STATE OF CALIFORNIA – THE RESOURCES AGENCY GRAY DAVIS, *GOVERNOR*

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-1865
VOICE (707) 445-7833
FACSIMILE (707) 445-7877

MAILING ADDRESS:
P. O. BOX 4908
EUREKA, CA 95502-4908

F6b

Staff: Jim Baskin
Staff Report: October 27, 2000
Hearing on
Revised Findings: November 17, 2000
Commission Action
On Revised Findings:

STAFF REPORT: REVISED FINDINGS

APPLICATION NO.:	**1-99-008**
APPLICANTS:	**Wages Creek Campground, LLC** **Westport – Ten Mile Cemetery District**
PROJECT LOCATION:	37700 North Highway 1, along Wages Creek, one mile north of Westport, Mendocino County; APNs 13-240-01, -20, -33, -34, & -43.
PROJECT DESCRIPTION:	1) Merge and re-subdivide five parcels into four parcels; 2) construct campground improvements, including converting 75 tent campsites to full hook-up RV sites, extending underground utilities, constructing a dump station, installing interpretive signs, making road improvements, and replacing a seasonal stream crossing with a permanent bridge, and 3) perform stream bank stabilization & restoration work.
SUMMARY OF COMMISSION ACTION:	Approved with conditions.
COMMISSIONERS ON THE PREVAILING SIDE:	Allgood, Danials, Detloff, Hart, Nava, Potter, Reilly, Woolley, Wan
LOCAL APPROVALS RECEIVED:	County of Mendocino Coastal Development Permit No. CDP-11-98; County of Mendocino Coastal

	Development Boundary Line Adjustment Permit No. CBD 79-98.
OTHER APPROVALS REQUIRED:	US Army Corps of Engineers CWA §404 Permit; Regional Water Quality Control Board CWA §401 Certification; and National Marine Fisheries Service FESA Sec. 7 consultation.
SUBSTANTIVE FILE DOCUMENTS:	County of Mendocino Local Coastal Program.

STAFF NOTES:

1. Procedure.

The Commission held a public hearing and acted on this permit at its meeting on September 13, 2000. The Commission found that with certain specific conditions, the project is consistent with the policies of Chapter 3 of the Coastal Act. The Commission's action differed from the written staff recommendation mailed prior to the hearing. The Commission added a requirement to Special Condition No. 2 that water quality treatment provisions for nonpoint source pollution from vehicular parking areas be addressed within the erosion and runoff control plan for the site. The applicant also amended the project description just prior to the hearing to modify certain elements of the proposed streambank work. The changes were discussed in a staff report addendum, dated September 12, 2000, which also included changes to the staff recommended special conditions addressing the revised streambank restoration work plan. The Commission determined that the modified streambank restoration development is consistent with the Coastal Act and adopted the changes to the special conditions. All changes to the conditions were reflected in the *Notice of Intent to Issue a Permit* that was issued shortly after approval of the project.

As the Commission's action differed from the written staff recommendation, the following revised findings have been prepared for the Commission's consideration as the needed findings to support its action. The Commission will hold a public hearing and vote on the revised findings at its November 14-16, 2000 meeting. The purpose of the hearing is to consider the adequacy of the revised findings rather than to reconsider the merits of the project or the appropriateness of the adopted conditions. Public testimony will be limited accordingly.

I. MOTION, STAFF RECOMMENDATION, AND RESOLUTION

The staff recommends that the Commission adopt the revised findings in support of the Commission's action on September 13, 2000 approving the project with conditions. The proper motion is:

MOTION:

I move that the Commission adopt the revised findings, in support of the Commission's action on September 13, 2000, approving Coastal Development Permit No. 1-99-008, with conditions.

STAFF RECOMMENDATION OF APPROVAL.

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side present at the September 13, 2000 hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

RESOLUTION TO ADOPT REVISED FINDINGS:

The Commission hereby adopts the findings set forth below for the approval with conditions of Coastal Development Permit No. 1-99-008 on the ground that the findings support the Commission's decision made on September 13, 2000 and accurately reflect the reasons for it.

ACTION ON COASTAL DEVELOPMENT PERMIT: REVISED FINDINGS

I. ADOPTED RESOLUTION OF APPROVAL

RESOLUTION TO APPROVE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS: See attached.

III. SPECIAL CONDITIONS:

1. Final Site Development Plan.

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a finalized plan for the development of the Wages Creek Beach Campground. The plan shall be prepared by a qualified professional and drawn to an appropriate scale to adequately illustrate site features and the location of authorized improvements.

1) The plan shall demonstrate that:

   a. Underground utilities and roadways shall not be developed within environmentally sensitive habitat areas as mapped and described within the *Botanical Survey* performed by Gordon E. McBride, Ph.D., dated September 23, 1997;
   b. Site developments other than underground utilities and roadways shall not be developed within environmentally sensitive habitat areas mapped and described within the *Botanical Survey* performed by Gordon E. McBride, Ph.D., dated September 23, 1997, except in disturbed habitat areas previously used for camping;
   c. No site improvements, including but not limited to, improvements for establishing tent and recreational vehicle camping spaces, internal roadways, and the installation of sewer, water, and other utilities, shall remove streamside or floodplain riparian vegetation;
   d. Activities involving the channelization and significant alteration of Wages Creek are limited to those whose primary function is the improvement of fish and wildlife habitat; and
   e. Removal of the portions of the car-bodies embedded within the northern bank of Wages Creek commencing approximately 150 feet downstream from the State Highway 1 bridge crossing is prohibited.

2) The plan shall include, at a minimum, the following components:

   a. The extent of streamside and floodplain riparian areas as mapped and described in the *Botanical Survey* performed by Gordon E. McBride, Ph.D., dated September 23, 1997;
   b. The location and extent of existing recreational vehicle spaces, open camping areas, roadways, sewage disposal facilities and utility infrastructure;

c. The location and extent of authorized recreational vehicle and tent camping areas, roadways, sewage disposal system, and utility infrastructure; and

d. Appropriately worded notations addressing the following efforts to restore or improve fish and wildlife habitat within Wages Creek as described in the document entitled "Streambank Stabilization and Habitat Restoration Plan for Wages Creek Campground" (Ridge to River Watershed Sciences and Resource Management, 8/16/98, revised 9/11/00):

(1) The removal by cutting torch or other hand tools of any easily detachable and/or protruding car-body parts not embedded within the northern bank of Wages Creek commencing approximately 150 feet downstream from the State Highway 1 bridge crossing. Car-body parts authorized for removal once cut flush from the streambank are to be extricated from the streamcourse by mechanized excavator or backhoe accessed through Campsite No. 17. Minimal pruning of overhanging tree limbs to provide room for the operation of removal equipment is permitted, however, no cutting of mature riparian trees is allowed;

(2) The placement of six (6) natural materials revetments, consisting of three (3) boulders (3-ft.-diameter min.) and one (1) 2-ft.-diameter redwood logs each;

(3) Positioning one (1) "digger log" structure, consisting of a ±35-ft.-long log/rootwad, anchored by seven (7) revetment boulders;

(4) Installation of one (1) 4-ft.-height "wing deflector," constructed of five (5) revetment boulders;

(5) Planting of a minimum of a 500-sq.ft. area with native willow sprigs inserted along the streambank and within the interstices of the natural materials revetments, "digger log," and "wing deflector;" and

(6) Periodic maintenance of the restoration materials, including repositioning of boulders, logs, and rootwads that become dislodged.

B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Erosion and Run-Off Control Plans

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and run-off control.

1) EROSION CONTROL PLAN

a. The erosion control plan shall demonstrate that:

(1) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and marine resources;
(2) The following temporary erosion and sedimentation control measures shall be used during construction: "dry season" (June 1 – October 15) construction scheduling, straw bale barriers, silt fencing, sandbag/coffer damming, and outlet protection (outfall energy dissipaters); and
(3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and resources through the use of re-seeding and mulching of bare soil areas.

b. The plan shall include, at a minimum, the following components:

(1) A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control;
(2) A site plan showing the location of all temporary erosion control measures;
(3) A schedule for installation and removal of the temporary erosion control measures;
(4) A site plan showing the location of all permanent erosion control measures; and
(5) A schedule for installation and maintenance of the permanent erosion control measures.

2) RUN-OFF CONTROL PLAN

a. The run-off control plan shall demonstrate that:

(1) Run-off from the project site shall not increase sedimentation in waters of Wages Creek; and

(2) Best Management Practices (BMPs) shall be used to prevent entry of stormwater runoff into the excavation site, the entrainment of excavated materials leaving the site, and to prevent the entry of polluted stormwater runoff into coastal waters during the construction of campground improvements, including but not limited to the following:

(i.) stormwater runoff diversion immediately up-gradient of the excavation trenches; and

(ii.) use of relevant best management practices (BMPs) as detailed in the "California Storm Water Best Management Construction Activity Handbook, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (i.e., BMP Nos. CA3-*Structure Construction and Painting*, CA12-*Spill Prevention and Control*, CA24-*Sanitary/Septic Waste Management*, ESC1-*Scheduling*, ESC2-*Preservation of Existing Vegetation*, ESC50-*Silt Fence*, and ESC51-*Straw Bale Barriers*).

b. The plan shall include, at a minimum, the following components:

(1) A description of the measures to be used to avoid water quality impacts;

(2) A schedule for installation and maintenance of runoff control devices; and

(3) A plan for the installation of structural and non-structural best management practices.

B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. <u>Final Landscape Plan</u>

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for the review and approval of the Executive Director, a plan for landscaping to provide visual screening of the campground to reduce direct and cumulative adverse visual impacts of the project.

1) The plan shall demonstrate that:

a. All vegetation planted on the site will consist of native, salt-tolerant and drought-resistant plants;

b. All planting will be completed within 60 days after completion of construction;

c. All required plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan; and

d. A minimum of one (1) tree per campsite is provided whose height at maturity reaches a minimum of fifteen (15) feet.

2) The plan shall include, at a minimum, the following components:

a. A map showing the type, scientific and common name, planting size, and location of a minimum of one tree per developed recreational site, the irrigation system, topography of the developed site, and all other landscape features; and

b. A schedule for installation, maintenance and upkeep (i.e., pruning, fertilizing, weeding) of the landscaping plants.

B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. <u>State Lands Commission Review</u>.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director a written determination from the State Lands Commission that:

A. No State lands are involved in the development; or

B. State lands are involved in the development and all permits required by the State Lands Commission have been obtained; or

C. State lands may be involved in the development, but pending a final determination an agreement has been made with the State Lands Commission for the project to proceed without prejudice to that determination.

5. **U.S. Army Corps of Engineers Approval**

PRIOR TO COMMENCEMENT OF CONSTRUCTION, permittee shall provide to the Executive Director a copy of a permit issued by the U.S. Army Corps of Engineers, or letter of permission, or evidence that no permit or permission is required. The applicant shall inform the Executive Director of any changes to the project required by the U.S. Army Corps of Engineers. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this coastal development permit, unless the Executive Director determines that no amendment is required.

6. **Signage and Nesting Structure Plan.**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall submit a signage and nesting structure plan to the Executive Director for review and approval.

1) The plan shall demonstrate that:

a. Proposed signage and nesting structures are located and designed to: (1) protect views to and along the ocean and scenic coastal areas; (2) minimize the alteration of natural land forms; (3) be visually compatible with the character of surrounding areas; and (4) where feasible, restore and enhance visual quality in visually degraded areas;

b. Individual panels of the proposed interpretative signage do not exceed 10-square-feet in size, extend greater than five (5) feet above grade, and are constructed of earth-tone natural materials; and

c. The proposed nesting structure is situated in an area of the site which does not significantly detract from coastal views from State Highway 1, its height does not exceed that of surrounding trees or structures, and is constructed of earth-tone natural materials.

2) The plan shall, at a minimum, include the following components:

a. The dimensions, color, building materials, and locations of the proposed signage and nesting structures, illustrated on a scaled drawing, indicating plan and elevation views.

B. The permittee shall undertake development in accordance with the approval final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

7. Area of Archaeological Significance.

A. If an area of cultural deposits is discovered during the course of the project:

1) All construction shall cease and shall not recommence except as provided in subsection 2) hereof; and

2) Within 90 days after the date of discovery of such deposits, the permittee shall submit for the review and approval of the Executive Director, an Archaeological Plan, prepared by a qualified professional, that describes the extent of such resources present and the actions necessary to protect any onsite Archaeological resources.

3) If the Executive Director approves the Archaeological Plan and determines that the Archaeological Plan's recommended changes to the proposed development or mitigation measures are *de minimis* in nature and scope, construction may recommence after the Executive Director receives evidence of recordation of the deed restriction required below

4) If the Executive Director approves the Supplementary Archaeological Plan but determines that the changes therein are not *de minimis*, construction may not recommence until after an amendment to this permit is approved by the Commission and the Executive Director receives evidence of recordation of the deed restriction required below.

5) Within 90 days after the date of discovery of such deposits, the permittee shall provide evidence to the Executive Director of an execution and recordation of a deed restriction, in a form and content acceptable to the Executive Director, stating that, in order to protect archaeological resources, development can only be undertaken consistent with the provisions of the Archaeological Plan approved by the Executive Director.

The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit approved by the Coastal Commission.

IV. FINDINGS AND DECLARATIONS.

A. Project Description.

The proposed project consists of a merger and re-subdivision and improvements to an existing commercial campground. Although the applicant intends to undertake the whole of the project in one phase, the project involves work in both Commission and County of Mendocino local government jurisdictions (see Exhibit No. 3). To better understand the full scope of the proposal, the following table describes the various project elements by their location relative to applicable permitting authority:

Project Component	Permit Jurisdiction	
	CA Coastal Commission	County of Mendocino
Merger and re-subdivision of five parcels ranging in size from .49 acre to 47.56 acres into four parcels wherein: 1) APNs 13-240-01 & -34 would be merged into one parcel, 2) acreage would be added to APN 13-240-33 from APN 13-240-01/34, 3) acreage would be added to APN 13-240-20 from APNs 13-240-01/34 and 13-240-43, and 4) acreage would be added to the remaining portion of APN 13-240-43 from APN 13-240-01/34; resulting in four parcels ranging in size from .86 acre to 52.09 acres (see Exhibit No. 4).	✓	✓
Conversion of 75 tent camping sites to full hook-up recreational vehicle sites, retaining 40 tent camping sites.	✓	✓
Installation of a septic sewage system comprising: 1) ±3,300 ft of 4-in.-dia. PVC wastewater collection gravity-drain piping 2) 7 septic concrete septic tanks ranging in size from 1,200 to 2,500-gal. capacity; 3) an 8,000-gal. capacity pumping chamber; 4) ±1,000 ft. of 2-in.-dia. PVC pressurized effluent delivery line; and 5) a 1,250-lineal-ft. leachfield disposal area; removal of an existing sewerage dumping station and constriction of a new station.	✓	✓ (leachfield only)
Installation of water and electrical utilities.	✓	✓
Replacement of a railroad flatcar seasonal stream crossing across Wages Creek with a permanent bridge span, abutments, and approaches.	✓	
Grading and installation of ±4,000-lineal ft. of 25-ft. wide internal road network, surfaced with aggregate rock base to a 6-in. depth; installation of an emergency ingress/egress "crash gate" at the existing lower (northern) onsite roadway entrance to State Highway 1.	✓	

Project Component	Permit Jurisdiction	
	CA Coastal Commission	County of Mendocino
Install interpretative signage and a cliff swallow nesting structure.	✓	
Stabilization/alteration of ±240 lineal ft. of the Wages Creek streambank comprising: 1) removal/recycling of easily detachable protruding car-body parts by hand tools or cutting torch; 2) installation of logs, cabling, boulders and root wads as native material revetment and to deflect erosive streamflows; and 3) riparian revegetation with willow sprigs, as described in the restoration plan prepared by Ridge to River Watershed Science and Resource Management, 8/16/98, revised 9/11/00 (see Exhibit No. 6).	✓	
Improvements to the upper (southern) onsite roadway approach to State Highway 1 comprising the paving and widening existing flares and tapers with 4 in. asphalt atop 6 in. aggregate base to a 20-ft.-width roadway extending 33 ft. back from the highway entrance, vegetation maintenance for intersection visibility.		✓
Demolition of two existing sheds totaling ±1,025-sq.ft. and construction of a 1,500-sq.ft. shed on APN 13-240-33 within the same building footprint.		✓

Further details of relevant portions of the project are discussed in other findings below.

B. Site Description.

The project site is located approximately one mile north of the town of Westport in Mendocino County. The site, a horseshoe-shaped area encompassing approximately 64 acres, is situated between the ocean shore and a sharp, concave bend in State Highway 1. The lower reaches of Wages Creek, a first-order coastal stream bisects the project site into a southern upland portion containing the Westport – Ten Mile Cemetery and the campground entrance road, and a northern flat on which the majority of the campground improvements would be located.

The project setting is zoned for remote residential and public facility uses. The campground has been in continued operation since the 1950's and pre-dates enactment of the Coastal Act. The Westport – Ten Mile Cemetery was established in the 1870's. The County of Mendocino has issued several coastal development permits for campground improvements dating back to 1977; the Commission has similarly issued several *de minimis* permit waivers for sewage system repairs and seasonal stream crossings for developments within the Commission's jurisdiction since 1979. Portions of the currently proposed merger and re-subdivision and campground improvements lie within both the

County of Mendocino's and the Commission's coastal development permitting jurisdictions.

The project setting comprises a coastal terrace developed with a rural commercial campground visitor-serving facility and cemetery surrounded by dune strand, coastal scrub-shrub, a riparian corridor along Wages Creek, and forested hillsides along the northern and eastern sides of the subject property. The Westport – Union Landing State Beach adjoins the site to the north and south. The Coastal Element of the Mendocino General Plan designates the area as "highly scenic." Landward of the project site, the terrain rises steeply to the crest of Packer Ridge and the northern flanks of Bell Mountain.

Those portions of the project site for which development is proposed below the mean high tide line of the sea and on lands over which the State retains a public trust interest are located within the Commission's area of original coastal development permit jurisdiction (see Exhibit 3). Adjoining portions of the project site --- comprising areas generally south of Wages Creek --- are within the County of Mendocino's coastal development permit jurisdiction. On August 26, 1999, the County of Mendocino approved coastal development permit CDP-21-98 and coastal development boundary adjustment CDB-79-98 authorizing those portions of the development and merger and re-subdivision within the County's jurisdiction. The County's actions on CDP-11-99 / CDB-79-98 were not appealed to the Commission and became effective on September 24, 1999.

C. Protection of Environmentally Sensitive Habitat Areas.

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.*

Habitat areas at the project site were described and characterized in the Botanical Survey (Gordon E. McBride, Ph.D., 9/23/97) provided with the permit application. The survey described the project site as being composed of three different plant communities: (1) bare and partially vegetated sand dunes, (2) coastal terrace and bluff, and (3) streamside and floodplain riparian vegetation. The study also included a survey for the presence of listed rare, endangered, or threatened plant species, and other species of concern, notably Mendocino Paintbrush (Castilleja mendocinensis), Point Reyes Horkelia (Horkelia marinensis), Coast Lily (Lilium maritinum), Pink Sand Verbena (Abronia umbellata spp.

breviflora), and Maple Leaved Checkerbloom (Sidelia malachroides). The investigation found no rare or endangered plant species on the site.

A supplemental investigation for the potential presence of three other plant species: Round Headed Chinese Houses (Collinsia corymbosa), Howell's Spineflower (Chorizanthe howelii), and North Coast Phacelia (Phacelia insularis) was recommended. This suggestion was based on the known presence of these species within the project's general region. In a report supplement prepared in response to this request (Gordon E. McBride, Ph.D., 4/26/99), the investigation found North Coast Phacelia not to be present at the site. Further, due to the relative salt-intolerance of Collinsia and Chorizanthe species, the report concluded their potential presence at the project site as very remote.

