

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200
 FAX (415) 904-5400



F 6.c

RECORD PACKET COPY

Filed:	March 10, 1999
49th Day:	April 28, 1999
Staff:	D. Rance
Staff Report:	April 23, 1999
Hearing Date:	May 14, 1999
Commission Action:	

STAFF REPORT: REGULAR CALENDAR

APPLICANT NO.: 1-99-009

APPLICANT: **CALIFORNIA DEPARTMENT OF PARKS AND RECREATION – NORTH COAST REDWOOD DISTRICT**

AGENT: Ken Anderson, Resource Ecologist

PROJECT LOCATION: Humboldt Lagoon State Park – Stone Lagoon, 15336 Highway 101, 10 miles north of Trinidad, Humboldt County (Exhibits 1-3).

PROJECT DESCRIPTION: Construction of a vehicular beach access barrier and entry gate at the north end of Stone Lagoon. The project would limit vehicular access to the sandy beach and dune complex areas by the erection of a 20-foot-wide gate and the placement of boulders at four-foot intervals along the road for approximately 350 feet.

SUBSTANTIVE FILE DOCUMENTS: Humboldt Lagoons State Park and Harry A. Merlo State Recreation Area General Plan, July 1986.

Humboldt Lagoons State Park Environmental Impact Report, June 10, 1983.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the proposed development. The project would restrict vehicular beach access to the sandy beach and dune complex area at Stone Lagoon to protect

environmentally sensitive habitat with the construction of a 20-foot wide gate and the placement of boulders along an existing road and parking lot/picnic area. The use of the vehicular beach access gate at Stone Lagoon would be limited to emergency and park personnel, commercial beach fishermen, and Yurok Native Americans. Both the commercial beach fishermen and the Yurok Native Americans would be subject to permit authorization from the Department of Parks and Recreation. The Department of Parks and Recreation has proposed a permit system for these two user groups that is similar to the permit system that has been in place for many years at the Prairie Creek Redwoods State Park and the Gold Bluffs Beach area. The respective permit systems would serve to educate user groups of certain restrictions and to hold them accountable regarding the protection of sensitive habitat areas that the Park Service is attempting to protect and manage. Most vehicle use currently occurs on the flat portion of the beach between the dune complex and wave slope with a lesser amount of recreational OHV and ATV use within the dune complex itself. As proposed, vehicle use on the beach would be limited to a designated entry point, a direct route to the wave slope, and the wave slope¹ area only. Recreational use of OHVs or the use of any ATV would be prohibited on the beach strand.

Commencing with the closure of the beach strand to general vehicle access, State parks will initiate a five-year monitoring program to monitor the dune complex vegetation and wildlife habitat. If the five-year monitoring program indicates that sensitive coastal resources are protected by the permit system, the system will be kept in-place. However, if at the end of the five-year monitoring program damage is still occurring to sensitive coastal resources, State Parks will evaluate further restrictions on vehicle access and use on the beach.

The project, as proposed, would implement the Parks approved General Plan and serve to protect the environmentally sensitive habitat area for the snowy plover and sandy beach and dune complex from overuse and degradation that results from off-road vehicle use. The project is consistent with the environmentally sensitive habitat area, public access, commercial fishing and coastal resource protection policies of Chapter 3 of the Coastal Act. The Coastal Act public access policies recognize that in some situations access may need to be managed. In this case, preservation of the overall quality of the recreational experience and sensitive habitat protection in the project area necessitates restriction of one specific type of use.

I. MOTION, STAFF RECOMMENDATION, AND RESOLUTION:

1. Motion:

I move that the Commission approve Coastal Development Permit No. 1-99-009, as proposed.

2. Staff Recommendation of Approval:

¹ The wave slope area is defined as the area that is wet from the last high tide.

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

3. Resolution to Approve Permit:

The Commission hereby grants a permit for the proposed development on the grounds that the development, as proposed, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the nearest public road and the sea or the shoreline of any body of water within the coastal zone and is in conformance with the public access and public recreation policies 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.

II. Standard Conditions. See Attached.

III. Special Conditions. None Required

IV. Findings and Declarations.

The Commission hereby finds and declares:

1. Site Description, Background and Project Description.

The project site is located at the Stone Lagoon Beach area within the Humboldt Lagoons State Park, approximately 4 1/2 miles south of Orick, in unincorporated Humboldt County. A short road off U.S. Highway 101 leads westerly over a ridge to a sand spit which separates the lagoon from the ocean at the north end of Stone Lagoon. (Exhibit Nos. 1-3)

Vehicles have been driven on the Stone Lagoon Beach strand for decades and vehicle use has increased substantially with the increased popularity of four-wheel drive vehicles. The major two groups that use off-highway vehicles (OHV) at Stone Lagoon Beach are: (1) commercial surf fisherman; and (2) recreational all terrain vehicle (ATV) users. Yurok Native Americans also use vehicles on the beach strand for traditional food gathering activities and for transport to traditional ceremonial sites.

Historic vehicle use on the beach was considered light during the 1950's. Vehicle use on the beach began to increase in the 1960's and 1970's as four-wheel drive vehicles became more popular. In the mid-1980's the California Department of Parks and Recreation (CDPR) adopted a general plan for the park, which includes policies that specifically prohibit vehicle use on the beach strands to protect sensitive resources. However, since that time, vehicle use on the beach has increased substantially. What was once an occasional track in the sand are now hundreds of tracks. According to State Park officials and photo documentation submitted with the CDP application, after a typical summer weekend, there is not a place on the beach that is void of tire tracks.

According to the Humboldt Lagoons State Park General Plan (July 1996) the purpose of the Humboldt Lagoons State Park is "to protect, preserve, and make available to visitors the scenic,

natural, historical, archeological, and recreational resources of the lagoons region of Humboldt County.” The California Department of Parks and Recreation is charged with implementing the General Plan through ecological management of the parks varied interdependent natural resources to ensure their perpetuation; to manage the significant archeological sites as nonrenewable resources, to interpret all the resources effectively; and to provide such facilities and services, consistent with the perpetuation of park resources.

