E. Relationship to Coastal Act Violations. The project is on a site where alleged Coastal Act violations are being pursued for activity which has occurred. This permit does not affect the ability to pursue any violations which have occurred, nor will it prejudice separate action upon coastal permits for past or future activity on this parcel.



EXHIBIT NO. 12

APPLICATION NO.  
1-81-65-A4

Conservancy

letter

13 April 1998

Robert S. Merrill, Chief of Permits  
North Coast Area Office  
California Coastal Commission  
45 Fremont, Suites 1900 and 2100  
San Francisco, CA 94105-2219

**RE: Relocation of the Redwood Trails RV Park Access Road  
Coastal Development Permit Amendment Application No. 1-81-65-A4**

Dear Mr. Merrill:

Conservancy staff has received and reviewed Chris Kern's letter to Ralph McKinnon dated April 1, 1998 regarding the above referenced project at the Redwood Trails Resort located near Stone Lagoon in Humboldt County. Mr. Kern's letter requests "preliminary approval" from Conservancy staff regarding the proposed relocation of the entrance road and the need to amend the agricultural preservation easement which the Conservancy holds for the people of the State of California.

Based on discussions with Mr. McKinnon and the information he has provided our office, our preliminary analysis indicates that we will be able to accommodate his request. This approval is contingent upon and subject to compliance with additional information requested in our letter to Mr. McKinnon dated February 25, 1998. Once we have received the requested information including copies of all permits (i.e. Coastal Development Permit) or other regulatory approvals regarding the proposed project, an amendment to the existing easement will need to be recorded by Mr. McKinnon.

I hope this information is adequate to meet your requirements. Please do not hesitate to contact me at 707.441.5884 if you have any additional questions.

Sincerely,

Mark E. Wheetley  
Project Manager

cc: Ralph McKinnon, Quality Resorts of America, Inc.  
Chris Kern, CA Coastal Commission

1330 Broadway, 11th Floor  
Oakland, California 94612-2530  
510-286-1015 Fax: 510-286-0470