The botanical report provided an impact assessment for the project and recommended mitigation measures, including no removal of riparian vegetation unless replacement mitigation is provided and avoiding encroachment by RV space development into open and partially-vegetated dune areas. The campground layout was subsequently redesigned so as not to encroach into dune areas.

Notwithstanding the absence of listed species, the project site contains several areas that are considered environmentally sensitive habitat areas (ESHA). This is due to their special value and nature or role in an ecosystem, and their fragility to disturbance or degradation by human activities and developments. These include (1) bare and partially-vegetated sand dune areas west of the proposed developed camping sites, (2) portions of the scrub-shrub vegetated areas along the coastal terrace, bluffs, and prairies, (3) the aquatic and wetland areas within the Wages Creek streambanks, (4) the vegetated riparian corridor adjacent to Wages Creek, and (5) adjoining riparian vegetated areas within the Wages Creek floodplain. Accordingly, as discussed more fully below, the above-cited Coastal Act policies regulating development activities in or adjacent to environmentally sensitive habitat areas apply to the project.

The project proposes several types of development activities that would be undertaken within or in close proximity to ESHAs. These include:

- Merger and re-subdivision of parcels within coastal sand dune, coastal scrub, and riparian corridor ESHAs;
- Establishing tent-camping and RV spaces and associated construction of roadways, wastewater collection lines and utilities within riparian corridor and floodplain EHSAs; and
- An aerial crossing of the aquatic and wetland ESHAs within the Wages Creek stream channel by the permanent bridge crossing and sewer force-line.

Merger and Re-subdivision

The project proposes to merge and re-subdivide five parcels into four parcels, portions of which run through dune, coastal strand and riparian ESHAs. The purpose for these adjustments is to facilitate the transfer of fee-title over portions of the properties owned by the co-applicants. The result of the proposed merger and re-subdivision would be the consolidation of ownership areas such that the properties may be managed more effectively for their intended uses as commercial campgrounds and burial sites. Additional area would be provided to the campground for development of the septic disposal system and ownership of contiguous oceanfront areas directly to the west. In exchange, flat, geologically stable portions of the campground would be transferred to the Westport – Ten Mile Cemetery District such that the cemetery may be expanded to meet the region's interment needs.

Since fewer parcels will result from the proposed merger and re-subdivision, the overall density and intensity of land use will be reduced. Similarly, the proposed merger and re-subdivision will not result in any substandard or unbuildable lots. At least one legal use (i.e., commercial visitor-serving facility, public facility, or residence will remain on each of the resulting adjusted parcels. No structural development (except the possible placing of survey monuments) is proposed for the adjusted areas within the ESHAs. Accordingly, the Commission concludes that no significant disruption of habitat values within the identified ESHAs will result from the proposed merger and re-subdivision.

Therefore, the proposed merger and re-subdivision are consistent with the limitations of Section 30240 of the Coastal Act regarding development within or adjacent to ESHAs.

Tent and RV Campground Improvements

As noted above, the current use of the project site is a commercial recreational facility for tent and recreational vehicle camping. Site improvements and amenities are minimal, and the location of camping areas are not formally delineated. Consequently, camping on the site in the past has occurred in a variety of locations, both within and outside of the areas identified as ESHA in the botanical survey. Accordingly, with respect to consistency with Coastal Act Section 30250, no new use would be introduced into the portions of the ESHA on the site that have previously been utilized for camping.

The proposed delineation and construction of 40 tent-camping and 75 RV hook-up sites would involve activities within and adjacent to the riparian corridor and riparian floodplain ESHAs. For each proposed camping space gravel pads for vehicles would be laid, underground utility lines installed, and picnic tables and campfire rings amenities placed. The project site map indicates that numerous tent and RV camping spaces and access roads would be constructed in or in close proximity to riparian vegetated areas along Wages Creek and within its floodplain. The application indicates that "...no vegetation will be removed on areas other than building sites or roads." However, the

application does not detail whether the removal of any riparian vegetation is proposed in establishing the camping spaces --- presumably a "building site" --- or the number and size of vegetation to be removed.

As discussed above, the site contains riparian vegetation that is considered environmentally sensitive. The Commission has consistently conditioned permits for development near such riparian woodlands along streams and rivers to avoid disturbances of riparian areas where mature vegetation exists.

Section 30107.5 of the Coastal Act defines "environmentally sensitive area" as:

> *Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in the ecosystem and which could be easily disturbed or degraded by human activities and developments.*

Under this definition, any area supporting a plant, animal, or habitat is environmentally sensitive if the area meets two main criteria: (1) the plant, animal, or habitat is either rare or of special value because of their unique nature or role in the ecosystem, and (2) the area could be easily disturbed or degraded by human activities and developments. The stream and floodplain riparian areas clearly meet the second criterion in that the removal of trees and shrubs associated with establishing the camping space can quickly obliterate any of the habitat afforded by these areas.

With regard to the first criterion, streamside and floodplain riparian vegetation is not rare, as it usually does not contain rare or endangered species and can be found extensively along most North Coast waterways. In general, riparian vegetation must grow to a certain size and mass before it can begin to contribute significantly to the river ecosystem. A willow sprig growing in isolation that has just taken root and only rises a few inches out of the ground cannot provide much forage area, nesting opportunities, or much screening from predators for birds and other animals who choose to use it. As the sprig grows taller, however, and as more riparian plants colonize the surrounding area, the sprig, and the plants now growing in association with it, can start to provide forage, nesting, and cover opportunities that make it especially valuable habitat and therefore an environmentally sensitive area.

Though often located in close proximity to ESHAs to take advantage of the aesthetics of the setting and convenience of access, campgrounds are not a use dependent on ESHA resources. Consequently, to maintain consistency with Coastal Act Section 30240, none of the proposed campgrounds facilities should be allowed to encroach into mapped ESHAs on the site except in disturbed habitat areas previously used for camping. Accordingly, no new use would be introduced into undisturbed ESHAs on the project site.

While the applicant states that no streamside or floodplain riparian trees will be removed, the site plan appears to indicate that some of the proposed improvements would encroach into riparian areas. In addition, excavation and trenching for the roadway network, sewage disposal system and utilities would extend into and pass through delineated riparian areas. The construction of the roadways and the placement of utilities are especially disruptive to sensitive habitat areas because:

- Removal of major riparian vegetation is likely unavoidable due to the area required to develop the proposed 25-foot-wide roadway;

- Construction of the roadway surface and sub-bed typically requires compaction of the materials that could result in an increase in impervious surfaces affecting the infiltration of rainfall and damage to the rooting zone of major riparian vegetation; and

- Trenching for underground utilities disturbs soil materials that can become entrained in stormwater runoff resulting in impacts to down slope areas.

To ensure that the campground improvements proposed by the applicants are undertaken in such a way to avoid significant disruptions, impacts and degradation of ESHA habitat values as required under Coastal Act Section 30240, it is necessary to attach Special Condition No. 1 which states that campground improvements shall not encroach into any area of riparian vegetation growing along Wages Creek or within its floodplain, as mapped in the botanical survey submitted by the applicant, except in disturbed habitat areas previously used for camping. The condition further requires that underground utilities and roadways not be located within the mapped environmentally sensitive habitat areas at all to ensure that no significant habitat disruption will occur. Among the specific provisions of the condition is a requirement that the location and extent of existing and proposed camping areas be mapped and that a final site development plan be submitted for the review and approval of the Executive Director.

It should also be noted that the proposed site plan does not provide a formal buffer of set width around the streamside and floodplain ESHAs. Due to the noncontiguous pattern and extent of the ESHAs on the site, to do so would effectively render the campground use infeasible. However, conditions requiring the newly proposed site improvements to be located outside of the ESHAs mapped and described within the botanical survey and requiring the Executive Director's review of the final development plan will assure that the campground will not encroach into these areas except in disturbed habitat areas previously used for camping. Thus, the proposed project as conditioned would not cause any significant disruption of habitat values, or introduce new uses into an ESHA, consistent with Section 30240.

Therefore, as conditioned herein, the campground improvements are consistent with the use limitations of Section 30240 of the Coastal Act regarding development within or adjacent to ESHAs.

Construction of Bridge Crossing

The proposed campground improvements also entail replacement of the current seasonal railroad flatcar crossing of Wages Creek with a permanent bridge crossing. The proposed bridge would fully span the creek in the same general location and alignment as the temporary crossing. Areas intended for the approaches and abutments are devoid of both streambank and floodplain riparian vegetation. In addition, the bridge is designed to provide a minimum five feet of clearance between the water surface and the bottom of the span such that waterflows or recreational boating use of the creek is not impeded.

Given the absence of riparian vegetation at the intended bridge location and its proposed design, the proposed permanent bridge would effectively avoid streamside and floodplain ESHAs by spanning these areas. In addition, no significant covering or shading of aquatic habitat will result from construction of the bridge span over the creek. Therefore, the Commission finds that construction of a permanent bridge crossing of Wages Creek is consistent with the use limitations of Section 30240 of the Coastal Act regarding development within or adjacent to ESHAs.

D. Development within Coastal Rivers and Streams.

In addition to the general concerns associated with activities in or near ESHAs, the Coastal Act addresses specific channelization activities within coastal rivers and streams. Section 30236 of the Coastal Act provides:

> *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (l) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.* (emphases added)

The above policy sets forth a number of different limitations on what projects may be allowed in coastal rivers and streams. For analysis purposes, a particular development proposal must be shown to: (1) be for a necessary water supply project, certain specified flood control projects, or primarily for fish and wildlife habitat improvement; and (2) incorporate the best mitigation measures feasible.

Conditions Along Lower Wages Creek

The project includes a proposal to conduct work along a portion of the inner streambank of Wages Creek, ostensibly as part of a stream habitat restoration project. Wages Creek is a first-order coastal stream whose lower ¼-mile-long reach roughly bisects the campground above its ocean mouth. This portion of the creek flows through a well-developed and shaded riparian corridor composed of a predominant overstory of willows (Salix sp.) and red alder (Alnus rubra). The plant community making up the well-established understory along the streambanks includes water parsley (Oenanthe sdarmentosa), blackberry (Rubus sp.), dock (Rumex sp.), coltsfoot (Petasites frigidus var. palmatus), swordfern (Polystichum minitum), and giant chain fern (Woodwardia fimbriata).
The subject 180-ft. stream reach, which has recently experienced isolated bank erosion, contains the remains of several automobile and tank car-bodies partially embedded within the banks of the creek. Due to bank erosion during the last several winter storms, portions of the car-bodies have become more exposed to the live waters of the creek, raising concerns regarding injury to migrating juvenile anadromous fish. In addition, the applicant contends that continued erosion of the stream bank could result in further streambed degradation. The applicants also believe that over time the creek may eventually breach the bank and cut a new channel through the middle of the established campground with resulting losses to property.

"Natural Material Revetment"

The proposed streambank stabilization and alteration work entails the use of a bioengineering technique known as "native material revetment," involving the strategic placement of boulders, logs, and root wads to stabilize the bank and allow for the opportunity to re-plant the riparian corridor (see Exhibit Nos. 4 & 6). The streambank work area would first be prepared for placement of the habitat enhancement structures by removing those portions of the auto-bodies that protrude out of the streambank. Tree branches intertwined with the car-bodies would be pruned back for access to the riprap; however, no cutting of mature trees would be required. Easily detached car parts would be pried, torch-cut and/or hack-sawed off by hand, taking care not to excavate into the streambank or otherwise disturb the riparian vegetation within and above the riprap. Larger auto pieces would be extricated from the streambank by a mechanized excavator or backhoe, accessed though a clearing near Campsite No. 17.

Once the site has been prepared, six sets of natural material revetments would be installed. Each revetment consists of three boulders with a minimum diameter of three feet, wedged in and around a two-foot diameter redwood log. This assembly results in a stable revetment structure that will resist hydraulic forces during high stream flows with minimal dislocation or settling. Root wads and/or live willow plantings would then be placed in the remaining spaces between the logs and rock.

The proposal also includes supplementing the natural revetment materials with a four-foot-height triangular-shaded log and boulder "wing deflector" for diverting erosive flows away from the bank to create mid-channel scour pools and provide a downstream quiet water area favored by *coho* salmon. In addition, a "digger log" assembly consisting of a 35-foot-long log/rootwad assembly anchored by seven revetment boulders would also be placed at the tank-car site. The digger log functions to preserve an existing backwater pool, provide cover, and nullify the present scouring caused by the tank-car. These revetment and habitat structures would be installed subject to the standards within the California Department of Fish and Game's (CDFG) *California Salmonid Stream Habitat Restoration Manual.*

Mitigation Measures

The restoration proposal also identifies several mitigation measures to offset the impacts associated with removal of the auto bodies and installation of the habitat enhancement structures. These measures include: (1) limiting removal of the car-body parts to only those protruding from the streambank; (2) limiting the removal of mature riparian trees to the pruning of limbs necessary to extricate the car body parts; (3) conducting the work during low-flow periods of the year; (4) configuring the revetment materials to be self-anchoring such that trenching into the streambed is avoided; (5) including the use of construction best management practices to avoid water quality impacts; and (6) employing a fish rescue operation conducted by CDFG personnel to capture and release fish up and down stream during de-watering and diversion of the watercourse around the work site.

Habitat Improvement vs. Bank Stabilization

The bank stabilization aspect of the proposed project raises a concern of conformance with Section 30236 of the Coastal Act. Specifically, a question is raised as to whether the prevailing purpose for the work would be for habitat enhancement, given the significant amount of rocky material that needs to be placed and the resulting improvement to bank stability. As cited above, Coastal Act Section 30236 provides for channelization and/or substantial alteration of coastal streams for only three purposes: crucial water supply projects, certain obligated flood control projects, and where fish and wildlife habitat improvement would be the primary function of the development. Projects where bank stability is the primary purpose are not so authorized.

As contained in their July 18, 2000 letter, CDFG staff initially believed the primary purpose of the streambank restoration proposed in Coastal Development Permit Application No. 1-99-008 to be streambank stabilization. However, upon follow-up discussions between the reviewing CDFG staff biologist Scott Harris, the applicant, and his stream restoration hydrologist, it became evident that the CDFG letter was based on a previously submitted plan detailing only the placement of rock revetment along the streamcourse. The project was scheduled for a Commission hearing on August 11, 2000 with a staff recommendation to limit the proposed work strictly to removal of the car-

bodies. The applicant requested a hearing continuance, and the applicant's agent and stream restoration consultant met with CDFG staff on August 18, 2000 at the site to discuss the project and specific measures that would reorient the proposed streambed work primarily for purposes of fish and wildlife habitat improvement.

Based upon input from CDFG staff, certain elements of the proposed streambank work were modified to provide additional protective measures as well as to emphasize the improvement of fish and wildlife habitat as the principal function of the work. Commission staff discussed these proposed changes with the applicant, and after making a series of additional changes to the restoration plan, the applicant amended the project description to include the revised restoration plan. In their letter of August 24, 2000, CDFG staff expressed their support for the amended restoration project, stating:

> (T)his project proposes to replace non-native, degrading material (rusting auto bodies) with natural material (rock and redwood) that should be around long after we're gone. As proposed, this project is a stream restoration project that will improve fish and wildlife habitat.

One compelling way of establishing that the primary purpose function of the streambank work is consistent with Coastal Act Section 30236 is to demonstrate that a substantial improvement to fish and wildlife habitat would result from the work being permitted. The restoration effort must be shown to yield a substantial benefit in the quality and/or quantity of habitat and not merely replace existing habitat and include mitigation for its construction impacts. As discussed above, the short-term impacts to the habitat from construction of the streambank improvements themselves would be mitigated by various proposed measures. In addition, based on information contained within the revised streambank restoration plan and from discussions with the applicant's restoration hydrologist, the proposed streambed work would result in substantial improvement to fish and wildlife habitat for the following reasons:

- The removal of portions of the car-bodies protruding from the streambank would increase the quality of in-stream fish habitat along this reach of Wages Creek by reducing the risks of injury to fish from the part's jagged metal edges;

- The placement of natural material revetment structures and vegetation would result in an net increase in the amount and complexity of in-stream habitat by providing overhead cover and shade for fish, breaking up the secondary circulation cells to promote quiet water resting areas, contributing detritus, and diversifying terrestrial and aquatic insect habitat; and

- The installation of the wing deflector and digger log would promote a more biologically productive "pool and riffle" stream configuration by increasing the amount of deep-water environment available to migrating fish.

Therefore, the Commission concludes that a substantial benefit to the amount and/or quality of the fish and wildlife habitat will result from the proposed streambank work and that the primary purpose of the work is for the improvement of fish and wildlife habitat as required under Coastal Act Section 30236.

Restoration Project Alternatives

An examination of how the benefits that would result from the work compare with those that could be achieved through other alternative actions also substantiates that the primary function of the streambank alteration work is for fish and wildlife habitat improvement.

If no streambank work is performed along Wages Creek, the auto car-bodies would be left in their current locations and no revetment materials would be placed within the creek. Under this scenario however, the habitat area provided by the car bodies and existing riparian vegetation would not likely be sustained indefinitely as the site is located along the eroding outer bend of a stream meander. Overtime, the high water forces of the creek would inevitably erode and undermine the car-bodies resulting in streambank undercutting and loss of riparian vegetation along the north bank.

Unlike in a more natural setting, the riparian corridor vegetation would not re-establish itself along the shifted creek alignment. As the creek bank erodes, the creek would encroach into the established campground where no new riparian vegetation could be established. The likely outcome would be the loss of the northern half of the riparian vegetative corridor, resulting in a decrease in shade and cover. Accordingly, doing nothing would result in a decline in the quality and quantity fish and wildlife habitat for this reach of Wages Creek.

Among the available options for proactively attempting to preserve the habitat, the proposed streambank work results in the greatest benefit to fish and wildlife habitat. Removing all of the auto-body slope protection to "restore" the north bank would require a significant amount of grading and vegetation removal to extricate the car-bodies. This ground disturbance would likely cause significant amounts of soil materials to be introduced into the coastal waters of Wages Creek, either directly during revetment removal or indirectly due to weakening of the streambank. In a comment letter specifically directed at this alternative, CDFG staff stated their opinion that complete car-body removal is likely to result in greater bank destabilization and habitat degradation than maintaining the structures in place. Accordingly, the auto-body revetment removal alternative would also result in a decline in the overall amount of fish and wildlife habitat.

Simply removing the exposed parts of the auto bodies that are causing into the fish would diminish habitat values in other ways. Although the jagged metal edges presents a hazard to passing fish, the auto bodies afford shade and cover to the creek and provide a pooled

area in which fish may rest and feed during migration. Removal of the projecting portions of the car-bodies would result in a loss of these habitat amenities.

Therefore, streambank alteration work is necessary to prevent a decline in fish and wildlife habitat values and the proposed streambank alteration work is the best alternative for maximizing habitat values.

The Commission acknowledges that streambank stabilization benefits would result from the enhancement work. However, as streambank work is necessary to prevent a decline in fish and wildlife habitat values and the proposed streambank work is the best alternative for maintaining habitat values, the Commission finds that the primary purpose of the proposed streambank development is the improvement of fish and wildlife habitat, consistent with Section 30236 of the Coastal Act. The Commission finds that certain additional mitigation measures are necessary to prevent the proposed streambank alteration work from causing unintended impacts to riparian habitat. The Commission includes within Special Condition No. 1 a requirement that a minimum of 500-square-feet of native willow cuttings are planted within the natural revetment material voids, to ensure that no net loss of riparian vegetation will result from the placement of the streambank enhancement structures. Finally, to assure that unforeseen damage to the watercourse caused by the settling, shifting, or dislodging of restoration structures is avoided, periodic repositioning of the boulders, logs and rootwads back into their intended locations is required by Special Condition No. 1.