The vehicle access barrier project is intended to provide a controlled vehicle access entry point to the sandy beach and dune complex area of the Stone Lagoon beach strand. There are essentially three resource protection issues that State Parks is attempting to address with the proposed project: 1) the integrity of the dune complex structure and vegetation; 2) protection of Western snowy plover habitat; and 3) retention of driftwood for beach habitat value. Dune vegetation and structure are currently being destroyed by vehicle use on the beach and dune complex. State Parks believes that most of the current damage to environmentally sensitive habitat occurs as a result of recreational ATV use within the dune complex and flat beach area. Western snowy plovers have historically used the sandy beach area during winter months for nesting and foraging. Since vehicle use on the flat portion of the beach in front of dunes has increased, the snowy plovers no longer use the strand as a wintering area. State Parks asserts that the snowy plovers will return to the area once the disturbance of vehicles is removed. Finally, large pieces of drift wood which are considered a natural component of north coast lagoon habitat are commonly cut up and removed illegally from the Stone Lagoon beach strand. Restricting vehicular beach access would collaterally serve allow the drift wood deposits to restore themselves as a natural component of beach habitat by eliminating any mechanical means to remove them from the sandy beach.

The project consists of the placement of 1 1/2 to 2 ton boulders along the seaward edge of the roadside at about four-foot intervals for a distance of approximately 350 feet. A twenty foot-wide gate would be installed at the southern most end of the boulder barrier. The gate posts will be secured eight feet below the ground surface with poured concrete around the base and lower post. (see Exhibit No. 4)

Although the access barrier is intended to restrict vehicular access from the existing parking area onto the sandy beach and dune complex area, two classifications of beach users would continue to have vehicular access to the beach area provided that they obtain permits from the CDPR. These groups include: (1) commercial surf fisherman; and (2) Yurok Native Americans for traditional food gathering and ceremonial activities. Emergency and park personnel would continue to have vehicular access to the beach area to carry out the normal functions associated with their duties.

The CDPR permit system would be similar to the beach access permit system that has been in-place for years and the Prairie Creek Redwoods State Park and the Gold Bluffs Beach area. By way of letter dated February 1, 1999, the CDPR provided commercial fishermen with notice of the Department’s plan to limit vehicle use to commercial fishing and Yurok Native Americans and to limit vehicle use to the wave slope to permit native plants and animals to re-establish themselves. The “wave slope” is defined as the area that will be wet by the wave action of the next high tide. Maximum speed limit on the wave slope would be twenty miles per hour. Vehicle access would be limited to the wave slope area and would only be permitted via the access road designated by the park

service. The permit holder would always have to be physically present and engaged in commercial fishing or traditional food gathering activities while the permitted vehicle is on the wave slope.

Commercial surf fishermen and others currently have vehicle access to the Stone Lagoon beach strand through the existing day-use and boat ramp parking area. The Commercial Fisherman Vehicle Use Pass would apply to all individuals that wish to use an automobile type vehicle to support commercial surf fishing activities; ATV recreational vehicles would not be permitted on the beach strand at all. According to the CDPR, the number of commercial fishermen using the Stone Lagoon Beach has remained relatively stable over the last twenty years and averages anywhere from 10-30 users per year. Up to a maximum of 60 vehicle beach use permits will be issued to commercial surf fishermen. (See Exhibit No. 5)

The Yurok Native American Traditional Activities Pass would apply to (a) individual Yuroks to support traditional food/ceremonial items gathering activities or and (b) vehicle used as transportation to traditional religious practices at burial sites. Yurok representatives have worked with the CDPR to develop the permit process. The traditional activities pass contains a number of policies and conditions for the use of vehicles on the beach. Yurok Native Americans who desire vehicle access for commercial fishing purposes would be subject to the same procedures and permit fees as other who commercially fish at Stone Lagoon Beach. (See Exhibit No. 6)

Commencing with the closure of the beach strand to general vehicle access, California State Parks would initiate a five year monitoring program to monitor dune and beach vegetation and wildlife. The focus of the program would be to ensure that vehicle use is limited to the wave slope. Photo point stations would be developed to monitor the presence/absence of tire tracks on the beach and the condition of dune vegetation. Commercial fishermen would be encouraged to notify the CDPR when they observe violations of the sandy beach and dune closure.

Each year the CDPR would report its findings to the commercial fishermen organization(s). Infractions would be discussed and strategies employed to correct any continuing resource problems that may exist. If, at the end of the five-year monitoring period, monitoring indicates that dune vegetation and wildlife habitat are adequately protected with the permit system and procedure, the permit system would be kept in-place. However, if monitoring reveals continuing resource damage, CDPR would consider further restrictions on vehicle access to the beach. CDPR would apply for a permit amendment from the Commission if the restriction change.

2. Environmentally Sensitive Habitat Area.

Coastal Act Section 30240 states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly

degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The barrier beach that separates Stone Lagoon from the Pacific Ocean provides important coastal strand habitat for plants and animals. The dynamic barrier beach environment is composed of low dunes, that are constantly being changed by the natural forces of wind, rain and surf action. Coastal strand is usually dominated by low-growing salt tolerant like sand verbena and sea rocket scattered throughout the sandy areas. Strand vegetation also includes the beach pea, dune tansey, and sand strawberry, which are especially adapted to the beach strand environment. This vegetation may be washed about by storm wave during periods of winter high tide. The Western snowy plover utilizes the beach strand area as a nesting and roosting site. Pristine coastal strand habitat is rare in California due to ever increasing pressure for use and development in coastal areas. Protection of this type of habitat is necessary to support a variety of plant and animals. Off-highway vehicle use has adversely affected these habitats.

The proposed project is intended to implement the State Parks Barrier Beach Policy regarding vehicular use on the beach strand, as described in the July 1986 General Plan for Humboldt Lagoon State Park, to protect this environmentally sensitive habitat area. The purpose of the project is designed to protect the dune complex structure and vegetation and other sensitive habitat values on the Stone Lagoon beach strand from destruction as a result of unregulated off-highway vehicle use. The restrictions would protect the dune and beach habitat by preventing all vehicular use of the dunes and all of the beach strand except for the wave slope. As the wet wave slope is not used by snowy plovers or other rare or endangered species and does not contain sensitive vegetation because of scouring by wave energy and tidal action, the wet wave slope can accommodate some use by vehicles without causing significant adverse effects on habitat values. By limiting the total number of vehicle users to 60 commercial fishermen per year and the Yurok Native Americans, the proposed program would prevent overcrowding of the wave slope with vehicles to ensure that vehicles are not forced to spill out onto restricted beach and dune areas and that impacts to benthic organisms that may inhabit the wave slope are kept insignificant. Therefore, the Commission finds that the proposed vehicle access barrier project would not result in adverse impacts to any environmentally sensitive habitat area and the proposed project is consistent with Section 30240 of the Coastal Act.

3. Commercial Fishing.

Coastal Act Section 30234.5 states:

The economic, commercial and recreational importance of fishing activities shall be recognized and protected.

The Stone Lagoon beach strand is currently utilized by approximately 30 to 35 commercial beach fisherman on an annual basis, primarily to harvest from the smelt fishery. Smelt are any of various salmonoid fishes that resemble trout in general structure and live along the near shore coast. The commercial smelt fishing season generally runs from May through October. Smelt are harvested manually from the surf zone by an individually deployed A-frame type net. The fishermen don waders and walk into the incoming surf and deploy the A-frame net. The smelt that are trapped in the

net are carried to the wave slope and deposited in a pick-up truck. Fishermen use their trucks for temporary storage and to transport the catch for processing and sale, much the same as open water commercial fishermen utilize boats.

The Department of Parks and Recreation has proposed a permit system for commercial beach fishermen at Stone Lagoon that is similar to the permit system that has been in place for many years at the Prairie Creek Redwoods State Park and the Gold Bluffs Beach area. The commercial beach fishermen permit system would serve to educate fishermen of environmental protection restrictions and to hold them accountable regarding the disruption of sensitive habitat areas that the Park Service is attempting to protect and manage. Some commercial fishermen may currently be using the flat portion of the beach between the dune complex and wave slope to get to and from their fishing areas. However, according to Norm Carr, President of the Commercial beach Fishermen's Association, the hard packed sand of the wave slope offers a superior surface for driving versus the loose sandy beach. As proposed, vehicle use on the beach would be limited to a designated entry point, a direct route to the wave slope, and the wave slope area only. Therefore, restricting commercial fishermen vehicle use only to the wave slope would not adversely affect commercial fishing opportunities. Commercial beach fishermen would be able to continue to use their trucks for temporary storage and transport of the catch at the Stone Lagoon beach strand. Recreational fishermen would continue to have pedestrian only access to the beach because they are not constrained by the need to store and transport large quantities of catch. Therefore, the Commission finds that the project recognizes and protects the economic, commercial and recreational importance of fishing and is consistent with Section 30234.5 of the Coastal Act.

However, the future potential does exist that State Parks may propose a prohibition of all vehicle use on the beach, therefore eliminating the ability of commercial beach fishermen temporary storage and transport of their catch. Commencing with the closure of the beach strand to general vehicle access, State parks would initiate a five-year monitoring program to monitor the dune complex, vegetation and wildlife. The focus would be to ensure that vehicles are only driven on the wave slope, as required as a condition of the permit. Restricting vehicle use to the wave slope would protect fragile dune vegetation and structure, and wildlife habitat for species including the listed western snowy plover. Photo-point stations would be developed to monitor the presence or absence of tire tracks on the beach and the condition of the dune complex structure and vegetation. Each year State Parks would report its findings to the commercial beach fishermen's organizations. Permit infractions would be discussed and strategies employed to correct any continuing resource damage issues that may exist. Members of the commercial fishermen organizations have agreed to notify State Parks when they observe violation of the vehicle use restrictions. If the five-year monitoring program indicates that sensitive coastal resources are protected by the permit system, the system would be kept in-place. However, if at the end of the five-year monitoring program damage is still occurring to sensitive coastal resources, State Parks would consider further restrictions on vehicle access and use on the beach. The Commission notes that any change to the restrictions would require additional authorization from the Commission. Standard Condition No. 3 requires that all development must occur in strict compliance with the proposal set forth in the permit application and any deviation from the approved project must be reviewed and approved by the staff and may require Commission approval. Thus, the Commission would have the opportunity to review through its consideration of a permit amendment request how any proposed changes to the restrictions would affect commercial

fishing activities and the consistency of the project as proposed to be amended with Section 30234.5 of the Coastal Act.

4. Public Access.

The proposed project is located between the nearest public road and the sea. Section 30604(c) of the Coastal Act requires every permit issued for any development between the nearest public road and the sea or the shoreline of any body of water within the coastal zone to include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3.

Coastal Act Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30212 states, in part:

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.

Coastal Act Section 30214 states:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the

individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Coastal Act Section 30210 requires that maximum access and recreational opportunities be provided for all people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Coastal Act Section 30212 and 30214 require, in applicable part, that the public access policies be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, environmental constraints and resource protection needs.