The Commission finds that, as conditioned, the streambank development project is consistent with Coastal Act Section 30236.

E. Protection of Water Quality.

Section 30231 of the Coastal Act addresses the protection of coastal water quality in conjunction with development and other land use activities. Section 30231 reads:

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

The construction of the camping spaces, roadway, bridge crossing, and installation of the sewer system and utilities will involve ground disturbing grading and trenching that could

have adverse impacts on coastal water quality. If the site work is undertaken during times of precipitation exposed soils materials could become entrained in stormwater runoff resulting in sedimentation of coastal waterways. In addition, risks to water quality may exist after site improvements have been constructed. For example, a failure or lack of adequate maintenance of the septic disposal system could result in releases of untreated sewage which could eventually enter coastal waters if not properly prevented, contained and cleaned-up. Moreover, surface water quality impacts could similarly occur from polluted runoff associated with dripping fuel and lubricants at the vehicular parking areas at the RV and tent camping sites.

Accordingly, to ensure that no adverse impacts to the water quality of coastal waters results, the Commission has included Special Condition No. 2 to ensure that feasible mitigation measures are included in the approval of the project. These requirements relate to timing of construction activities, facilities operation and maintenance standards, and specific best management practices to be undertaken during construction to prevent soil materials and other forms of polluted runoff from entering or otherwise degrading the coastal waters of Wages Creek.

As conditioned, the proposed project is consistent with Section 30231 of the Coastal Act in that the quality of coastal waters will be maintained and protected from degradation by construction activities associated with the proposed project.

F. Public Access.

Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, with limited exceptions.

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.*

Section 30211 states:

> *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212 states:

> *(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. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Coastal Act Section 30210 requires in applicable part that maximum public access and recreational opportunities be provided when consistent with public safety, private property rights, and natural resource protection. Section 30211 requires in applicable part that development not interfere with the public's right of access to the sea where acquired through use (i.e., potential prescriptive rights or rights of implied dedication). Section 30212 requires in applicable part that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, except in certain instances, such as when adequate access exists nearby or when the provision of public access would be inconsistent with public safety.

In applying Sections 30211 and 30212, the Commission is limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential public access.

The project site is located adjacent to the Pacific Ocean, between the sea and the first public road. Due to its private commercial orientation, public coastal access points to and along the ocean through the campground site are limited to campground occupants and their guests. Public coastal access to the beach through the Westport - Ten Mile Cemetery is constrained by steep slopes and unstable bluffs in that portion of the project site. Adjoining the site to the north and south are coastal access facilities, comprising the day use areas, campgrounds, and beachfront trails within Westport – Union Landing State Beach.

Although it is not the standard of review in the Commission's retained jurisdiction area, the County of Mendocino's LCP (certified November 20, 1985) can be utilized by the Commission as guidance. The LCP addresses access points in the project vicinity. Coastal Recreation and Access Policy 4.2-9 reads, in applicable part, as follows:

Location: *West of Highway 1, 0.7 miles north of Westport.*
Ownership: *Private; two ownerships.*
Existing Development: 175 unit campground.
Policy: *At those times when the campground is open for business on specific days and hours an entrance fee may be charged to the general public as long as the visitor serving use remains. Public access without an entrance fee shall be provided consistent with policy 3.6-6 if a use other than a visitor serving use is permitted on the site.*

Among the primary objectives for the campground improvement project is the goal of upgrading the camping facilities such that tent and recreational vehicle (RV) sites are formally delineated. In doing so, the current informal 175-unit layout would be reconfigured into approximately 40 tent and 75 RV spaces. The proposed design would cluster users into discrete camping spaces reducing the amount of campground area taken up by campers, their vehicles and equipment. This action would provide a greater overall area of the subject property to be available for open space, coastal access, and pursuing passive and active coastal recreational opportunities than allowed under the present informal camping area configuration (60 designated spaces and three "open camping" areas).

Accordingly, the proposed project would not interfere with the public's right of access to the sea either by patrons of the private campground or the general public from established nearby coastal access points. Therefore, the Commission finds that the proposed project, which does not include new public access, is consistent with the public access policies of the Coastal Act.

G. Lower-Cost Visitor and Recreational Facilities.

Providing access to the coast as a part of visitor and recreational facilities is addressed in Coastal Act Section 30213 as follows:

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

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

The proposed developments at the campground will not result in a loss of such opportunities. The primary use of the site for camping --- a *de facto* form of low-cost coastal recreation --- will remain, regardless of whether it takes the form of tent camps or recreational vehicles. Based upon fee information provided by the applicant (RVs: $22/night, Tents: $18/night), no financial disincentive to tent campers compared to RV enthusiasts should result given the relatively small monetary difference in their respective rates. In addition, no change in the current $5/person day-use fee for non-camping customers is proposed. Accordingly, the Commission finds that no significant adverse impacts to facilities for lower-cost visitor-serving recreational facilities will result from the project.
Therefore, the Commission finds that the proposed project will protect, encourage, and provide lower cost recreational facilities. Thus, the project is consistent with Section 30213 of the Coastal Act.

H. Planning and Siting New Development.

Section 30250(a) of the Coastal Act states in applicable part that:

> *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.*

The intent of this policy is to direct development toward areas where community services are provided and potential impacts to resources are minimized.

The proposed development involves extensive service improvements to an existing commercial campground, including installation of an onsite sewage disposal system, development of an internal roadway network, and the extension of water, electricity and communication utilities.

Sewage Disposal: The proposed septic system was designed to accommodate treatment of an estimated daily flow of 7,500 gallons of wastewater through leachfield disposal conveyed by a pressurized system. The design was developed in accordance with the requirements of the North Coast Regional Water Quality Control Board (NCRWQCB) and the Mendocino County Division of Environmental Health (MCDEH). The proposed system includes designation of a 100% leachfield replacement area in the advent of future failure of the primary field. A cumulative analysis of the effects of the system on water quality was also conducted consistent with the North Coast Basin Plan. The system design was approved by the MCDEH on December 20, 1999.

Road System: The project site would be served internally by a 25-ft.-wide gravel roadway system connected to State Highway 1. Based upon review by the California Department of Forestry and Fire Protection, the road way will be adequate to provide emergency vehicular access to the campground.

Water Supply: Although the project site is in a rural setting, it is located within the boundaries of the Westport County Water District (WCWD). The WCWD has indicated its "willingness-to-serve" the proposed development's expected 36,000 gallons-per-month increase in water demand associated with the 75 RV hook-ups.

Based on the above conditions, the proposed development is consistent with Coastal Act Section 30250(a) to the extent that it is located in a developed area with adequate water, sewer, utility, transportation, and other public service capabilities, and as conditioned herein, will not have significant adverse effects, either individually or cumulatively, on coastal resources. Therefore, Commission finds that the proposed project is consistent with Section 30250 of the Coastal Act.

I. Visual Resources.

Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and requires in applicable part that permitted development be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas. Furthermore, in designated highly scenic coastal areas, permitted development must be subordinate to the character of its setting.

The project setting consists of an existing commercial campground facility providing up to an allowed maximum 175 spaces for car-camping and recreational vehicle enthusiasts. The campground is situated on a relatively flat coastal terrace between adjoining bluffs, bisected by the riparian corridor of Wages Creek. The subject property is vegetated with a mosaic of trees, shrubs and grassy openings in which the campground use is conducted. The property is visible from the portions of State Highway 1 along the hillside slopes north and south of the site. The County of Mendocino LCP designates the project area as a "highly scenic area."

Once completed, the campground proposed improvements would provide 40 tent-camping sites and 75 RV hook-up spaces laid out in a looped configuration. These camping areas would be more regimented in their overall appearance compared to the dispersed "open camping areas" currently offered at the campground due to this linear arrangement. In addition, with the installation of the permanent bridge crossing providing year-round site access and special sewerage pump-out facilities, the facility is likely to attract a greater number of recreational vehicle users. The increased presence of these relatively large vehicles could significantly alter the appearance of the site by

blocking or extending above landscape features on the property. To mitigate the visual presence of the campground from surrounding public viewing areas, the applicant proposes to plant a minimum of one tree (species unspecified) per camping space.

While it is not possible to completely shield all campground improvements or camping vehicles from the public's view, the development must be shown to conform to the criteria within the above-cited Coastal Act policy. To this end, the Commission believes the proposed campground improvements will be situated in a location where views to the coast will not be affected: Blue-water views of the ocean from Highway 1 will not be blocked or otherwise obstructed by the resulting campground use. The Commission also finds that with the inclusion of the vegetative screening proposed by the applicant the visual expression of recreational vehicles clustered within the proposed campground views along the coast will similarly be protected. Finally, given the established use of the site as a commercial campground, the Commission finds the proposed development will be both compatible with the character of surrounding areas and subordinate to the setting's character.

To ensure the successful establishment and ongoing viability of the proposed vegetated visual screening, the Commission attaches Special Condition No. 3 requiring approval of a final landscaping plan addressing suitable tree species for the site, and provisions for their maintenance, irrigation, replacement, and upkeep.

In addition to the campground improvements, the project application also enumerated several other site amenities to be installed on the site. These include the installation of interpretative signage and a cliff swallow nesting structure. The finalized design of these amenities has not been completed at this time. Accordingly, to ensure that the scenic and visual qualities of coastal areas shall be considered and protected, the Commission attaches Special Condition No. 6, which requires that plans for signage and nesting structures be provided prior to issuance of the coastal development permit that ensure that the signage and nesting structure are visually compatible and subordinate to the character of the project setting.

The Commission finds, that as conditioned, the proposed project will: (a) include adequate measures to insure that the scenic and visual qualities of coastal areas are considered and protected; (b) insure that permitted development is sited and designed to protect views to and along the ocean and scenic coastal areas; (c) minimize the alteration of natural land forms; (d) be visually compatible with the character of surrounding areas; and (e) be subordinate to the character of its setting.

J. Protection of Cultural Resources.

Section 30244 of the Coastal Act provides that *"...(w)here development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required."*

The project site is situated on a coastal terrace that contains the former locations of the summer foraging camp known to the Mishbul-ontilla triblet of the Coastal Yuki as *Nuhanwakem* (CA-MEN-541) and the remains of the ethnographic village of *Nuhanwahatdape* (CA-MEN-543). These sites were utilized for seasonal occupation for collecting and processing littoral zone resources and may have contained 3-4 Coastal Yuki houses prior to 1870. Shell middens, slab mortar fragments, and fire-affected stone are the prevalent relict materials found at these sites.

In an archaeological survey conducted for the project (Thad M. Van Bueren, ROPA, 6/26/99), investigation of the subject found that neither the proposed merger and re-subdivision or campground improvements would involve the identified archaeological village site. Consequently, the project would have no direct adverse impact to those archaeological resources. However, since the precise location and extent of the *Nuhanwakem* camp were not confirmed, the potential exists that portions of the site may be within the project area proposed for site improvements. Excavation associated with the trenching for the wastewater system and utilities could result in the uncovering or disturbance of previously unknown or unmapped archaeological resources.

Accordingly, the Commission attaches Special Condition No. 7, requiring that, if archaeological resources are unexpectedly discovered during the excavation or other construction activities at the site, all site work in the area potentially containing cultural resources is to be discontinued and a qualified archaeologist immediately contacted to assess the significance of the materials. In addition, the condition provides that prior to the re-initiation of construction, an Archaeological Plan be prepared by a qualified professional that describes the extent of such resources present and the actions necessary to protect any onsite archaeological resources. Therefore, the Commission concludes that, as conditioned, the project is consistent with Section 30244 of the Coastal Act.

K. State Waters.

Portions of the project site are in areas that are State-owned waters or were otherwise subject to the public trust.

Therefore, to ensure that the applicant has the necessary authority to undertake all aspects of the project on these public lands, the Commission attaches Special Condition No. 4, which requires that the project be reviewed and where necessary approved by the State Lands Commission prior to the issuance of a permit.

L. U.S. Army Corps of Engineers Review

The project requires the review and approval by the U.S. Army Corps of Engineers for construction activities involving "waters of the United States" (i.e., Wages Creek bridge crossing). Pursuant to the Federal Coastal Zone Management Act, any permit issued by a

federal agency for activities that affect the coastal zone must be consistent with the coastal zone management program for that state. Under agreements between the Coastal Commission and the U.S. Army Corps of Engineers, the Corps will not issue a permit until the Coastal Commission approves a federal consistency certification or permit for the project. To ensure that the project ultimately approved by the Corps is the same as the project authorized herein, the Commission attaches Special Condition No. 5 which requires the permittee to submit to the Executive Director evidence of U.S. Army Corps of Engineers approval for the project prior to the commencement of work.

M. California Environmental Quality Act.

Section 13906 of the California Code of Regulation requires Coastal Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Public Resources Code Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are any feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act policies at this point as if set forth in full. The proposed project has been conditioned to be consistent with the policies of the Coastal Act and the requirements of PRC §21080.5(d). Special condition(s) have been attached to require mitigation measures which will minimize all adverse environmental impacts. As conditioned, there are no other feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act to conform to CEQA.

EXHIBITS:

1. Regional Location Map
2. Vicinity Map
3. Jurisdictional Map (excerpt)
4. Project Site Plans
5. Review Agency Correspondence
6. Revised Wages Creek Streambank Restoration Plan

APPENDIX A

STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgement. 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 amount of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director of the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