The vehicle access barrier project would limit vehicular access to the Stone Lagoon beach strand by the erection of a 20-foot-wide gate and the placement of boulders along the edge of an existing picnic, parking lot and access road. State Parks asserts that protection of the beach strand environment at Stone Lagoon from overuse as a result of unregulated off-highway vehicle (OHV) or any terrain vehicle (ATV) use is essential in carrying out their mandate to restore, protect and maintain the native habitat values. To this end, the public access policies of the Coastal Act emphasize that the appropriateness of an access use must be examined in relation to the environmental resources present at the site. OHV use in and around the dune complex and on the flat sandy beach area has been found to be detrimental to sensitive coastal vegetation and the Western snowy plover habitat and is not conducive to maintenance, restoration or protection of these sensitive coastal resources. By limiting the number of vehicles that can drive on the beach strand, and further restricting all vehicular use to the wave slope of the beach, the project would protect the sensitive coastal resources and provide for limited regulated vehicular use. As the proposed limitations on vehicular access to the strand is necessary to protect fragile coastal resources, the Commission finds that such limitations are consistent with Sections 30210, 30212 and 30214 of the Coastal Act.

The project would not place restrictions on pedestrian access opportunities at the site and may in fact improve the quality of pedestrian oriented access by eliminating noise, emissions physical presence of fast moving vehicles on the beach area. Therefore, the Commission finds that the project as proposed would not result in significant adverse affects on public access and is consistent with Sections 30210, 30212 and 30214 of the Coastal Act.

5. California Environmental Quality Act (CEQA).

Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by findings showing that the permit, as modified by any conditions of approval, is consistent with any applicable requirement of the CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits approval of proposed development if there are feasible

alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect the proposed development may have on the environment.

For purposes of CEQA, the lead agency for the project is the California Department of Parks and Recreation (CDPR). On March 12, 1997, the CDPR issued a Notice of Exemption for a Class 3 Categorical Exemption under Section 15303 of the CEQA Guidelines. The Exemption has been tiered to the Humboldt Lagoons State Park (EIR), that was certified by the California State Parks and Recreation Commission on June 10, 1983. The Humboldt Lagoons EIR repeatedly articulates the need to protect the natural environmental complexes of the barrier beach and Western snowy plover habitat from unregulated OHV and ATV use. The project would implement mitigation measures for adverse impacts relating to OHV and ATV use at the Stone Lagoon beach strand.

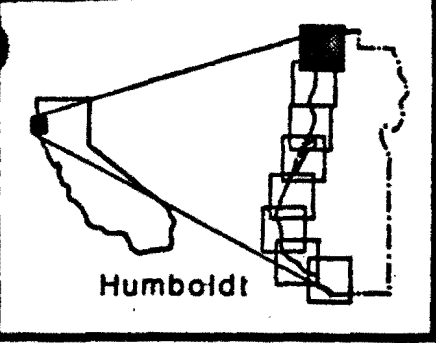
The project, as submitted, includes adequate provisions to ensure consistency with the resource protection policies of the Coastal Act and the requirements of Section 21080.5(d)(2)(A) of the CEQA. Further, the project would implement mitigation measures intended to address significant adverse impacts to sensitive coastal resources, as called for in the Humboldt Lagoons State Park EIR, and would minimize adverse environmental impacts relating to OHV and ATV use. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the redivision project may have on the environment. Thus, the Commission finds that the project, as submitted, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the executive director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

C D E F G H I J K L M N O



TO CRESCENT CITY
DEL NORTE CO.
HUMBOLDT CO.

OCEAN

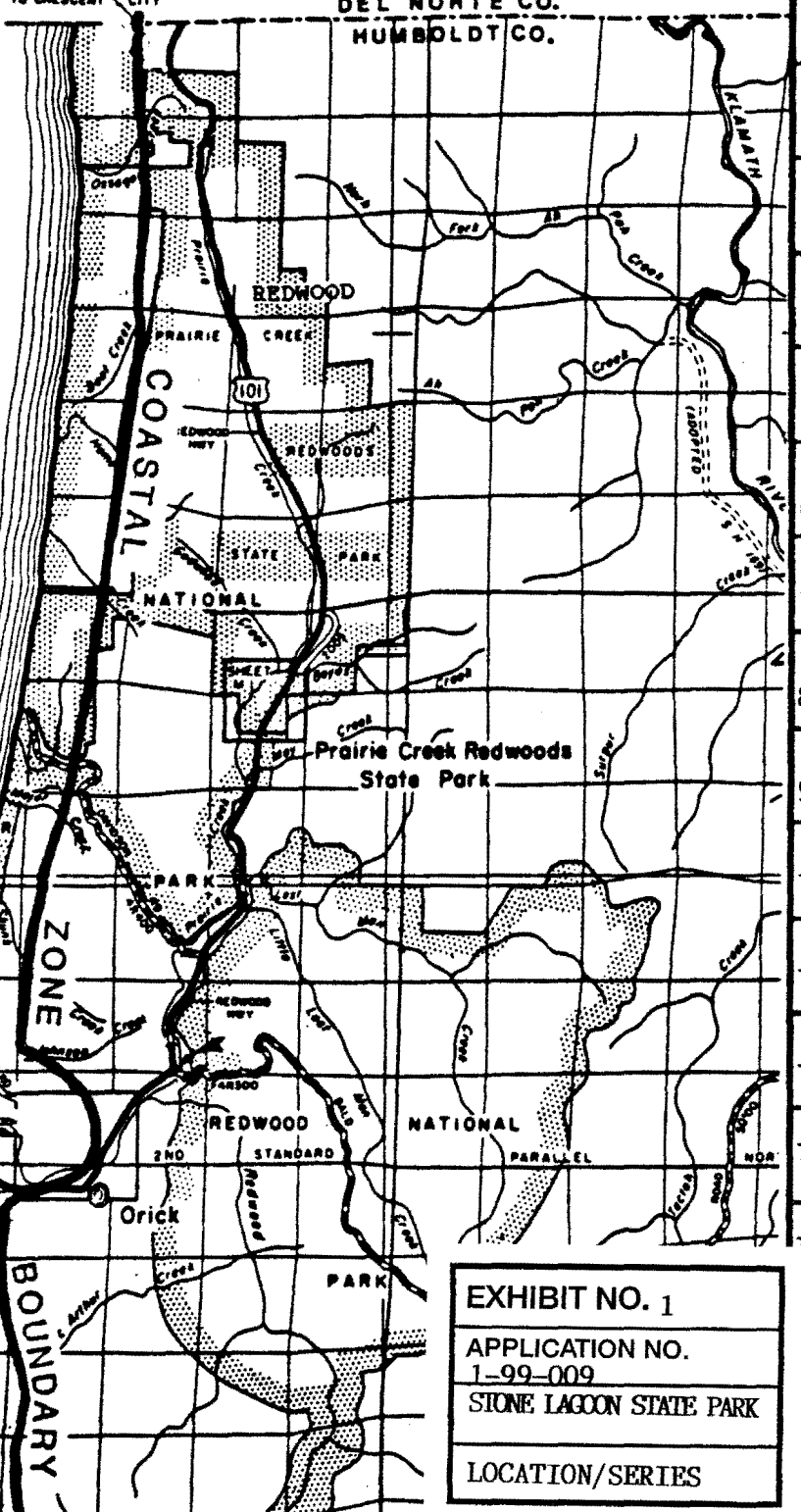


EXHIBIT NO. 1
APPLICATION NO. 1-99-009
STONE LAGOON STATE PARK
LOCATION/SERIES

California Coastal Commission

LOCATION MAP



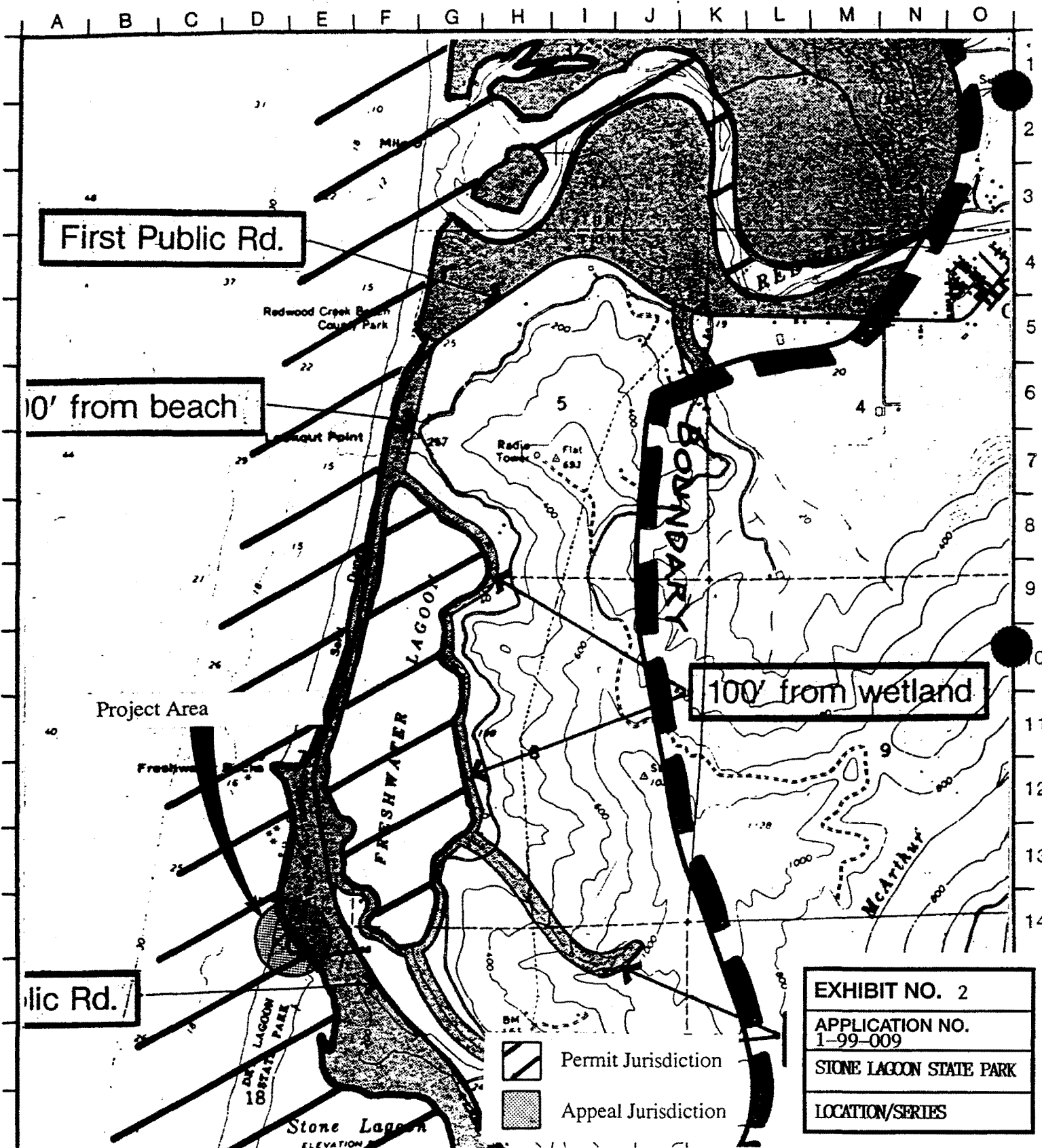



EXHIBIT NO. 2
APPLICATION NO. 1-99-009
STONE LAGOON STATE PARK
LOCATION/SERIES

Dry Lagoon State Park
 California Coastal Commission

Portion of adopted Post-LCP Certification Map Number 7



County of Humboldt

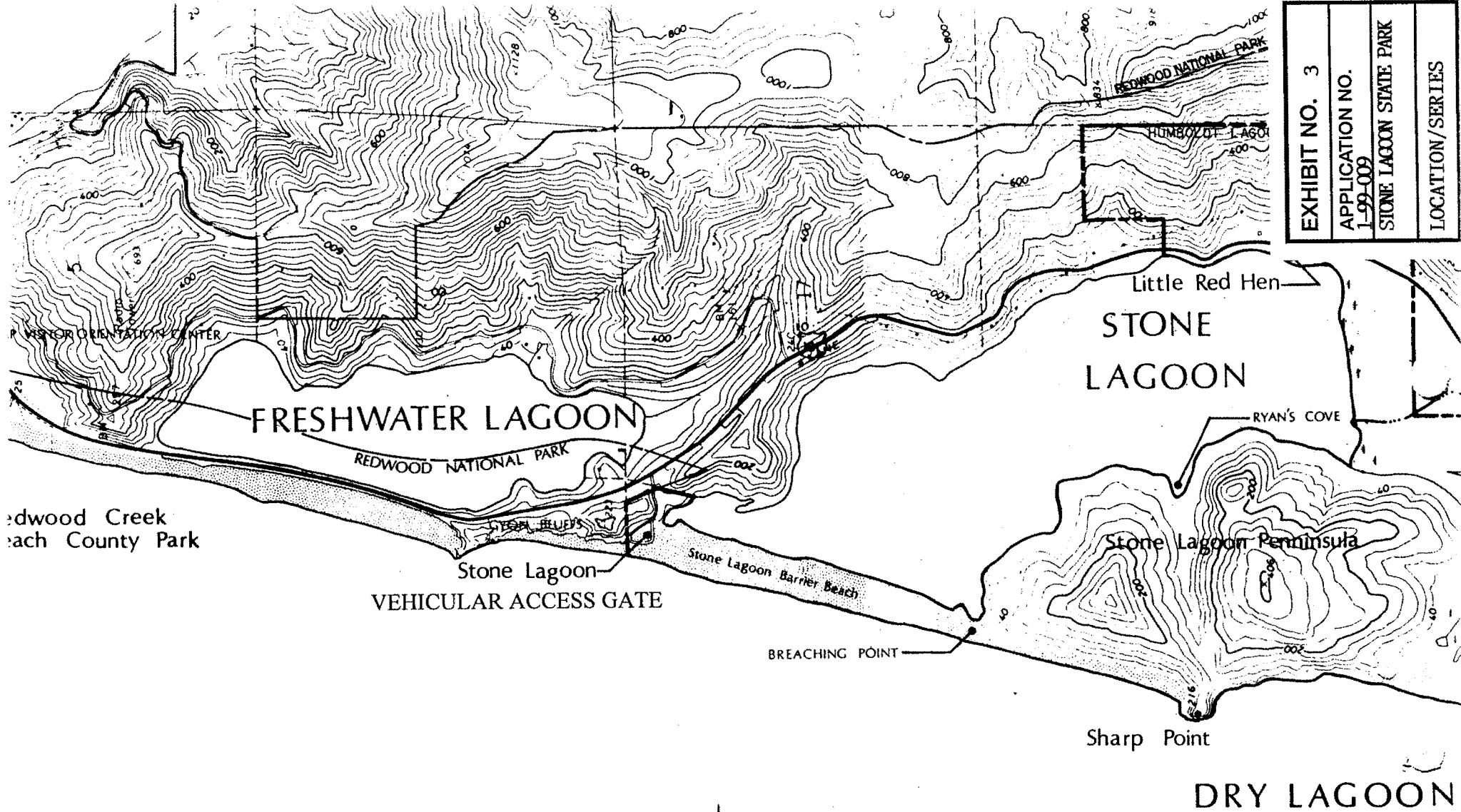


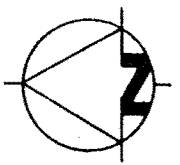
EXHIBIT NO. 3
APPLICATION NO. L-99-009
STONE LAGOON STATE PARK
LOCATION/SERIES

Redwood Creek
Each County Park

Visitor Orientation Center

PACIFIC

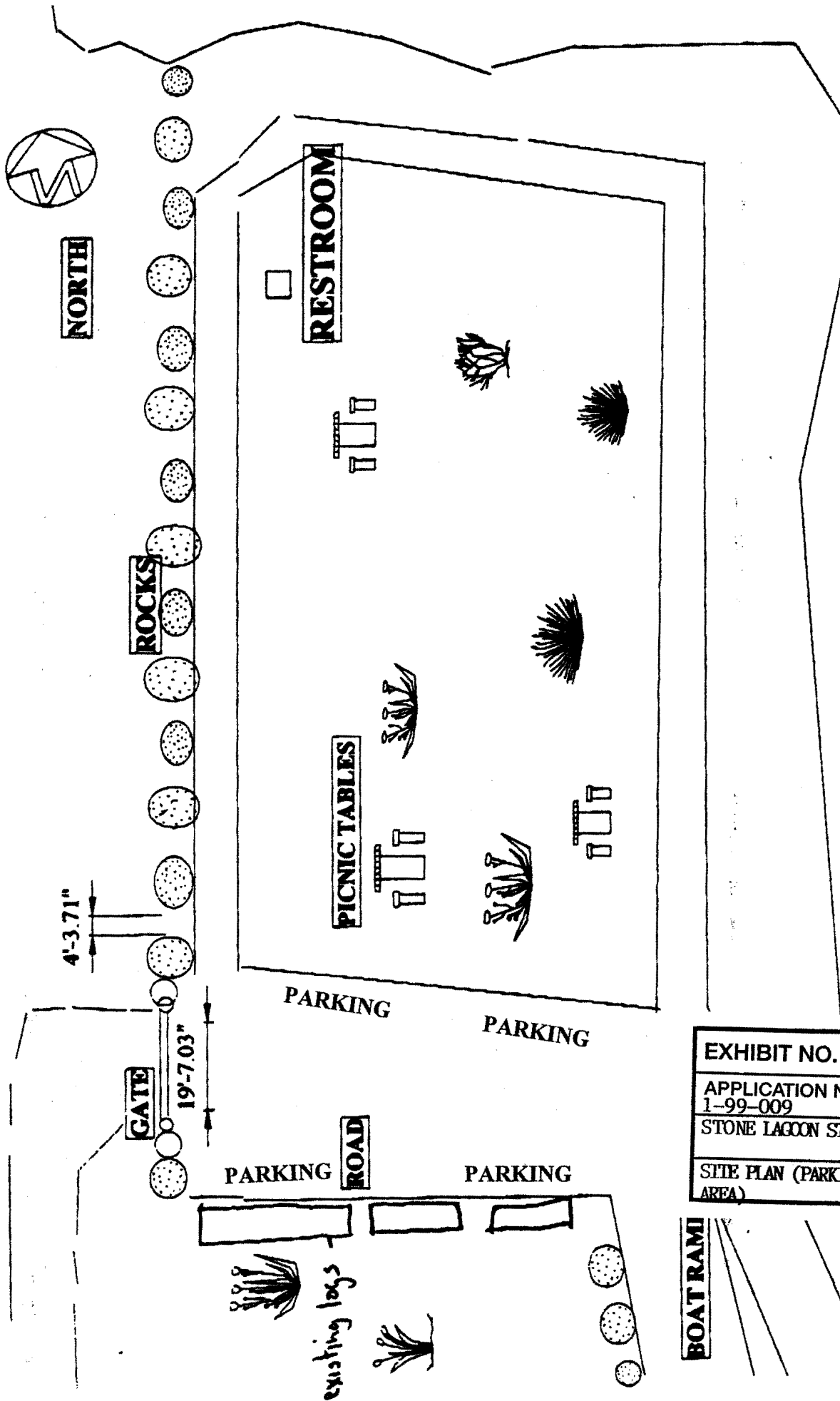
OCEAN



- STATE PARK BOUNDARY
- REDWOOD NATIONAL PARK BOUNDARY

NOTE: ALL BOUNDARIES APPROXIMATE.

BEACH



NORTH

ROCKS

RESTROOM

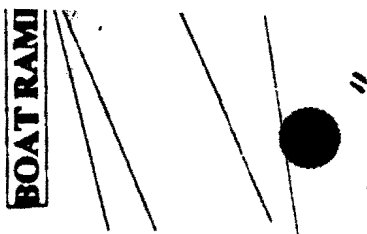
PICNIC TABLES

GATE

ROAD

STONE LAGOON BEACH ACCESS PLAN 11-5-96

EXHIBIT NO. 4
APPLICATION NO. 1-99-009
STONE LAGOON STATE PARK
SITE PLAN (PARKING LOT AREA)



existing logs

BOAT RAMI