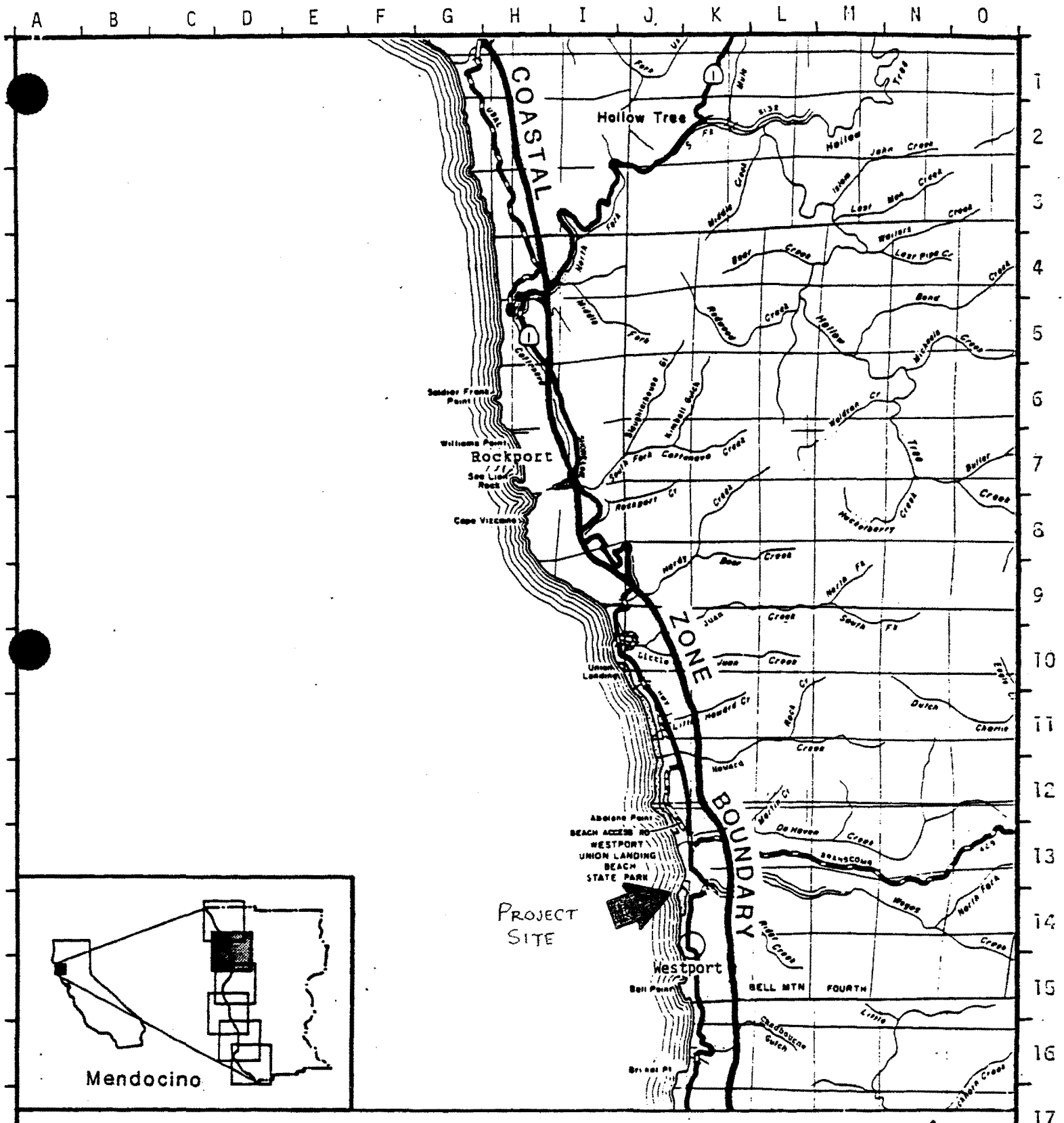


EXHIBIT NO. 1

APPLICATION NO. 1-99-008

LOCATION MAP

LOCATION MAP

cino

Sheet 2 of 6

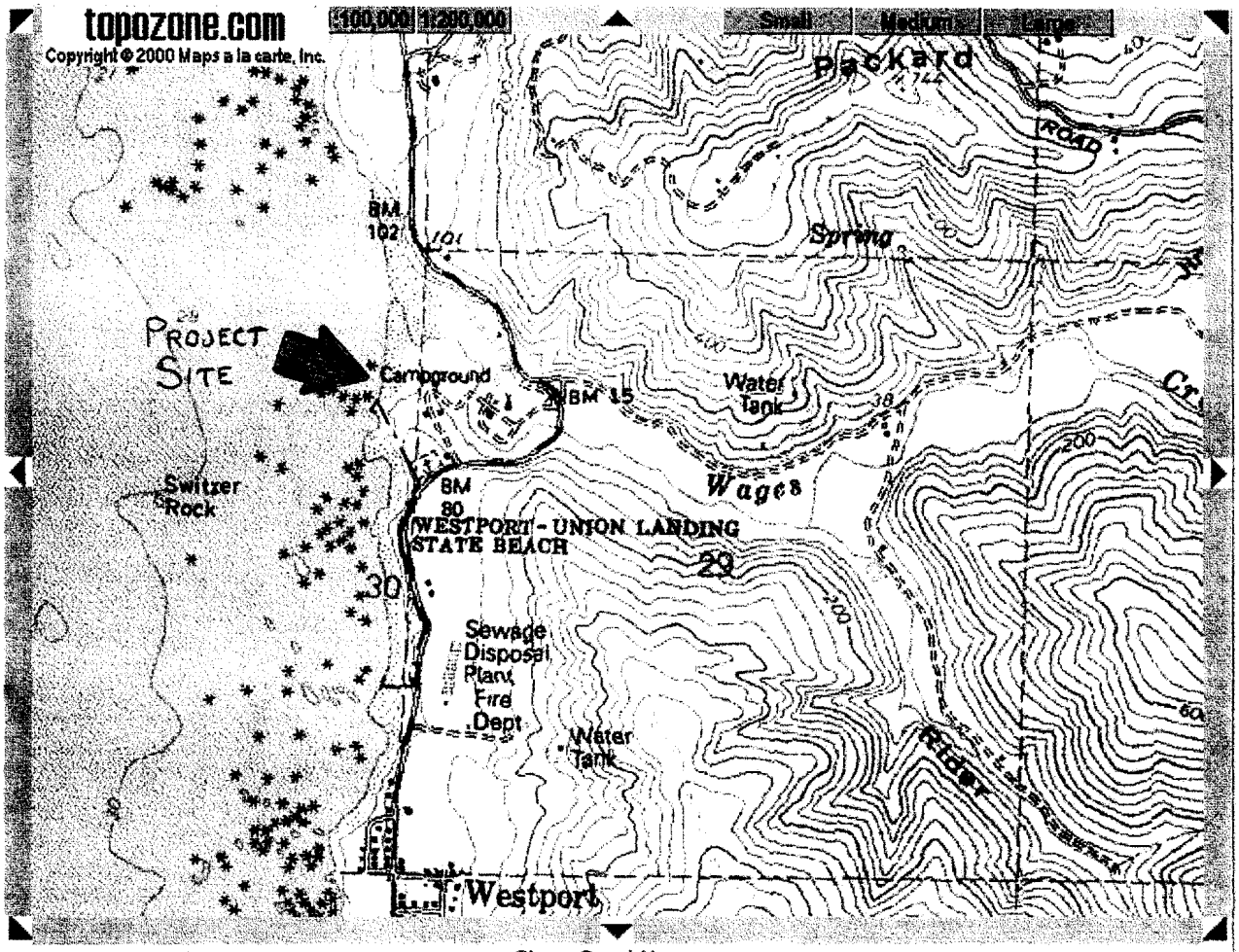
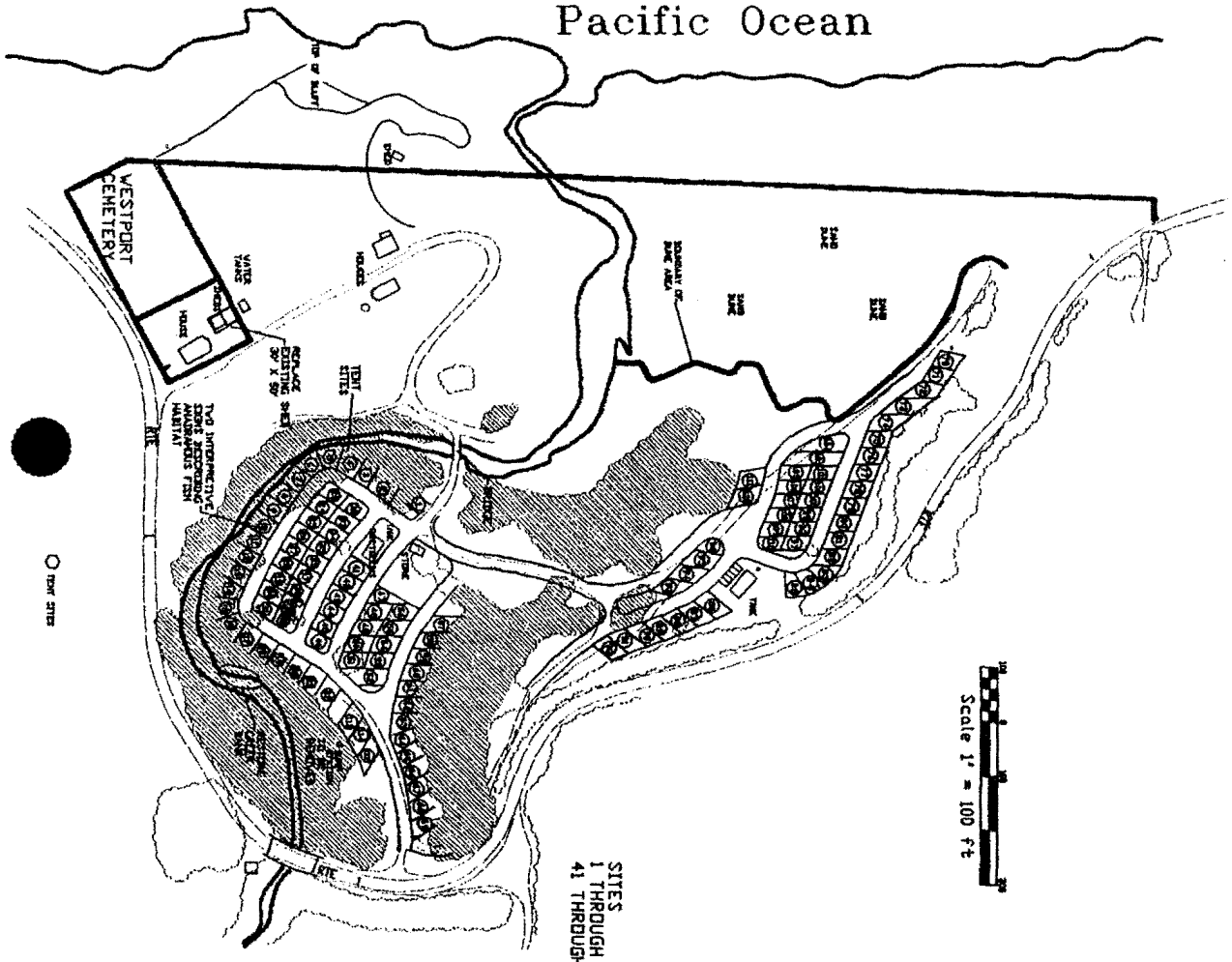


EXHIBIT NO. 2

APPLICATION NO. 1-99-008

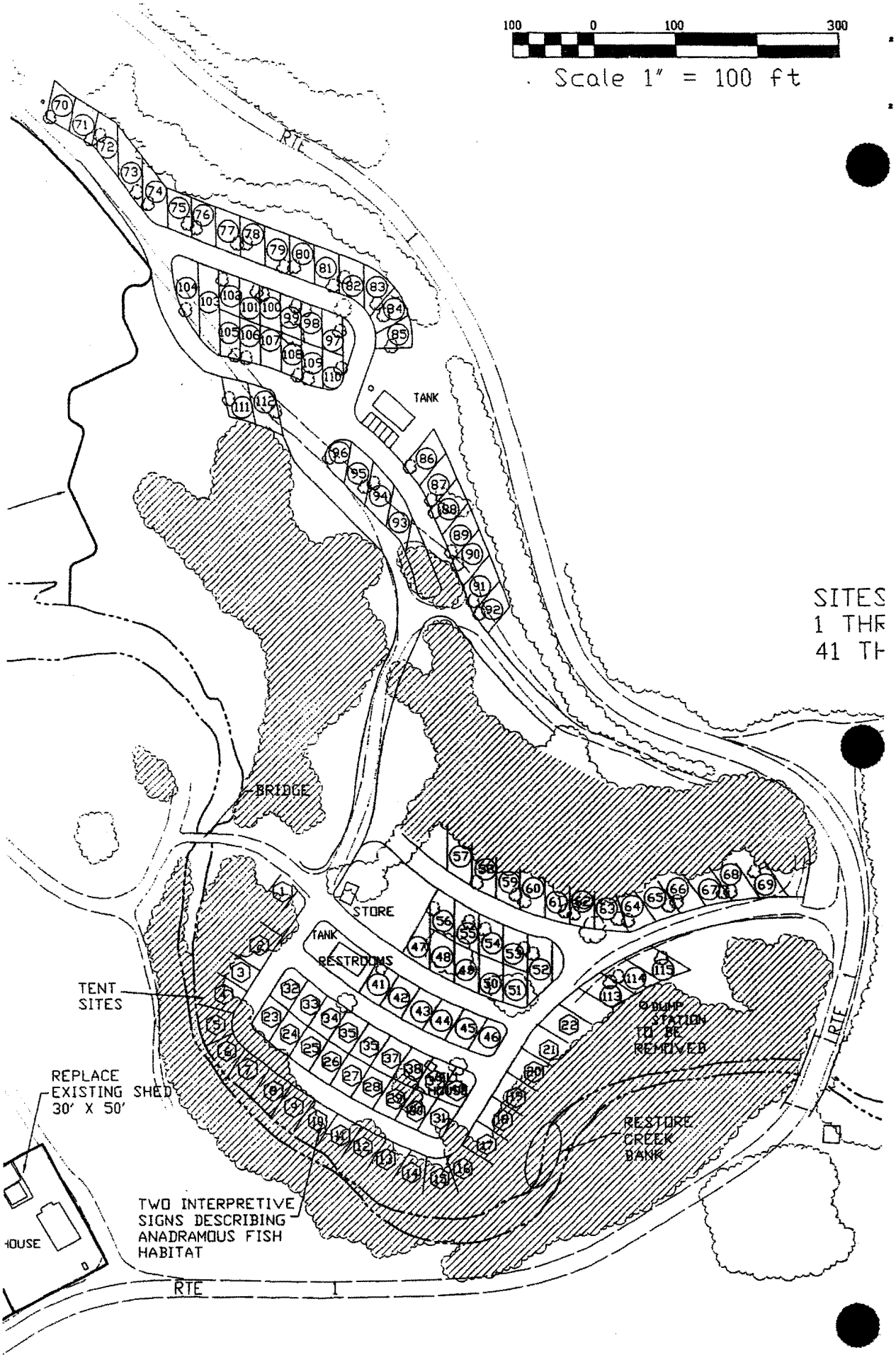
VICINITY MAP



SITES 1 THROUGH 40= TENT SITES
41 THROUGH 115= FULL HOOKUP (R.V.) SITES

WAGES CREEK CAMPGROUND
WESTPORT, CALIFORNIA

L.L. WELTY & ASSOCIATES
703 A North Main Street
Fort Bragg, California 95437
Telephone (707) 964-8865


100 0 100 300
Scale 1" = 100 ft
RTE
TANK
BRIDGE
STORE
TANK
RESTROOMS
TENT SITES
REPLACE EXISTING SHED 30' X 50'
DUMP STATION TO BE REMOVED
RESTORE CREEK BANK
TWO INTERPRETIVE SIGNS DESCRIBING ANADRAMOUS FISH HABITAT
HOUSE
RTE
SITES
1 THR
41 TH

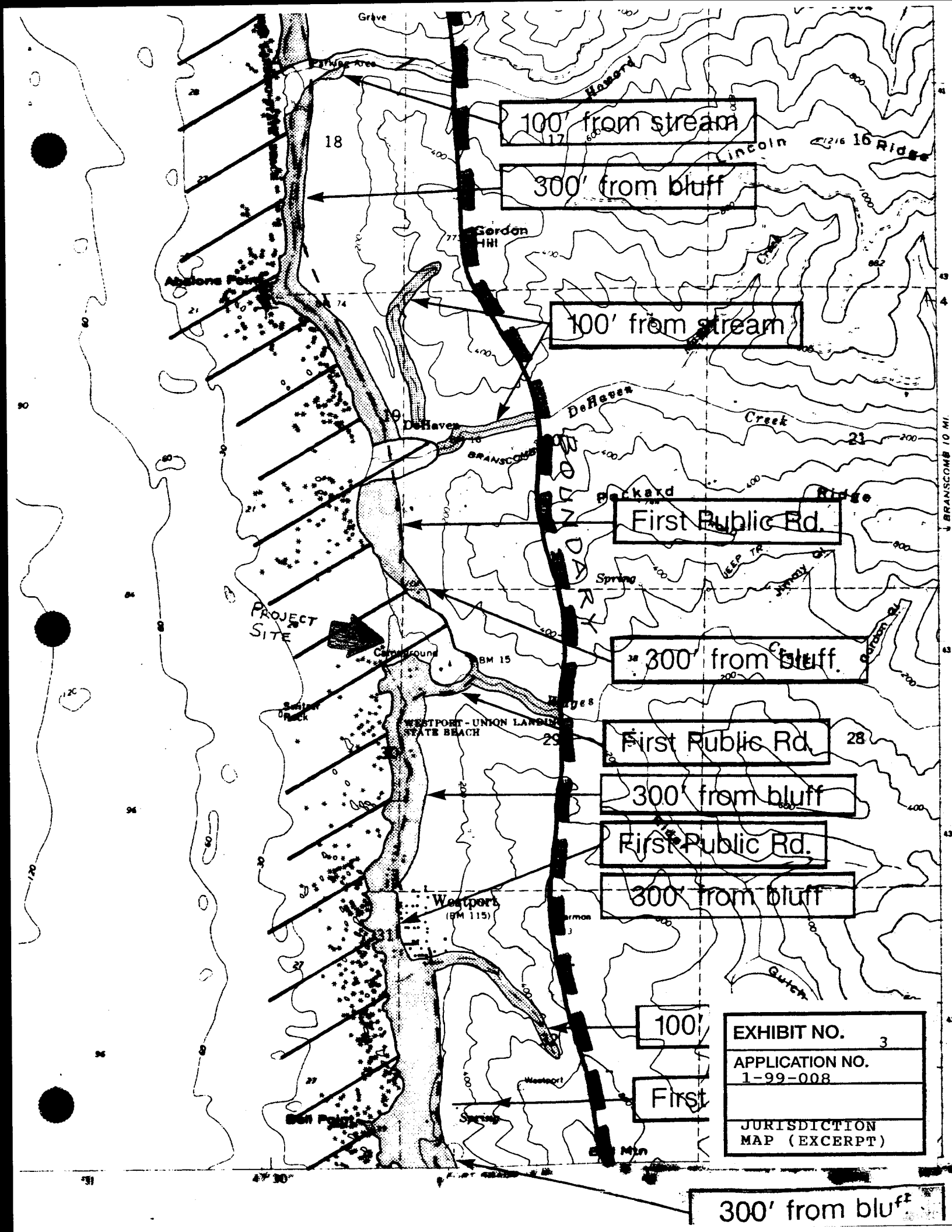


EXHIBIT NO. 3

APPLICATION NO. 1-99-008

JURISDICTION MAP (EXCERPT)

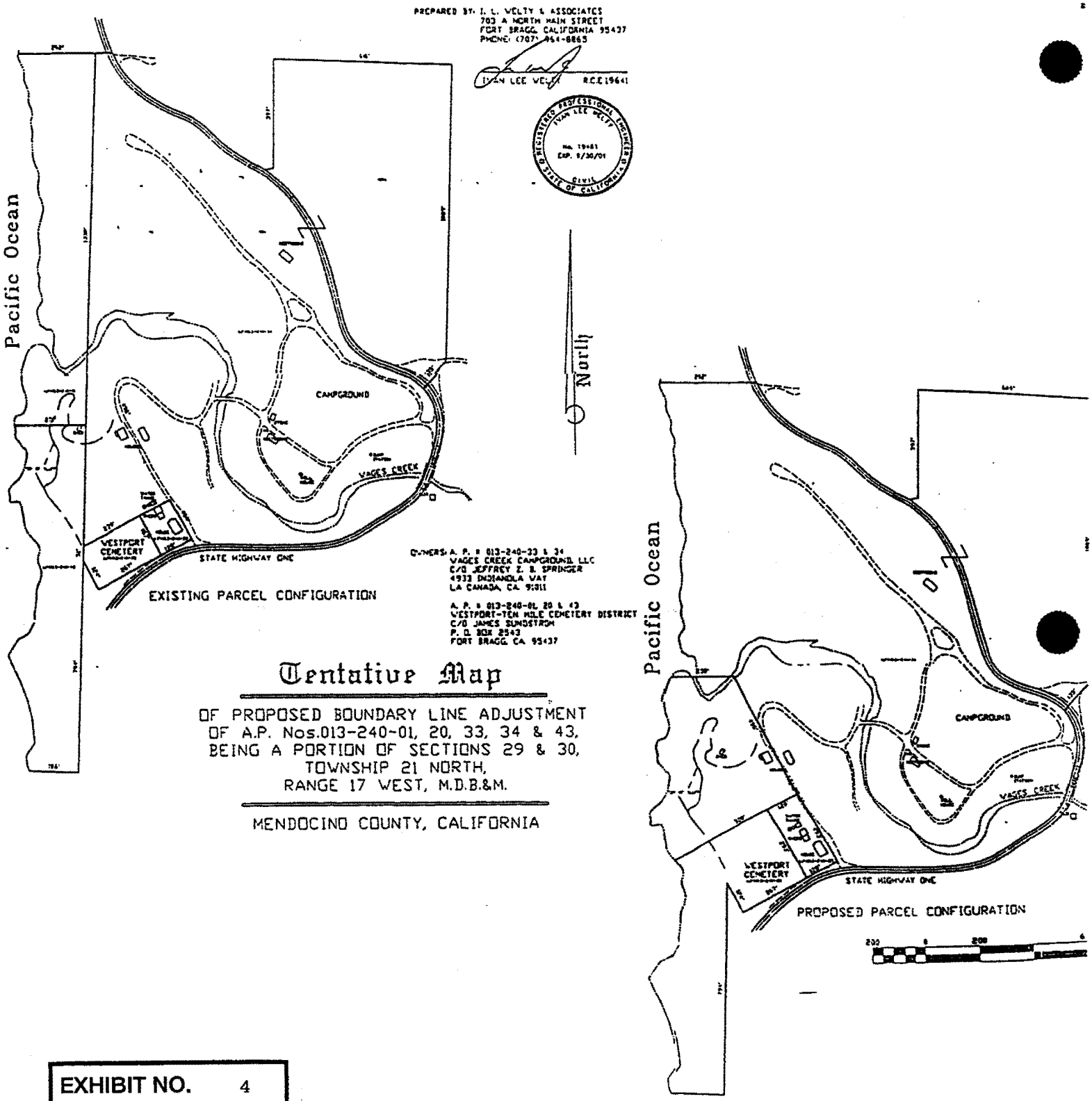
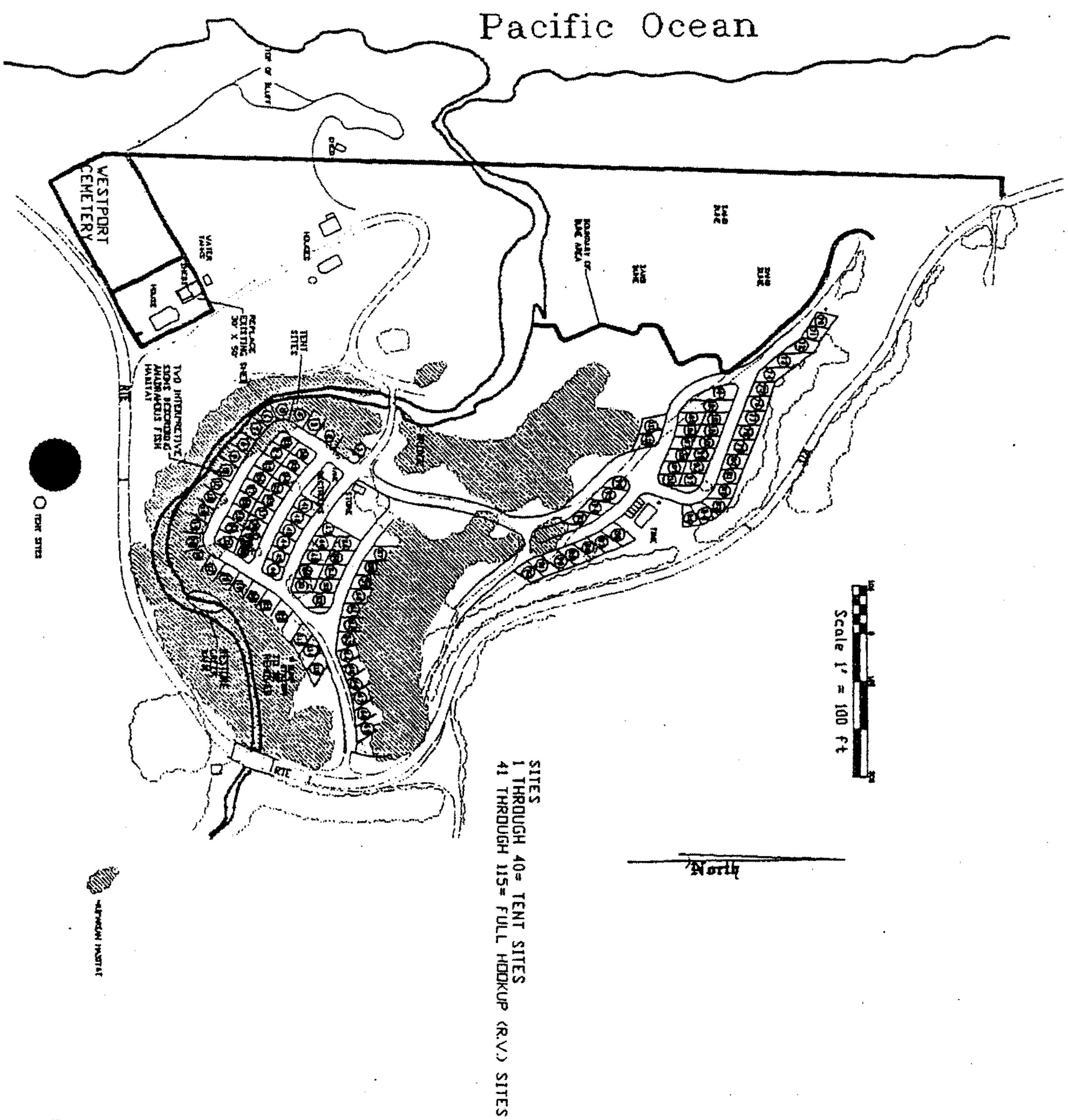


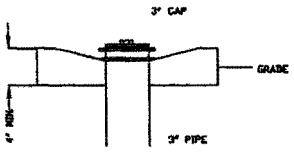
EXHIBIT NO. 4
APPLICATION NO. 1-99-008
PROJECT SITE PLANS (1 of 5)

BOUNDARY LINE ADJUSTMENT SITE PLAN

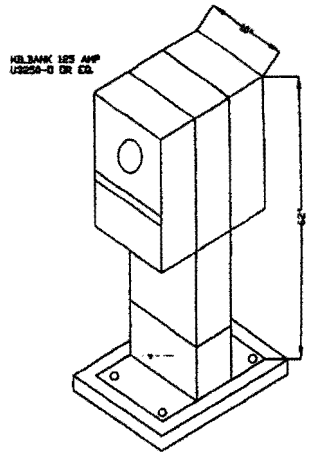


WAGES CREEK CAMPGROUND
WESTPORT, CALIFORNIA

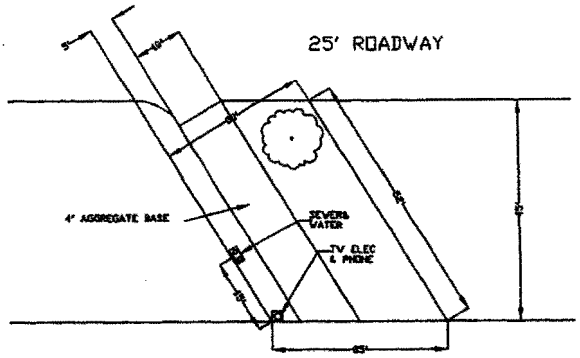
L.L. WELTY & ASSOCIATES
703 A North Main Street
Fort Bragg, California 95437
Telephone (707) 964-8865



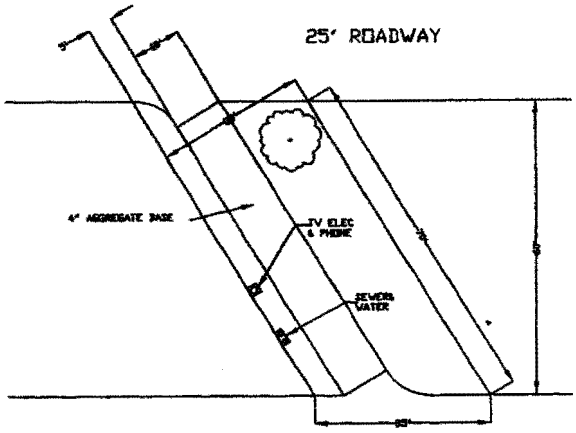
TYPICAL SEWER HOOK UP



TYPICAL DUAL ELEC. TV & PHONE HOOK UI



TYPICAL BACK IN SPACE



25' ROADWAY

TYPICAL DRIVE THRU SPACE

HIGHWAY 1 BRIDGE
to WESTPORT
WAGES CREEK AT CAMPGROUND
~150'
20'
N
S
E
W
UNDERCUT BANK
WAGES CREEK
MATURE RIPARIAN VEGETATED FOREST
FLOOD PLAIN
EXISTING CONDITION
8/6/98
DIAGRAM BY T.J. BARBER

EXHIBIT A

Proposed Condition

Wages Creek Campground

Plan View Diagram by Teri J Barber

D = wing deflector

=== temporary road

XXX zone of limited riparian disturbance

Boulder

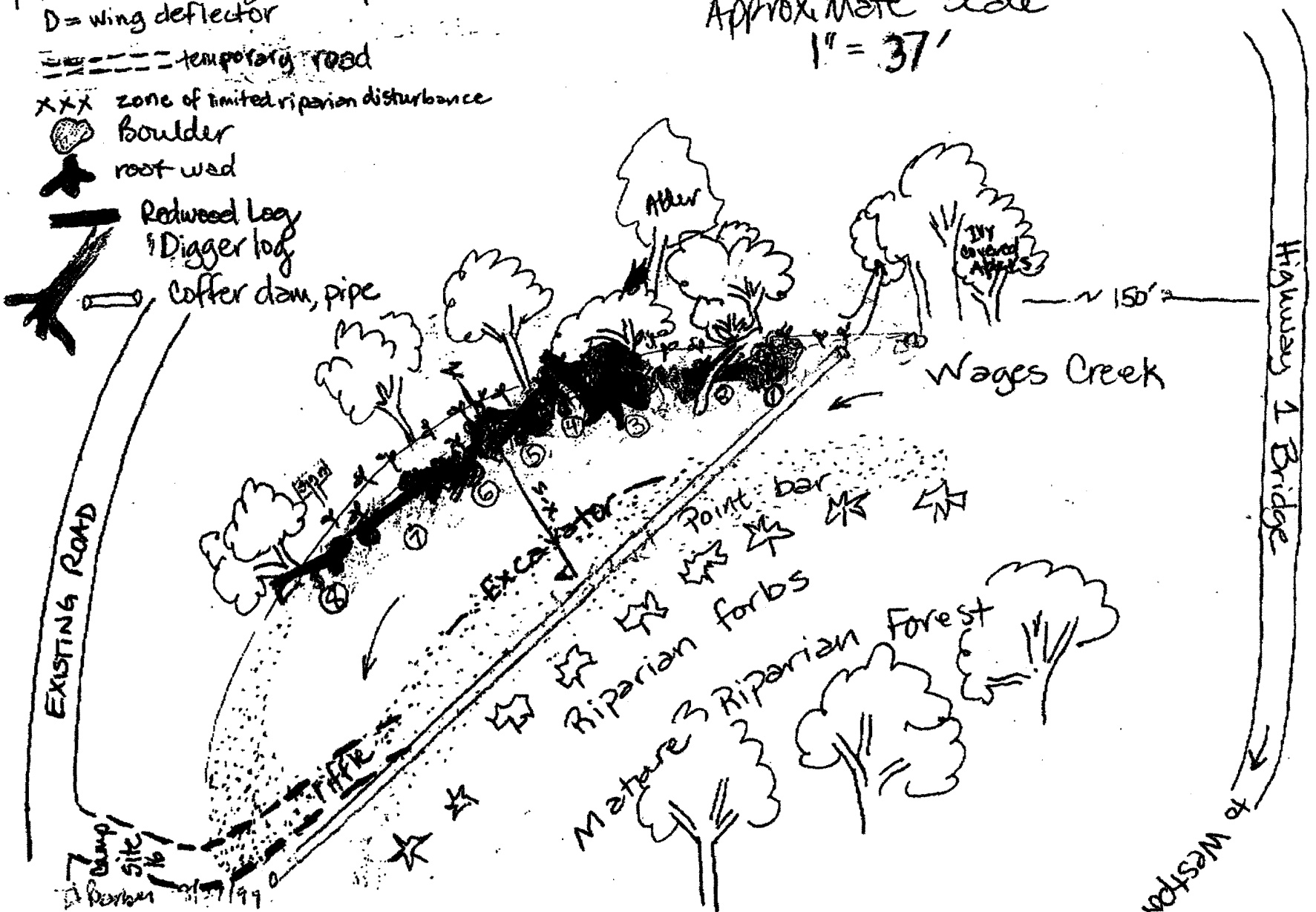
root wad

Redwood Log

Digger log

Coffer dam, pipe

Approximate Scale
1" = 37'



STATE OF CALIFORNIA -THE RESOURCES AGENCY
GRAY DAVIS, *Governor*

DEPARTMENT OF FISH AND GAME

Central Coast Region
[redacted] Monroe Street
Willits, CA 95490

Jim Baskin
Coastal Program Analyst
California Coastal Commission
710 E Street, Suite 200
Eureka, CA 95501

August 24, 2000

RE: Coastal Development Permit No. 1-99-008 for Streambed Alteration Work on Wages Creek
Wages Creek Campground, Westport Area, Mendocino County California
(APNs 13-240-33, -34)

As I understand it, the project proposed for Wages Creek will now be addressed by a different provision than previously discussed. The provision that has been adopted (Public Resources Code Section 30236) states that the "primary function is the improvement of fish and wildlife habitat." Previously, I had stated that the project "retains merit as a fisheries restoration project". Restoration, in effect and intent, is the improvement of fish and wildlife habitat. This project is also a protection of soon to be deteriorated habitat. Again, this project proposes to replace non-native, degrading material (rusting auto bodies) with natural material (rock and redwood) that should be around long after we're gone. As proposed, this project is a stream restoration project that will improve fish and wildlife habitat.

[redacted]

If you have further questions or comments, please feel free to contact me.

Cordially,

Scott L. Harris
Associate Fisheries Biologist
26A Monroe Street
Willits, CA 95490
707-459-2238
scharris@dfg2.ca.gov

cc: J. Emig, CDFG
[redacted]. Cannata, CDFG
T. Barber, Ridge to River
J. Springer, LLC

EXHIBIT NO. 5
APPLICATION NO. 1-99-008
REVIEW AGENCY CORRESPONDENCE
(15 pages)

STATE OF CALIFORNIA -THE RESOURCES AGENCY GRAY DAVIS, *Governor*

DEPARTMENT OF FISH AND GAME
Central Coast Region
26A Monroe Street
Willits, CA 95490

Jim Baskin
Coastal Program Analyst
California Coastal Commission
710 E Street, Suite 200
Eureka, CA 95501

August 20, 2000

Dear Mr. Baskin,

On August 18, 2000, I met with Teri Jo Barber and Ed McKinley to review the project proposed for Wages Creek within the Wages Creek Campground property. I felt a field review was imperative since the project has been presented to me in many different formats. I think the field review has produced a workable restoration plan for removing the non-native material (automobile bodies) and restoring the stream to a more natural state. Ms. Barber has sent me a final Project Description which I have reviewed and returned comments.

The most important aspect of this project, from a fisheries perspective is that the final product will hopefully mimic the stream structure so as to not lose the pool habitat that has been created by the auto bodies. The plan is to simply replace the non-native material with native material. Although already incorporated into Ms. Barber's updated Project Description, the following are constraints agreed upon for completion of the project:

1) Remove auto bodies and parts to flush with bank or stream channel.
2) Replace non-native material scour points with native material.
3) The width of the stream channel should not be lessened with the addition of material. Constriction of the channel can increase flow velocity and change the structure of the channel below the project site.
4) Boulders should be no less than three feet in diameter.
5) Only one deflector, if any, should be installed. The intent of a deflector is to move the thalweg slightly toward the center of the stream channel. Flow entering the project site needs to be such as to work on the newly placed structures. If the deflector moves the thalweg too far it is conceivable the newly placed material could be buried by substrate.
6) Boulders should not need to be cabled.
7) All boulder structures will be sufficiently toed into the stream channel bottom and if footer logs are to be used, boulders may be used in their place.
8) The root wad replacing the tank should be as large as possible and the stem should be long enough so that the distance of securing to either a deadman or flood plain tree is minimized.
9) A coffer dam should be constructed to move flow around the project site.
10) Fish and Game biologists will remove all listed species from the project area prior to any work.
11) Riparian vegetation will not be disturbed unless absolutely necessary.

I understand there is concern that the project could somehow cause flooding within the campground. Keep in mind the campground, at least partially, is within the flood plain....

Overall, I think this project retains merit as a fisheries restoration project.

If you have further questions or comments, please feel free to contact me.

Cordially,

Scott L. Harris
Associate Fisheries Biologist
26A Monroe Street
Willits, CA 95490
707-459-2238
scharris@dfg2.ca.gov

cc: J. Emig, CDFG
S. Cannata, CDFG
A. Grass, CDFG
T. Barber, Ridge to River
J. Springer, LLC

STATE OF CALIFORNIA -THE RESOURCES AGENCY
GRAY DAVIS, *Governor*

DEPARTMENT OF FISH AND GAME
Central Coast Region
26A Monroe Street
Willits, CA 95490

California Coastal Commission
Jim Baskin
P.O. Box 4908
Eureka, CA 95502-4908

July 18, 2000

Sub: Wages Creek, Mendocino County - Coastal Development Permit No. 1-99-008

Dear Mr. Baskin,

In your letter dated July 10, 2000, you have asked me to respond to a couple of questions regarding the proposed project on Wages Creek, Mendocino County. The first question was "whether or not the project can accurately be recognized as either habitat enhancement or restoration work..."? Due to the location (extremely low in the system) and due to the very small nature of the project I would tend to call this neither. I do not see any special benefit to fish or other aquatic organisms as a result of the proposed project. The question I ask is whether or not the project will create fish habitat and/or increase fish production or have any positive impact on the fisheries of Wages Creek.

The second question, if I'm reading your letter correctly, might be, if this was legitimate restoration or enhancement, what might it look like to fall within your constraints for project approval? Your constraints or parameters for project approval were listed as the "least environmentally damaging feasible alternative," and/or "incorporate the best mitigation measures feasible." I don't think mitigation is real at this point as there is nothing mitigate. It's my feeling that the car bodies should be left in the bank and the protruding parts that may pose a safety threat should be removed. Again, removing these car bodies (which are presently acting as scour hard points and complex cover) completely would create a very large wound and simply stabilizing it with rip-rap and willow/alder, would not replace the habitat that is present. I know it may seem strange that I appear to be defending the habitat created by car bodies, but it's the habitat that is present and I'd rather not lose it.

I would only be in favor of removing the car bodies if a project would create similar habitat as to what is present. No net loss of habitat.... Rip-rap used for bank stabilization will not replace the present habitat associated with the car bodies. My recommendation would be to leave the car bodies intact except for the probable safety concerns. The channel at this site is relatively stable and destabilizing any portion of the channel may create problems within the campground.

Feel free to contact me if you have further questions or comments.

Sincerely,

Scott L. Harris
Associate Fisheries Biologist
Central Coast Region (a.k.a. Region 3)
26A Monroe Street
Willits, CA 95490
707-459-2238
scharris@dfg2.ca.gov

STATE OF CALIFORNIA -THE RESOURCES A CY GRAY DAVIS, *Governor*

DEPARTMENT OF FISH AND GAME
Central Coast Region
26A Monroe Street
W s, CA 95490

Coastal Commission
North Coast District Office
P.O. Box 4908
Eureka, CA 95502-4908

May 3, 2000

Sub: Wages Creek, Mendocino County

Dear Mr. Eric Oppenheimer,

I was recently contacted by Mr. Ed McKinley of Mendocino County concerning proposed instream restoration on Wages Creek. As I understand, a grant has been funded to "take care of" some old automobile bodies that are currently embedded within the live stream channel in Wages Creek. Mr. McKinley's concern is that the Coastal Commission will require the automobile bodies to be completely removed, which would require destabilizing the currently intact stream bank and channel.

I have reviewed the site and I am familiar with the project and the personnel slated to conduct the work. It is my opinion as a State Fisheries Biologist that the project should entail only the removal of the portion of the automobile bodies that is visible and that no disturbance of the bank or stream channel should take place. The disturbance created by removing the entire structure from the bank and channel would greatly outweigh the benefit of the project.

If you have questions or comments, please feel free to contact me.

Sincerely,

Scott Harris
Associate Fisheries Biologist
26A Monroe Street
Willits, CA 95490
(707) 459-2238

cc:
S Cannata, CDFG, District Biologist
E cKinley

UKIAH OFFICE

501 LOW GAP ROAD, ROOM 1326
UKIAH, CA 95482
(707)463-4466
FAX (707)463-4038

FORT BRAGG OFFICE

790-A1 S FRANKLIN STREET
FORT BRAGG, CA 95437
(707) 961-2714
FAX (707) 961-2720

COUNTY OF MENDOCINO
DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

MEMORANDUM

TO: Carl Rittiman, Carl Rittiman & Associates December 20, 1999

SUBJECT: Acceptance of the Wages Creek Campground Septic System Proposal

The design proposal received October 22, 1999 for the Wages Creek Campground is acceptable. Attached is a copy of the Soil Status/Septic Permit Data Worksheet.

The Septic Agreement (permit) will include the following provisions:

- An Operation Agreement (permit) which will be issued with the Septic Agreement.
- A requirement that no well will be developed/located down slope from the Primary or Replacement Leach Fields.
- A requirement that no camping will be allowed on the Primary or Replacement Leach Fields, prior to, and after the septic system is constructed.
- Wages Creek Campground will take measures to prevent/prohibit camping on the site of the Primary and Replacement Leach Fields.

Once the boundary adjustment has been made, submit the revised plot plan to Environmental Health showing the new property line. (Note: please show the new Dump Station more clearly.)

Brian Hoy

FROM: Brian Hoy,
Environmental Health Specialist

cc. Ed McKinley
Coastal Commission

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM

ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1801 East Cotati Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.2494 • Fax: 707.664.3947
E-mail: nwic@sonoma.edu

26 May 1998

File No.: 98-ME-25

Linda Ruffing, Project Coordinator
County of Mendocino
Department of Planning and Building Services
790 So. Franklin
Fort Bragg CA 95437

re: CDP 21-98, APN 013-240-34, -34, 37700 N. Highway One

Dear Ms. Ruffing:

Records at this office were reviewed to determine if this project could adversely affect historical resources. The review for possible historic structures, however, was limited to references currently in our office. The Office of Historic Preservation has determined that any building or structure 45 years or older may be of historic value. Therefore, if the project area contains such properties they should be evaluated by an architectural historian prior to commencement of project activities. Please note that use of the term historical resources includes both archaeological sites and historic structures.

____ The proposed project area contains or is adjacent to the archaeological site(s) ( ). A study is recommended prior to commencement of project activities.

_XX_ The proposed project area has the possibility of containing unrecorded archaeological site(s). A study is recommended prior to commencement of project activities.

____ The proposed project area contains a listed historic structure ( ). See recommendations in the comments section below.

____ Study # identified one or more historical resources. The recommendations from the report are attached.

____ Study # identified no historical resources. Further study for historical resources is not recommended.

____ There is a low possibility of historical resources. Further study for historical resources is not recommended.

____ Comments:

If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 664-2494.