DEPARTMENT OF PARKS AND RECREATION

North Coast Redwoods District

Trinidad Sector Office

15336 Hwy. 101

Trinidad, CA 95570

(707) 488-2041



February 1, 1999

Dear Commercial Fisher,

We want to inform you of long range plans for the beach at Stone Lagoon. Several years ago, local citizens worked with state officials to develop a master plan for Humboldt Lagoons State Park, including Stone Lagoon. This plan calls for closing the beach to recreational vehicles in order to permit native plants and animals to re-establish. Commercial fishing groups and Yurok representatives have helped us develop the following procedure to allow continued access for commercial and traditional Yurok purposes. Following approval by the State Coastal Commission Stone Lagoon Beach will close on or about April 1, 1999.

Access to Stone Lagoon will be similar to the system now in place at Gold Bluff Beach. For your convenience, permits for both beaches will be issued at Gold Bluffs Beach, beginning March 15, 1999. There will be a maximum of 60 permits issued. However, you will need to purchase a Stone Lagoon gate key for \$5.00 at the Stone Lagoon Visitor Center between the hours of 9 a.m. to 2 p.m., Monday through Friday.

The following are required to obtain a key to access Stone Lagoon Beach:

1. VALID DRIVERS LICENSE
2. VEHICLE YOU WISH TO OPERATE
3. CURRENT REGISTRATION AND PROOF OF INSURANCE FOR YOUR VEHICLE
4. NEW COMMERCIAL FISHING LICENSE
5. PERMIT FROM GOLD BLUFF BEACH
6. \$5.00 FOR GATE KEY

Yurok Native Americans can obtain a Traditional Food Gathering Permit at the Stone Lagoon Visitor Center between the hours of 9 a.m. and 2 p.m., Monday through Friday. Call in advance for more information.

State Parks will continue to monitor the effects of vehicle traffic on Stone Lagoon Beach and reserves the right to close the beach to all vehicles if resource damage occurs as a result of vehicle traffic.

Thank you for your cooperation. Please call me if you have questions.

Sincerely,

Robert E. Anderson
Supervising Ranger

EXHIBIT NO. 5
APPLICATION NO. 1-99-009
STONE LAGOON STATE PARK
COMMERCIAL FISHERMEN PERMIT APP.