Sincerely,

Leigh Jordan
Coordinator

Cal/EPA

North Coast Regional Water Quality Control Board

5550 Skylane Blvd
Suite A
Santa Rosa, CA
95403
(707) 576-2220
FAX (707) 523-0135

Pete Wilson
Governor

May 5, 1998

Mr. Ed McKinley
237 Morrow Street
Fort Bragg, CA 95437

Dear Mr. McKinley:

Subject: Wages Creek Campground Improvements.

I have reviewed the materials submitted regarding planned improvements to the Wages Creek Campground near Westport in Mendocino County.

The project improvements relating to the permanent bridge crossing, with a permanent sewer line attached to the bridge, must be constructed in accordance with conditions imposed by the California Department of Fish and Game and California Coastal Commission. The modifications to the existing campsites to allow for full RV hookups with the attendant expansion of campground's leachfield area will be reviewed and permitted by the Mendocino County Department of Health. It will not be necessary for you to submit a report of waste discharge to this office for these activities.

Sincerely,

Charles T. Vath, Jr.
Associate Engineering Geologist

CTV:lmf/wagecr55.doc

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

FEB 17 1998

Regulatory Branch

SUBJECT: File Number 17583N

Mr. Jeffrey Springer
Wages Creek Campground
c/o Ed McKinley
Ed McKinley Permit and Construction Consulting
237 Morrow Street
Fort Bragg, California 95437

Dear Mr. Springer:

This is in reference to your submittal of November 9, 1997, concerning Department of the Army authorization to place a seasonal bridge at Wages Creek Campground over Wages Creek yearly at 37700 North Highway One, Westport, Mendecino County, California.

Based on a review of the information you submitted, your project qualifies for authorization under Department of the Army Nationwide Permit 14 Road Crossing, (61 FR 65874, Dec. 13, 1996), pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

The project must be in compliance with the General Conditions and Regional Conditions cited in Enclosure 1 for the nationwide permit authorization to remain valid. **Upon completion of the project and all associated mitigation requirements, you shall sign and return the enclosed Certification of Compliance**, Enclosure 2, verifying that you have complied with the terms and conditions of the permit. Non-compliance with any condition could result in the revocation, suspension or modification of the authorization for your project, thereby requiring you to obtain an individual permit from the Corps. This nationwide permit authorization does not obviate the need to obtain other State or local approvals required by law.

This authorization will remain valid for a period of **two (2) years from the date of this letter**, unless the nationwide permit is modified, suspended or revoked. If you have commenced work or are under contract to commence work prior to the suspension, or revocation of the nationwide permit and the project would not comply with the resulting nationwide permit authorization, you have twelve (12) months from that date to complete the project under the present terms and conditions of the nationwide permit.

We have received a concurrence from the California Coastal Commission dated December 19, 1997, that your project complies with California's Coastal zone management act.

We have received your conditional waiver of certification pursuant to Section 401 of the Clean Water Act dated February 2, 1998, from the North Coast Regional Water Quality Control Board.

You shall comply with the following special conditions:

1. The bridge shall be installed no sooner than March 15 and must be removed by October 30 yearly.

2. Upon bridge removal, the gravel fill used as bridge abutments shall be removed from Wages Creek and stored at an upland site well removed from Wages Creek.

3. Impacts to Wages Creek riparian vegetation shall be kept to a minimum.

4. No trenching shall occur in the stream bed of Wages Creek.

5. When the seasonal sewer line is removed, the ends of the pipe on each bank shall be capped and secured to prevent discharges into Wages Creek.

You may refer all questions to John Knudsen of our Regulatory Branch at 415-977-8437. All correspondence should be addressed to the District Engineer, Attention: Regulatory Branch, referencing file number 17583N.

Sincerely,

Calvin C. Fong
Chief, Regulatory Branch

Enclosures

Copies Furnished:

US F&WS, Arcata, CA
US EPA, San Francisco, CA
US NMFS, Santa Rosa, CA
CD F&G, Yountville, CA
CA CC, San Francisco, CA
CA RWQCB, Santa Rosa, CA
Mendocino County Planning Commission, Fort Bragg, CA

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

RBG

February 4, 1998 F/SWO31: DB

Lt. Colonel Richard G. Thompson
District Engineer
San Francisco District
U.S. Army Corps of Engineers
333 Market Street
San Francisco, California 94105-2197

Dear Colonel Thompson:

This letter is in response to your request of December 11, 1997, for concurrence with the Corps' determination that installation of a seasonal bridge across Wages Creek, at Wages Creek Campground, Mendocino County, California is not likely to adversely affect threatened Southern Oregon/Northern California coast (SONCC) coho salmon or Northern California (NC) steelhead trout, which is proposed for listing as threatened (Permit number 17583N).

The proposed project requires placement of less than 40 cubic yards of gravel fill to form the bridge abutments, and installation of a railroad flat car bridge. The bridge will be installed after March 15 and removed by October 15 each year of the permit. When the bridge removed, the gravel fill will also be removed and stockpiled. Impacts to riparian vegetation will be minimal.

I will concur that this project is not likely to adversely affect SONCC salmon or NC steelhead trout. No further section 7 consultation pursuant to the Endangered Species Act of 1973, as amended, is required. Should additional information on listed or proposed species become available, this determination may be reconsidered.

If you have any questions concerning this consultation please contact Mr. Dick Butler at: National Marine Fisheries Service, 777 Sonoma Avenue, Room 325, Santa Rosa, California 95404; telephone 707-575-6058.

Sincerely,

For

William T. Hogarth, Ph.D.
Acting Regional Administrator

cc: J. Knudsen - USACE
D. McKee - CDFG

WESTPORT COUNTY WATER DISTRICT
P.O. BOX 55
WESTPORT, CA 95488

January 23, 1998

Jeffrey Z. B. Springer, President
Wages Creek Campground, LLC
4933 Indianola Way
La Canada, CA 91011

Re: Wages Creek Beach Campground
37700 N. Highway 1, Westport, CA

Dear Mr. Springer:

This letter is sent in response to your letter dated January 17, 1998.

In your letter, you have requested a "will serve" letter for your proposed development plan to convert 75 existing, unimproved camping spaces to full hookups for recreational vehicles. Pursuant to your correspondence dated July 18, 1997, you have calculated that this conversion is expected to increase the demand for the supply of water by about 36,000 gallons per month in the summer.

The Westport County Water District will serve the proposed development pursuant to the terms of the Contract for Sale and Purchase of Surplus Water dated August 1, 1997, a copy of which is attached hereto. Under this Contract, the District has agreed to supply surplus water. The District has never reduced the supply of water to surplus users in over 8 years of operation.

We look forward to continuing to serve the campground's water needs pursuant to the attached Contract.

Very truly yours,

Steve Cardullo, Chairperson

CONTRACT FOR PURCHASE AND SALE OF SURPLUS WATER

This Agreement is made and entered into this 1st day of August, 1997, between Westport County Water District, a public agency organized under the laws of the State of California, at Westport, County of Mendocino, California, and Wages Creek Campground, LLC, 37700 N. Hwy 1, Westport, Mendocino County, California. This agreement is made on the following terms, covenants and conditions.

1. The purpose of this agreement is to provide for an agreement whereby the District would sell, and Wages Creek Campground, LLC would purchase, surplus water from the District supply.

2. The District agrees to sell, and Wages Creek Campground, LLC., agrees to purchase surplus water as may be available from the District during the term of this agreement or any extension. The District shall determine whether there is surplus water at any time and its determination shall be final. The District shall have the right to determine whether a surplus exists and this agreement shall not in any way effect the right of the District to provide primarily for the needs of the land within the district, including but not limited to the maintenance of reserves and other uses of water as the District may determine.

3. The District agrees to supply surplus water to Wages Creek Campground, LLC at a base fee of $299.00 plus $3.00 per 1000 gallons of use for the months October through March. The District also agrees to supply surplus water to Wages Creek Campground, LLC, at a base fee of $660.00 plus $3.00 per 1000 gallons of use for the months April through September. However, with respect to any month in which the District declares that there is no surplus water, the base fee charge shall be prorated.

4. These fees shall remain constant for the 1 year(s) term of this agreement, or until such time as it is deemed by the District necessary to raise rates of those users within the District, at which time the fees shall be adjusted.

5. At the sole discretion of the District, in the event there is no surplus water, no water shall be sold to Wages Creek Campground, LLC. The District shall attempt to comply with the following notification schedule, but no legal liability shall result from its failure to do so:

a) Three days notice shall be given in case of impending water shortage.
b) Twenty-four hours notice shall be given in the event of an equipment failure when the District water shortage must be reserved for District purposes at the discretion of the District.
c) No prior notice might be given upon termination of service in the event of a major equipment failure or large fire.

6. Wages Creek Campground, LLC agrees to be bound by all rules and regulations of the District, whether now existing or hereafter put into effect.

7. The term of this agreement shall be 1 year(s) from the date of execution, or until it becomes necessary, in the opinion of the District, to raise water usage rates of those users within the District, and shall continue thereafter until terminated by either party.

8. Wages Creek Campground, LLC, will not have the right to sell, transfer, convey or assign the water being purchased under this agreement, and all water shall be used on the property now defined as Wages Creek Campground.

9. Wages Creek Campground, LLC agrees to indemnify, defend and hold harmless the District from any liability or claims whatsoever arising out of this agreement, or the use of water by Wages Creek Campground, LLC in the future pursuant to this agreement.

10. This agreement shall not give Wages Creek Campground, LLC, any vested rights or claims of priority to water, and the District shall be free to provide for the present and future pursuant to this agreement.

11. Except as otherwise provided herein, this agreement shall bind and benefit the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF this agreement is executed the day and year written above.

WESTPORT COUNTY WATER DISTRICT

By _____
CHAIRPERSON

WAGES CREEK CAMPGROUND, LLC

By _____
PRESIDENT

STATE OF CALIFORNIA — PETE WILSON, *Governor*

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

ROBERT C. HIGHT, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2922
from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1818
Contact FAX: (916) 574-1835

September 18, 1997

File Ref.: SD 97-1997-09-10.2

Mr. Ed McKinley
237 Morrow Street
Fort Bragg, CA 95437

Dear Mr. McKinley:

I am writing in response to your August 19, 1997 letter concerning the proposed long term temporary bridge and sewer line project of the Wages Creek Campground in Mendocino County.

As you know, the State Lands Commission has jurisdiction over the beds of the State owned lands in the beds of tidal and navigable waterways. Based upon the information provided and a preliminary review of our records the extent of State ownership, if any, in the bed of Wages Creek within the project site is unclear. Therefore, a State Lands Commission lease will not be required at this time. However, a lease may be required at such time that the extent of the State's interest is determined.

Additionally, Wages Creek, within the proposed project site, may be subject to a public navigational easement. The proposed project must not restrict or impede this easement right of the public.

This letter is not intended, nor should it be construed as, a waiver or limitation of any right, title, or interest of the State Lands Commission in any lands under its jurisdiction.

Thank you for the opportunity to comment. If you have any questions, please feel free to call me at (916) 574-1818.

Sincerely,

Linda Fiack

LINDA FIACK
Public Land Manager

Ridge to River
P.O. Box 144, Westport, CA 95488

Supplemented September 11, 2000
with items in **Bold**

WAGES CREEK CAMPGROUND NATIVE MATERIAL REVETMENT PROJECT

PROJECT DESCRIPTION

by Teri Jo Barber, Certified Professional Hydrologist, Ridge to River

Recent Background History of the Wages Creek Campground Project: *A native material revetment project was originally proposed in 1998 to be constructed in Wages Creek at the Wages Creek Beach Campground. Since that time, the project description has been through several revisions and in August, 2000, received substantive input from the Department of Fish and Game ("Fish and Game") as set forth in a letter dated August 20, 2000 prepared by Scott L. Harris, Associate Fisheries Biologist. This Project Description has been prepared to address and incorporate that input. Accordingly, this project description supercedes and replaces the previous proposals.* ***A recent grant proposal submitted August 11 was encouraged by DFG Regional Biologist Steve Cannata and Scott Harris as a viable project which is likely to be funded later this year.***

DEVELOPMENTAL HISTORY OF THE SITE

An erosive outside bend along Wages Creek has been problematic for this campground for many years. Sometime before the 1970s, several cars and trucks were set into this streambank to increase its resistance to scour (Lee Tepper, personal communication). These efforts have moderately protected the streambank from erosion, overall, along 160 feet of curvature over the last 30 years. However, several autobodies have rusted and decayed yielding loose pieces of unsightly debris in the creek and eroded holes in the Wages Creek streambank. Considerable fish and wildlife cover in the form of decaying autobodies exists there presently as a result of the autobodies. But many projecting pieces are sharp and loose suggesting they might be a danger to fishes swimming among them during high flow events. Today's position of some vehicle frames actually increases bank erosion by deflecting high stream flows into the bank. Recent lateral erosion is evidenced by hanging roots and undercut banks, and because several of the cars originally placed into the streambank are now present near the mid-channel.

GOALS

The goals of the proposed work is to (1) reduce hazardous conditions to anadromous fishes; (2) stabilize the laterally eroding streambank; and (3) improve cover, resting, and feeding habitat of anadromous salmonids; **(4) maintain equal channel capacity**. We propose to meet these goals by removing non-native rusting autobody materials **at the streambank soil interface and replacing their volumes with native materials** consisting of redwood logs and boulders, **thereby** replacing and enhancing the scour points and pool habitat they provided.

EXHIBIT NO. 6
APPLICATION NO. 1-99-008
REVISED WAGES CREEK STREAMBANK
RESTORATION PLAN (16 pages)

PROPOSED TREATMENT

Proposed treatment prescriptions are promoted by California Department of Fish and Game and are referenced in their Habitat Restoration Manual (California Department of Fish and Game, 1998). The treatments prescribed are termed Native Material Revetment, Digger Log, and Wing Deflector. The combined treatment prescriptions accomplish streambank stabilization while building complex habitat and cover for summer and winter rearing salmonids over a streambank length of 180 feet. The final product will substitute the present cover and scour structures (decomposing autobodies), **by equivalent dimensions and volume** with native boulders and large woody debris of equal or greater value to fish and wildlife habitat. Expected construction duration is 3 weeks. See the plan view diagram for exact planned locations of the following structures numbered 1-8

Structure #1. Wing Deflector (California Department of Fish and Game, 1998, p. VII-66)

One wing deflector is prescribed. It will be constructed along 10'of streambank in the shape of a boulder wedge 4' high and extending from the streambank into the channel. It will point into the stream at a downstream angle. In cross-section, it is a wedge with the thicker portion 4' high at the streambank. Upstream of the deflector, water flows along the bank, encounters the deflector, and either (1) deflects low flows to the mid channel or (2) directs overflows 90 degrees to the deflector developing a scour pool in the mid-channel. In the downstream direction, a quiet water area is developed favoring use by Coho salmon, especially if logs are integrated into the weir. Live willow will be incorporated in the interstices to develop greater structural integrity and riparian vegetation. See 1 on plan view.

Structure #2. Digger log structure and Backwater Pool (California Department of Fish and Game, 1998, p. VII-26)

One digger log structure is proposed in the 15 foot present location of the tanker car, which will be removed. This prescription is intended to create local scour to preserve the present backwater pool and to replace the present cover and scour provided by the tanker car. A log/root wad combination will be positioned nearly upright and leaning onto the streambank. The root wad will rest on the bottom of the stream. One cable anchor will be set tying the log to a large boulder. The top of the log will be cabled to a "dead man". A dead man anchor is built by cabling one end of the 5/8" galvanized cable to the log and securing the cable with clamps, then a trench is dug as near as possible to the log without damaging tree roots, a counterbalancing chunk of large wood is choked tight with the cable and buried in the trench. Boulder clusters will be utilized in this area to armor the streambank against further lateral erosion and to assist in anchoring the log/rootball. See 3 on planview.

Structure #2,4,5,6,7,8 Native Material Revetment (California Department of Fish and Game, 1998, p. VII-74)

The prescription over the remaining 155 feet of stream reach includes 6 additional sites termed Native Material Revetments at points presently occupied by rusting autobodies and other metallic debris. This technique incorporates 3 boulders and 1

log for each revetment. Each revetment is constructed to replace the lost autobody structure in such a way as to fill eroded voids and to compliment present streambank structure. One intended result is increased resistance to lateral streambank erosion. **This project is approved by Fish and Game as an enhancement to the habitat of threatened species coho salmon and steelhead. It will improve summer and winter rearing habitat for anadromous salmonids.** Another intended result is to increase cover density and quality afforded by the nooks and crannies around and between log and boulder components. To reduce disturbances to the mature riparian corridor adjacent to the construction pool, no trenching is proposed here although it is referenced in the DFG manual. The general technique proposed for anchoring logs is to utilize **large and heavy** materials as recommended by National Marine Fisheries Service. Logs will be secured by the weight of heavier boulders measuring at least 3 feet in diameter. All materials will be secured by a minimum of 3-points of contact with boulders. Eight redwood logs shall be installed along the creek bank in the area shown as Native Material Revetment. These logs shall each be of a diameter averaging 18 along the stem and be 6 to 20 feet in length. Although planned positions for Native Material Revetment components are mapped on the plan view diagram, exact locations are difficult to forecast, because (1) the exact shapes and size of the logs and boulders will not be known until they arrive, and (2) natural voids will be utilized in which to install the boulders and wood to better afford structural stability based on site specific opportunities that cannot be known until the autobodies are removed. See 2,4,5,6,7,8 on plan view.

Riparian Revegetation

Native willow sprigs will be inserted into the bank at 2'-3' centers in sunny sites where any riparian vegetation is disturbed by our construction. In shadier sites, we will plant native alder seedlings. **Willow sprigging will be inserted in interstitial rock/logspaces to increase vegetation in and around the native structures.**

SUMMARY OF WAGES CREEK WATERSHED CONDITIONS

Wages Creek is a Class I, third order stream. The Wages Creek drainage area includes 8589 acres or 13.4 square miles. Average annual precipitation is 45 inches. Vegetation is dominated by mixed redwood forest stands on steep hillslopes with meadow grasses and forbs dominating the wide alluvial floodplain. Other than the campground, land management in the watershed includes rural residence, industrial and non-industrial forestlands, and livestock ranching. Wages Creek water is used as a source of domestic supply by watershed residents, the municipality of Westport, and the Wages Creek Campground. Water intakes are all upstream of the construction area.

Coho salmon (Oncorhynchus kisutch) are both a historic and a modern occupant of Wages Creek. They are presently listed as a threatened anadromous fish. Anecdotal evidence by Westport residents suggest there were occasional Coho spawning adults in some years suggesting the wild run was never extinct. California Department of Fish and Game Biologists concluded that the very low populations were not sustainable and began an effort to reinstate a population of Coho in 1995 (Retired DFG Biologist Weldon Jones, personal communication). For each of the three summers of 1995, 1996, and 1997,

Wages Creek was stocked with approximately 30,000 juvenile Coho salmon. Several Westport residents identified a group of approximately 25 adult Coho salmon in Wages Creek near the Hwy. 1 bridge in November, 1997 suggesting some of the 1995-planted juveniles had returned to reproduce. A small number of juvenile coho, presumed to be the progeny of adults grown from the juvenile fish planting program, have been observed in Wages Creek in 1999 and 2000 (T. Barber, personal observation).

Now declared "threatened", steelhead in Wages Creek will benefit from increased cover in pools, especially augmented by Large Woody Debris. Both the steelhead trout and the coho salmon are year-round freshwater residents. As such they require shelter from high flows in the winter. Their delicate bodies are often scarred even by vegetation during high-flow events. As such, loose sharp metal edges can be harmful.

OBJECTIVES

Specifically, Wages Creek Campground proposes the following objectives to meet the stated goals.

1) Remove and recycle non-native materials from the Wages Creek streambed and bank. The intention is to remove decayed auto bodies and other metal debris which extend from the bed or bank. These might best be described as those pieces and portions of pieces which are visible. That is, only metal extending out of the soil or streambed will be removed and recycled or otherwise appropriately discarded.

2) Replace cover elements to the stream that have been provided by the auto bodies. The roughness of the streambank and cover afforded by the projectile metal structure is desirable for resident and anadromous fishes, and should be reproduced in a form constructed of native materials (redwood logs, root wads, and boulders).

3) Replace streambank stabilization qualities that have been provided by the auto bodies that have increased the natural resistance of the streambank to lateral erosion. The width of the stream channel should not be lessened with the addition of material.

4) Preserve the general hydrologic regime of the area such that a deep pool along the auto-body reach remains intact under conditions established by the new construction.

METHODOLOGY

Task 1 will be met by disconnecting loose pieces of metallic debris by hand and by a backhoe or excavator. Partially entrenched autobodies will require cutting at the interface with the streambank and this will be accomplished by use of a welding torch. **The estimated interface where soil and metal come together is the point at which disconnection will occur. This line is depicted on the "existing condition" cross-section.** Autobody parts will be crushed and hauled to a metal recycler if possible. If not, they will be discarded in a landfill or transfer station. Equipment will be operated from the top of the north streambank location or from the south streambank point bar opposite the construction area, depicted in the diagram entitled, "Proposed Condition". We request authorization for operating from either the north or the south bank to afford

flexibility during operations and to minimize disturbances to the mature riparian trees on the north bank. Equipment access to the channel from the campground road is through campsite 17 where a gradual slope is available to a northside point bar. A sufficiently-sized gap in the vegetation at campsite 17 exists which will accommodate the equipment without damaging riparian trees. From the north point bar, a temporary access road would be built over the lower riffle on top of the coffer dam pipe depicted in the plan view diagram. The operator would work from the south point bar, opposite the autobody-zone, to extract the metallic debris and to construct the native material revetment in the method described below.

Tasks 2, 3, and 4 will be met by implementing 3 treatment prescriptions described under PROPOSED TREATMENTS and which are referenced by the California Department of Fish and Game's 1998 California Salmonid Stream Habitat Restoration Manual; Wing Deflector (p. VII – 66), Digger Log (p. VII – 26), and Native Material Revetment (p. VII – 74). The enclosed plan view diagram locates the sites of the Digger log and Wing Deflector. The remaining treatment depicted in the plan view diagram is comprised by the Native Material Revetment prescription. Components of the Native Material Revetment will be individually placed as site conditions warrant, pending removal of the autobodies such that ideal locations are selected.

PLANNED DISTURBANCES TO THE RIPARIAN PLANT COMMUNITY
No uprooting of riparian trees will occur. The area of riparian plant disturbance is estimated at 482 square feet as follows:

Streambank disturbance uprooting rooted grasses and forbs only
where streamflow (wing) deflector is planned = 8' x 4' = 32 square feet

Pruning of low riparian tree limbs
in location of tanker car = 15' x 6' = 90 square feet
at 6 Native Material Revetments = 6' * (5' x 2') = 70 square feet

Crushing of grasses and forbs
at location where excavator enters and exits site = 11' x 20' = 220 square feet
at 6 Native Material Revetments = 6 * (5' x 2') = 60 square feet

Release of overburden organic debris and soil
Maximum 5 cubic yards total
A minor volume of overburden in the form of thin soils, duff, detritus, leaves, estimated at a maximum of 0.5 yards per each of the 10 planned sites may fall into the stream during construction. This is a high estimate in that the volume of soils developed over time that exist on top of the autobodies is quite thin and few plants have tolerated such a shallow rooting depth.

MITIGATION MEASURES
Conservation of Riparian Areas

No trenching is proposed into the streambank or riparian areas in order to eliminate disturbances to riparian vegetation. Instead of trenching anchors, we will use large, heavy wood and weight logs down with boulders. Rebar pins will be employed when further anchoring is required. Finally, one low cable and one high cable has been approved by Fish and Game. The high cable will anchor the top of the Digger log to a buried "Dead Man". A lower cable will connect the stem or root wad to a large boulder within the channel. In general, non-anchored or minimally anchored construction is preferred by California Department of Fish and Game and by National Marine Fisheries Service. For the remainder of the project area, we will employ the oversized and 3-point contact anchoring technique. Taking advantage of natural existing streambank shapes and piecing the structures together like a puzzle increases the tightness of fit and increases resistance to erosion. Because most of the north streambank area has mature riparian trees which are likely to prevent equipment access to the construction pool, we intend to operate from the opposite gravel point bar (see plan view diagram). This can be accomplished by entering from Campsite 17 and building a temporary road across the coffer dam pipe at the lower riffle. All disturbed riparian areas will be revegetated with native willow and alder, and will be mulched with local grass hay to prevent surface erosion the first winter.

Protect Water Quality We will employ measures set forth in California State Water Quality Control Board's Best Management Practices (BMPs) for control of sediments and hazardous materials during construction. Prior to construction, the project applicant shall prepare and implement a sediment control plan and hazardous material spill control plan as set forth in California State Water Quality Control Board's BMPs, in the event of a leak or spill of hydraulic fluid or other petroleum product into the creek or riparian area, and to control sediment pollution.

In addition, the following control measures will be employed. Prior to construction, a coffer dam and conveyance pipe will transport streamflow from the upstream end of the construction pool across the downstream riffle and into the top of the next pool, a distance of 208 feet. This process will minimize turbidity plumes downstream and will provide up and downstream migration access for resident fishes. Sand bags will be used to build the coffer dam's upstream and downstream ends. The conveyance pipe will contain streamflow estimated to be up to 1.5 cfs during construction. Release of any waters pumped from the construction area will be released to the flood plain opposite the work site as a means of filtering suspended sediments through flood plain alluvium. All motorized equipment such as the back hoe and excavator shall be refueled at least 100 feet from the creek. When idle, the machine will be parked at least 100 feet from the creek and drip pans or tarps will be placed beneath to catch any leaking substances. Post-construction activities will include willow sprigging interstitial spaces between boulders, and mulching bare soils with local grass hay.

Protect coho salmon and steelhead To minimize disturbances to fishes listed under the Endangered Species Act (coho salmon and steelhead), a fish rescue operation by California Department of Fish and Game personnel is to be achieved. This includes capture of fish in the construction pool and release of same fish up and downstream of the

project area once the coffer dam is complete. This will minimize the temporary exposure of resident and migratory fishes to turbidity resulting from the construction process. Migration of same fish through the project area will be afforded by the conveyance pipe and coffer dam. The pipe shall convey streamflow from above the project area to a pool below the project area and shall be adequate to contain the low-summer streamflow, estimated to be 1-1.5 cfs in the September-October time frame. As such, pipe diameter shall be a minimum of 18" diameter. The lack of fish in the construction area will allow a pumping of residual waters out of the construction size to maximize the area which can be readily accessed by tools and personnel to remove the decaying autobodies. As a precaution against unrelocated fishes, a pump screen will be used that meets National Marine Fisheries requirements. Resultant water pumped from the project construction area is likely to be turbid. To maximize water quality for downstream fishes, pumped water will be released to the opposite floodplain where suspended sediment particles will be cleaned by floodplain alluvium and allowed to reenter the local water table free of suspended sediments.

MATERIALS

Eight redwood logs and 1 log + root wad and 30 boulders summing to 30 cubic yards of boulders: 5 boulders to be used at the wing deflector, 7 boulders and one log/root wad to be used at the tanker car, and 18 boulders to be used in 6 native material revetments each in conjuntion with 1 or more logs.

Materials will consist of **30** boulders with minimum diameters of 3 feet and **8** redwood logs each with a minimum of 18" average diameter along the stem. Logs with intact, clean root wads are preferable to logs as they impart maximum cover and refuge for juvenile salmonids but are difficult to find and haul and are therefore required only at the Digger log, tanker car pool. Non-merchantable "Cull logs" are acceptable. At the digger log-tank-car site, **1** longer log/root wad combination, measuring 35 feet in length (including the rootball), and minimum diameter of 2 feet at breast height (dbh) is planned. This combination and dimension are difficult to acquire and may be impossible to haul, therefore Fish and Game has agreed that the largest combination log/root ball available in redwood, which can be hauled to the worksite is acceptable for the digger log. Upon arrival or beforehand, the root wad will be cleaned of excessive dirt by hydraulic action provided by the Westport Volunteer Fire Department fire hoses. **The log/root wad will be anchored in place by surrounding and pinning it between 7 boulders.** One low (4' tall) wing deflector will be constructed of **five** 3-foot diameter boulders. A set of deflectors is not desired in this case due to the objective of maintaining the deep pool in the project area in its present location. A set of deflectors is likely to move the thalweg away from the existing streambank, scour the opposite streambank, and bury the new structures in sand, silt, and gravel. **The remaining 18 boulders and 8 logs will be incorporated into 6 Native Material Revetments. Each revetment structure will be comprised of at least one log and 3 boulders to take the shape of the autobody structure it replaces.**

LOCATION

Street Address: Wages Creek Campground 37700 North Highway 1, Westport.

Township 21N, Range 17W, Section 29. AP# = 013-240-34

Wages Creek Campground is located within the California Coastal Zone approximately 1 mile north of Westport at the junction of Hwy. 1 and Wages Creek. The project site exists downstream of the Highway 1 bridge over Wages Creek by approximately 300'.

Access Directions for vehicle travel and foot approach
Wages Creek Campground is accessed from Highway 1 approximately 2/3 mile north of Westport in coastal Mendocino county. Proceeding from the Campground Office, take the Campground road to the Campground bridge. Proceed on foot upstream along the Campground Road to Campsite 17. The treatment zone begins upstream of this location by approximately 30' and extends along the location where autobodies are extending from the streambank, 180 feet. Proposed treatments extend downstream to 7 feet beyond the limit of the auto bodies where a depositional zone begins as indicated by a building gravel point bar. **The total stream length to be treated is 180 feet along the downstream-right bank.**

DIAGRAMS
A cross-sectional diagram at the backwater tank car pool is included. A revised plan view diagram of the proposed condition is also included which describes the position of the following elements of the plan:

(1) location of the one 4' high Wing deflector (#1)
(2) location of the coffer dam and pipe
(3) location of the 35' log/rootwad digger log at backwater tanker car pool (#3)
(4) location of disturbed riparian areas
(5) locations of excavator access
(6) locations of 6 Native Material Revetment along the reach (#2, #4-#8)

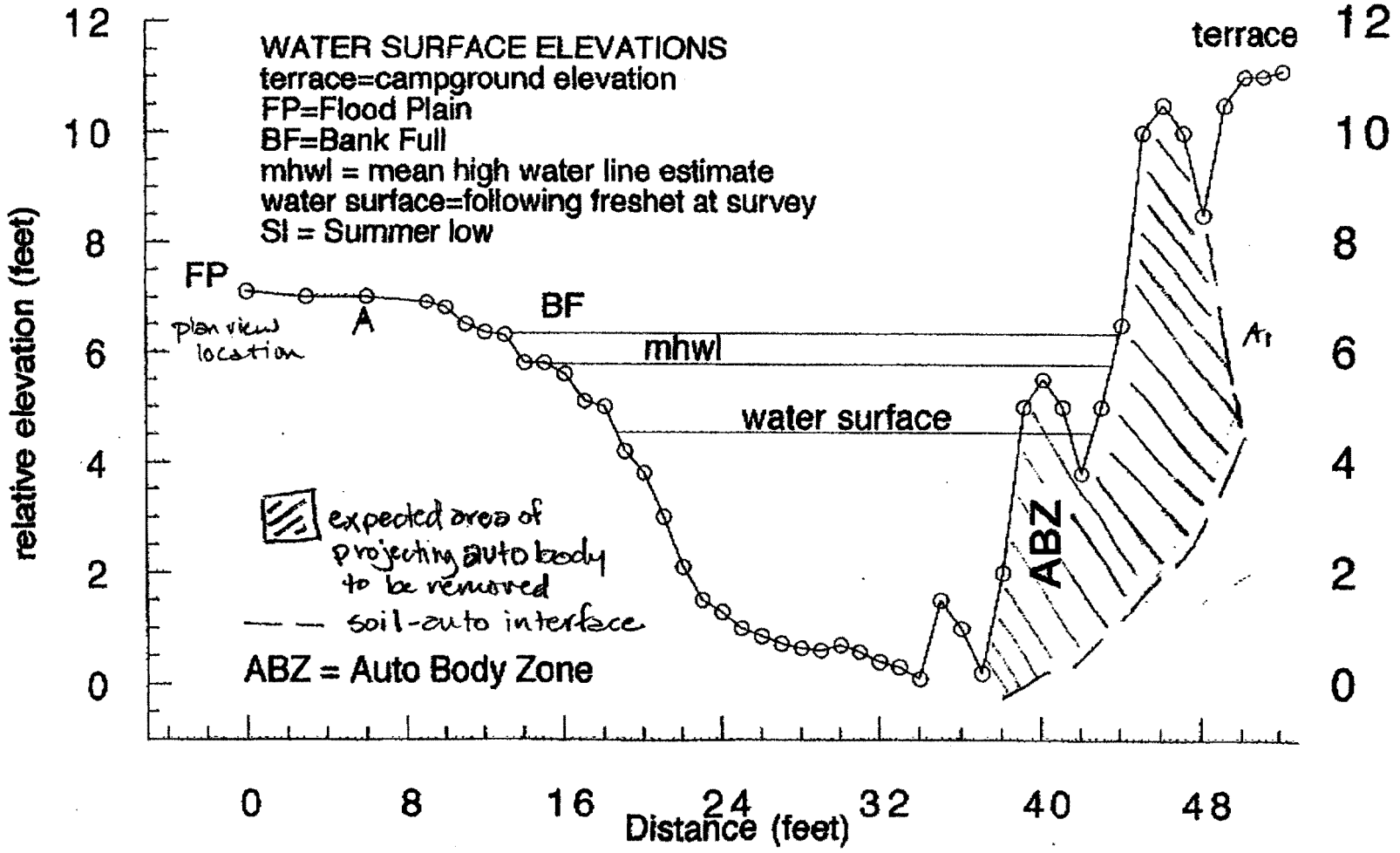
REFERENCES
Barber, Teri. Personal observation of fishes in Wages Creek, 1999, 2000. Teri Barber is a resident of Westport and is the author of this document.

California Department of Fish and Game. 1998. California Salmonid Stream Habitat Restoration Manual. Inland Fisheries Division, Sacramento, CA. Section VII.

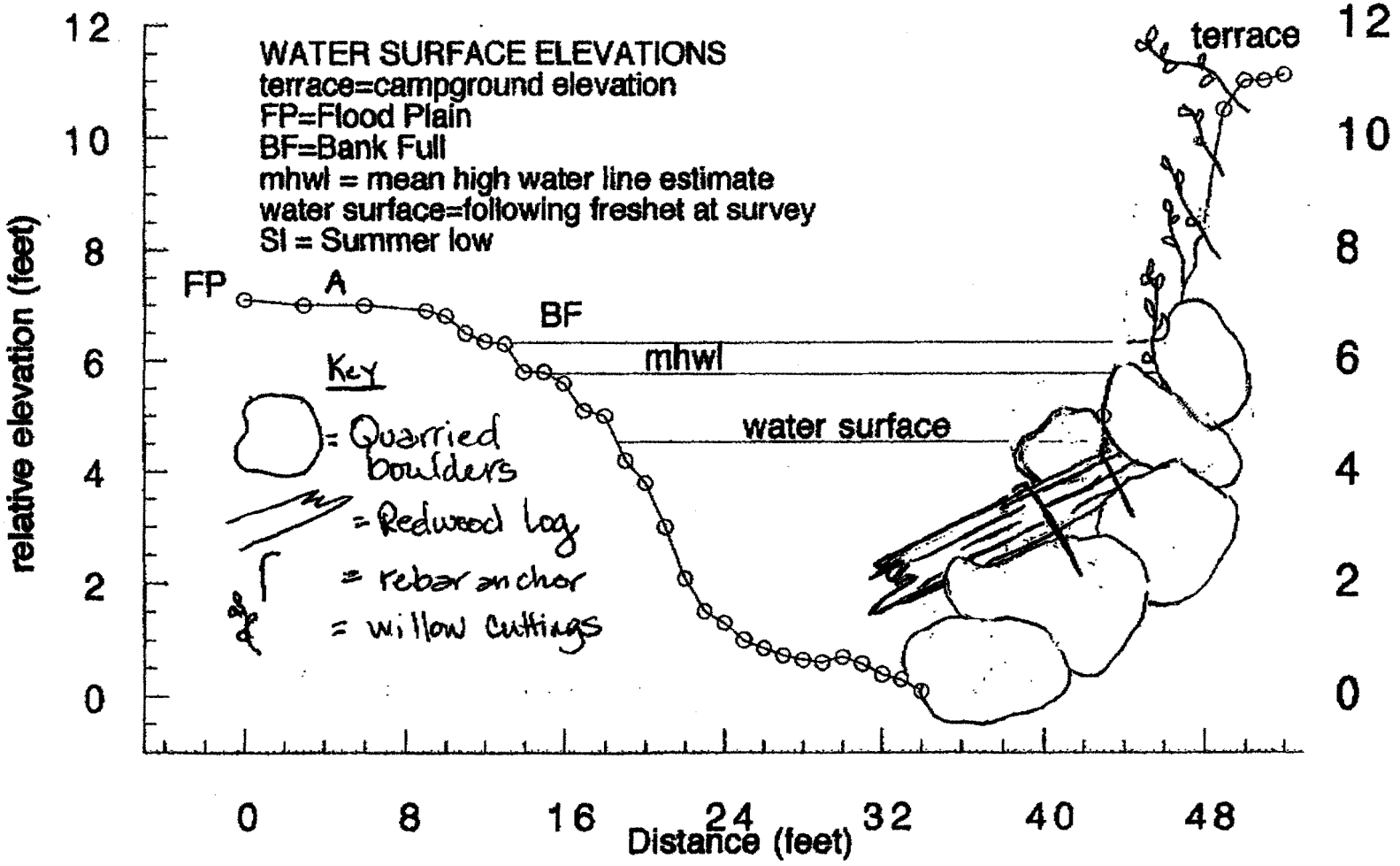
Jones, Weldon. A personal communication. 1997. Weldon Jones is a retired Fisheries Biologist from California Department of Fish and Game with approximately 40 years experience in this area. Weldon (Wendy) Jones is a resident of Ukiah California.

Tepper, Lee. A personal communication. 1998. Lee Tepper is a long-time resident of Westport California.