03/10/1999 10:41:00
NORTH COAST REDWOODS DISTRICT
TRINIDAD SECTOR OFFICE
5338 HIGHWAY 101
TRINIDAD, CA 95570
(707) 488-2041

DATE _____

SPECIAL USE PERMIT

IN ACCORDANCE WITH DEPARTMENT OF PARKS AND RECREATION ORDER #
PERMISSION IS GRANTED TO:

(NAME) _____

FOR ENTRY ONTO THE WAVE SLOPE AREA OF STONE LAGOON BEACH, HUMBOLDT LAGOONS STATE PARK.
ACCESS TO THE WAVE SLOPE AREA OF THE BEACH SHALL ONLY BE VIA THE ACCESS ROAD DESIGNATED BY PARK
SIGNS. THIS EXCEPTION IS BEING GRANTED FOR THE SOLE PURPOSE OF COMMERCIAL FISHING. THE PERMIT
HOLDER WILL BE PHYSICALLY PRESENT AND ENGAGED IN COMMERCIAL FISHING WHILE THE VEHICLE IS ON THE
BEACH. VEHICLES WILL NOT BE LEFT UNATTENDED ON THE BEACH, EXCEPT IN AN EMERGENCY. THE RANGER
WILL THEN BE NOTIFIED IMMEDIATELY OF THE CIRCUMSTANCES AND GIVEN AN ESTIMATE OF WHEN THE VEHICLE
WILL BE REMOVED FROM THE BEACH. "WAVE SLOPE" IS DEFINED AS THE AREA THAT WILL BE WET BY THE WAVE
ACTION OF THE NEXT HIGH TIDE. MAXIMUM SPEED LIMIT ON THE WAVE SLOPE IS 20 M.P.H. ATV USE IS NOT
PERMITTED.

COMMERCIAL FISHING LICENSE IDENTIFICATION NUMBER: _____

DURING THE PERIOD OF APRIL 1, 1999 TO MARCH 31, 2000 VEHICLE TO BE USED:

MAKE _____ BODY STYLE _____ COLOR _____

VEH. LICENSE NUMBER _____ DRIVERS LICENSE EXP. DATE _____

INSURANCE COMPANY AND POLICY NUMBER _____

ANNUAL D/U PASS # _____

KEY # _____

THE ABOVE NAMED INDIVIDUAL AGREES TO OBEY ALL STATE AND FEDERAL LAWS. VIOLATION OF ANY STATE OR
FEDERAL RESOURCES CODES CAN BE CAUSE FOR REVOCATION OF USE PERMIT AND KEY. THIS PERMIT SHALL BE
CARRIED AT ALL TIMES WHILE IN THE PARK AND WILL BE PRESENTED ON DEMAND TO ANY PEACE OFFICER. THE
GATE KEY IS NON-TRANSFERRABLE AND WILL BE SURRENDERED TO THE PARK UPON TERMINATION OF THIS
PERMIT. KEY DUPLICATION IS NOT PERMITTED AND IS A MISDEMEANOR PER PENAL CODE SECTION 469. A
REPLACEMENT KEY WILL COST \$75.00 TO COVER PROCESSING COSTS.

JOHN KOLB
STATE PARK SUPERINTENDENT
NORTH COAST REDWOODS DISTRICT
POST OFFICE BOX 2006
EUREKA, CA 95502-2006
(707) 445-6547

PERMITTEE SIGNATURE

PERMITTEE ADDRESS

PERMIT ISSUED BY (NAME)

PHONE NUMBER

DEPARTMENT OF PARKS AND RECREATION
NORTH COAST REDWOODS DISTRICT
YUROK NATIVE AMERICAN TRADITIONAL ACTIVITIES PASS

Application and Pass for beach access at Stone Lagoon, Humboldt Lagoons State Park.

New _____ Renewal _____ Date _____

Applicants Name _____ Yurok Tribe Card # _____

Address _____ City _____ State _____ Zip Code _____

California Sport Fishing License # _____

Vehicle#1
Make _____ Model _____ Color _____ License# _____

Insurance Co. _____ Policy # and expiration date _____

Vehicle #2 (if second vehicle with same registered owner)

Make _____ Model _____ Color _____ License# _____

Insurance Co. _____ Policy # and expiration date _____

PASS ISSUED BY: _____

EXHIBIT NO. 6
APPLICATION NO. 1-99-009
STONE LAGOON STATE PARK
YUROK NATIVE AMERICAN PERMIT APP

PASS POLICY AND CONDITIONS

It is the intention of the Department of Parks and Recreation to preserve Native heritage within the areas it administers and to fully cooperate with Native Americans compatible with its charge to preserve all species of flora and fauna and all geologic material insofar as is possible.

The following procedures will allow Yurok Native Americans vehicle access to Stone Lagoon Beach for traditional activities. This policy applies to Yuroks gathering traditional food or ceremonial items and to traditional religious practices at burial sites.

PASS POLICY AND CONDITIONS (Continued)

(Yuroks wishing vehicle access for commercial fishing purposes will be subject to the same procedures and permit fees as other who commercially fish at Stone Lagoon Beach).

1. An annual Vehicle Beach Pass will be issued at the Stone Lagoon Visitor Center. The Pass will include the name and the Yurok Tribal card picture, current sport fishing license number (if applicable), vehicle licenses number and description. Proof of vehicle insurance will also be listed on the permit.
2. Beach access through the locked gate may be arranged by contacting the Stone Lagoon Visitor Center. Staff will meet Yuroks at the gate to open it, or will give out the gate combination. The combination will be changed at regular intervals.
3. All those collecting items subject to a sport fishing license must have that license in their possession and must obey all Fish and Game laws – including those dealing with the method of take and possession limits. Pass holders must also agree to abide by all applicable State and Federal Rules, Regulations and Policies while exercising the privileges granted by the pass. All items collected will be for personal use only.
4. Only the vehicles identified on the Pass will be allowed on the beach. Changes in vehicles will require the Pass holder to get a new Pass.
5. No day use fees will be charged while Yurok Native Americans are engaged in traditional activities permitted by this Pass. Other park activities (e.g. picnicking, camping, hiking, etc.), will be subject to the regular fees.
6. Pass holder's identification and licenses may be checked by park staff before entry onto beach is allowed.
7. Pass holders who attempt to give their Pass or gate combination to another person may lose their access privileges.
8. This Pass is subject to revocation if conditions are not met.

JOHN KOLB
Superintendent
North Coast Redwoods District