Wages Creek Campground
Existing Condition Cross Section @ Campsite #22
by Ridge to River: 9-3-2000 tjb



Wages Creek Campground
Proposed Condition Cross Section @ Campsite #22
by Ridge to River: 9-3-2000 tjb



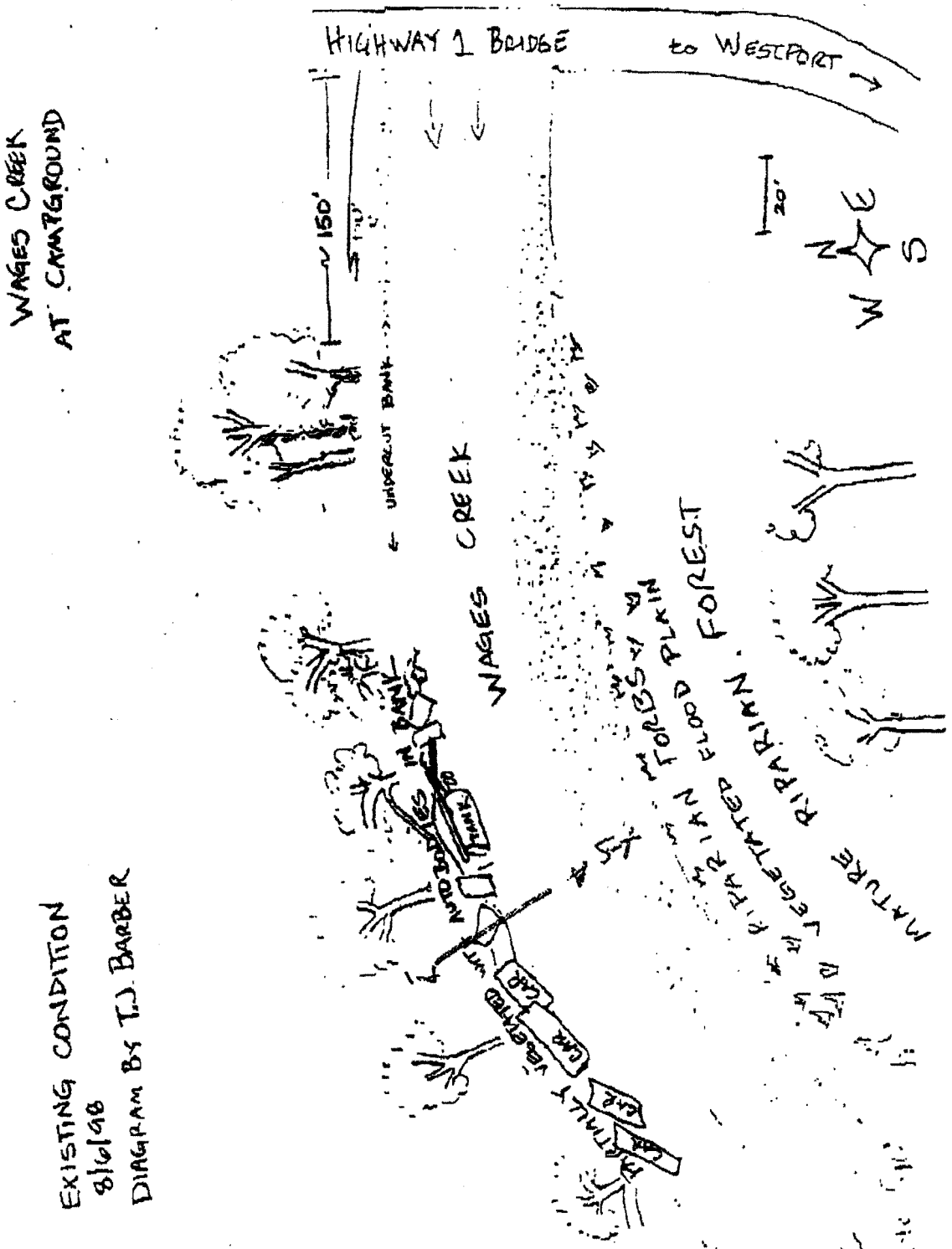

WAGES CREEK
AT CAMPGROUND
HIGHWAY 1 BRIDGE
to WESTPORT
150'
UNDERCUT BANK
WAGES CREEK
20'
N
S
W
E
MATURE RIPARIAN VEGETATED FLOOD PLAIN FOREST
EXISTING CONDITION
8/6/98
DIAGRAM BY T.J. BARBER

EXHIBIT A

Proposed Condition

Wages Creek Campground

Plan View Diagram by Teri J Barber

D = wing deflector

temporary road

XXX zone of limited riparian disturbance

Boulder

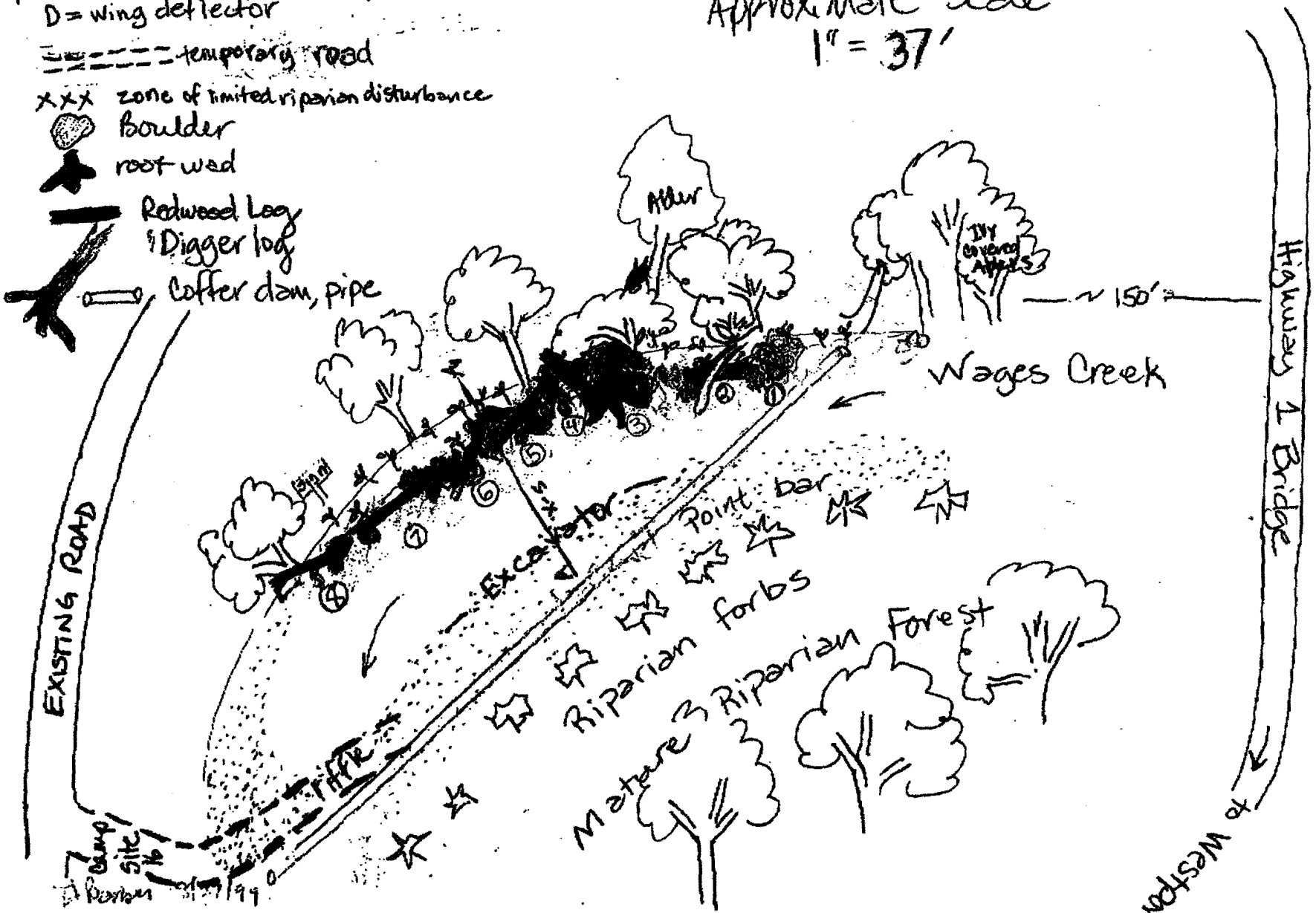
root wad

Redwood Log

Digger log

Coffer dam, pipe

Approximate Scale
1" = 37'



Ridge to River 9/6/2000

Native Material Revetment

Native material revetments are alternatives to boulder riprap armoring and crib wall type structures. By combining boulders, logs, and live plant material to armor a stream bank fish habitat is enhanced, in addition to creating a natural looking bank stabilization structure. Native material revetments can provide toe protection for slides or eroding banks and can also be used to re-establish natural stream channel dimensions (Figure VII-55).

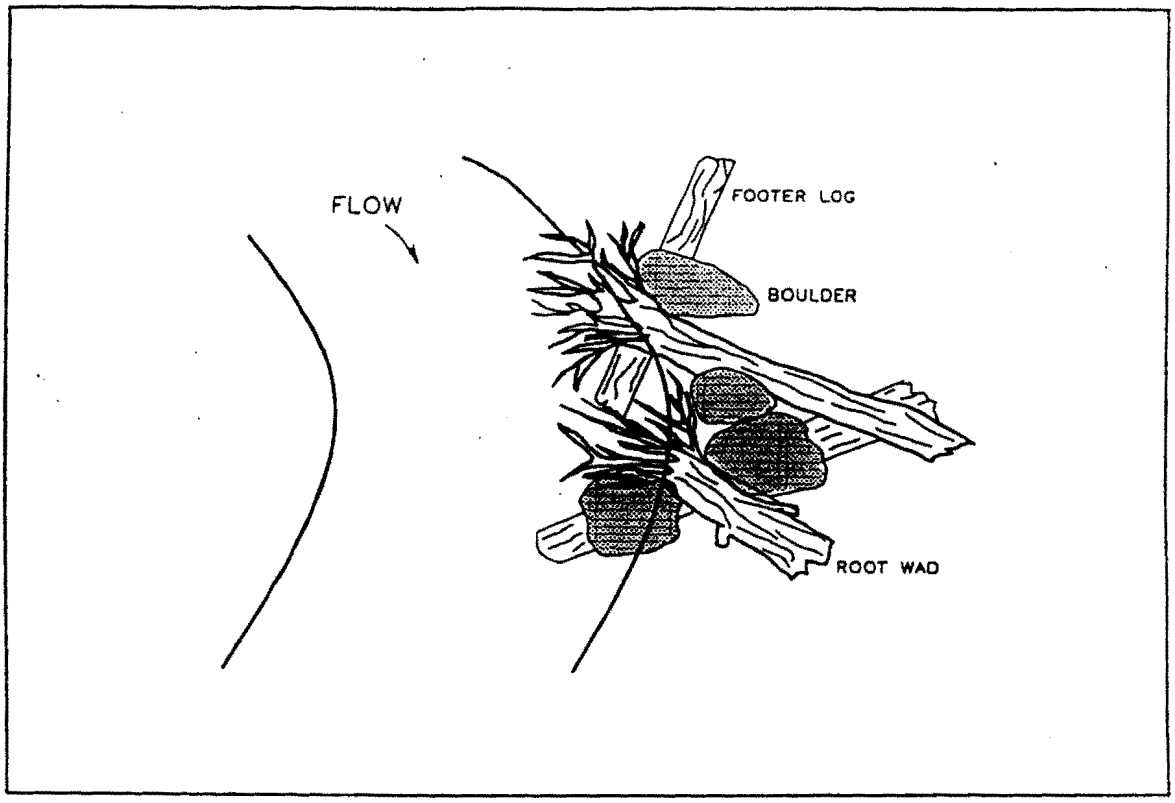


Figure VII-55. Plan view of native material revetment (Rosgen, 1993)

A backhoe or excavator are essential in construction of the revetment. The material sizes needed will vary depending on the stream size and hydrological factors. Logs, preferably redwood with root wads attached, boulders and live plant materials are placed in sequence to ensure stability and proper function of the structure.

Logs without root wads (footer logs) are set in a toe trench below the thalweg line, with the channel end pointed downstream and the butt end angled 45 to 60 degrees upstream. A second log with a root wad is set on top of the footer log diagonally, forming an "X." The root wad end is set pointing upstream and the butt end lying downstream 45 to 60 degrees. The apex of the logs are anchored with threaded rebar. Large boulders are secured in the spaces between the logs, at each apex. After all the logs and boulders have been set in place, any live plant material disturbed from the site along with recruited willows are placed within the spaces of the structure, behind the

boulders. Once this has been done the excavated gravel and streambed materials can be placed over the bank-end portion of the revetment (Figure VII-56).

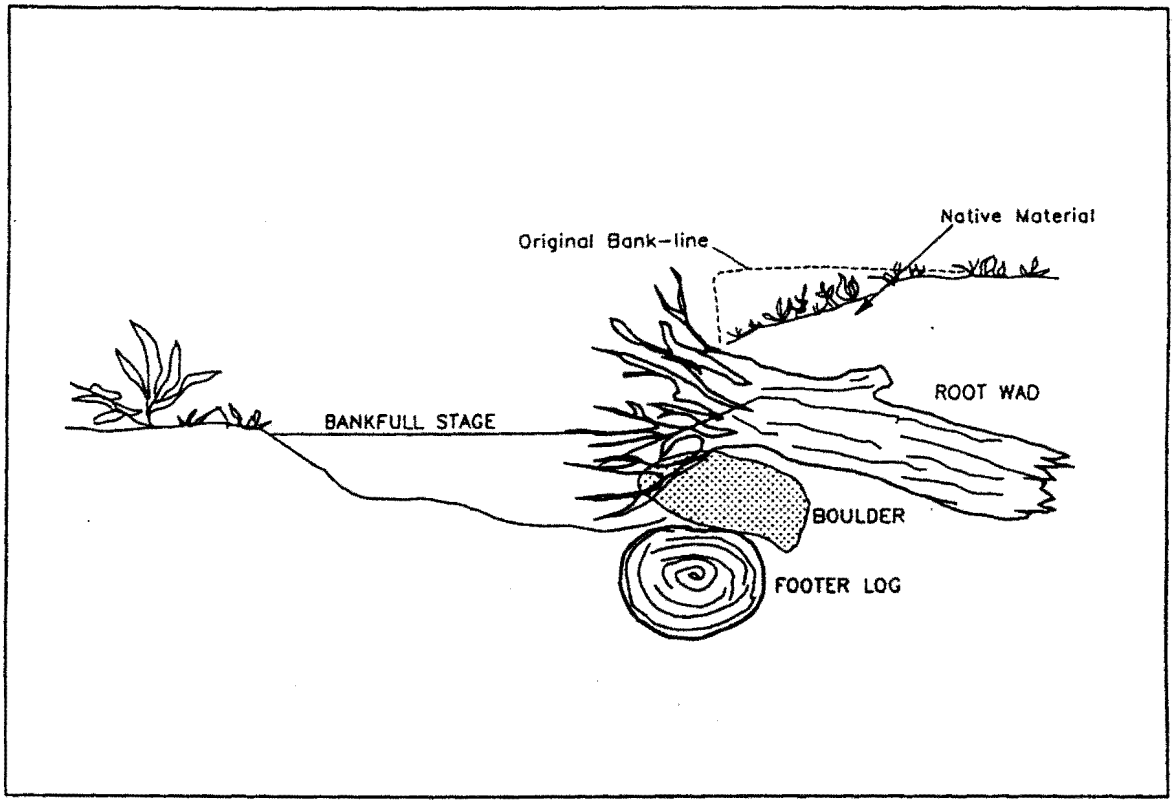


Figure VII-56. Native material revetment (Rosgen, 1993).

Mulching

Mulching for erosion control is covering soil with straw or similar material to discourage erosion and encourage revegetation. It is principally used to protect bare soil from rain and sheet erosion. In areas of heavy rainfall, erosion caused by raindrop impact can be significant. Mulching will also shade soil from the sun and prevent soil from drying. This assists in re-establishing vegetation by creating a stable seed bed and keeping soil moisture levels from becoming too low to sustain new vegetation.

Mulching can be accomplished by adding straw or forest leaf litter to bare soil. Other mulches can be used, but unwanted or exotic plant species may be introduced with them. Such plants can depress native vegetation and become established as a nuisance species. Leaf litter from the forest may be available for the cost of labor to collect it and will usually not contain seeds of undesirable species. Leaf mulches may have to be secured with jute netting. If it is necessary to buy and transport mulch, straw is the most economical and convenient but may contain seeds of undesirable

Ridge to River
P.O. Box 144, Westport, CA 95488

September 11, 2000

WAGES CREEK CAMPGROUND NATIVE MATERIAL REVETMENT

SUPPLEMENT TO PROJECT DESCRIPTION

by Teri Jo Barber, Certified Professional Hydrologist, Ridge to River

Upon reading text by the Coastal Commission staff, and in an effort to further quantify and clarify our proposed project on Wages Creek, I offer this brief addition to our file for review by the Commission. I look forward to seeing you at the hearing to answer any further questions you may have. Please refer to staff comments under the header:

D. Development within Coastal Rivers and Streams

Wages Creek is a Class I stream and a third order stream, not a 1st order stream. These are important distinctions as restorationists agree that anchoring instream structures is unreasonable in 1st order tributaries due to their usually steep streambed gradients. Wages Creek is nearly flat in the project location.

Trenching into the streambank was previously rejected in favor of alternative anchoring techniques that preserve riparian vegetation. Anchoring techniques of pinning with heavier materials, some rebar and 2 cables have been substituted with DFG approval.

Large woody debris is known to be a prominent feature of habitat colonized by coho salmon and is a limiting factor in Wages Creek. Wood is therefore a priority component in our project due to its relation to fishes. To keep the woody debris in place, logs are to be anchored by securing them between boulders – as a priority, not an afterthought.

The project description has only 1 streamflow (wing) deflector now at the upstream end.

As stated in a recent letter dated August 24, 2000, Scott Harris declares no negative attributes of the project and states and that the project " in effect and intent is the improvement of fish and wildlife habitat. This project is also a protection of soon to be deteriorated habitat. Again, this project proposes to replace non-native, degrading material with natural material that should be around long after we're gone. As proposed, this project is a stream restoration project that will improve fish and wildlife habitat.

Besides a primary purpose of improving fish and wildlife habitat, other secondary benefits to the project are:

1. The sharp-edged autobodies present a danger to hikers and fishes
2. The autobody remnants are unsitely, akin to litter.
3. Boulders and wood are attractive, naturally occurring elements to streambanks which will be installed in such away as to be safe underfoot for hikers, safe underwater for fish, and safely enhance the depth refuge and predator cover for threatened salmonids presently afforded by the autobodies.

4. The treatment prescriptions will substitute the erosion-resistence features the autos were installed to achieve.

Staff are concerned that rock revetment would permantly cover over 1,000 sq ft of eroding streambank that presently has some vegetation and provides some habitat. Rather, our plan proposes boulders and wood, in approximate volume and location as that presently occupied by rusting autobodies, few grasses and forbs, and no trees. Our project will support riparian vegetation, which will soon be lost to erosion as is evidenced by leaning trees and undercut banks. Support will be obtained inserting boulders beneath the undercut areas and where autobodies are removed which will secure root systems from beneath as well as protecting roots from scour. Our project proposes to disturb approximately 500 square feet of riparian grass and forbs, and to prune some overhanging branches within the 500 square feet in order to install the large log/rootball against the bank where branches impede its placement.

Staff are also concerned about any overburden of soil or plant material disturbed by construction. There is very little development of soil atop autobody frames which has apparently limited development of riparian vegetation atop them as well. As such, very little soil and no uprooted plants are foreseen.

This project was initially proposed to Cal Fish and Game as stream restoration project which was not funded in 1998 due to (1) low $ available and thus high competition; (2) DFG prefers to fund projects in upstream locations such that benefits are felt all the way to the mouth of a creek. So, as our site is very near the mouth, few downstream benefits are provided. The proposal was resubmitted August 11, 2000, because there are more funds available and because 2 DFG Biologists encouraged its merits (Steve Cannata Region 3 Fisheries Biologist, and Scott Harris, Resource Assessment Biologist).

In conclusion, I think the positive attributes of ecological enhancement, fish and human safety, and streambank stabilization provide a win-win solution for coastal enthusiasts, coastal environment, coastal landowners, and the Coastal Commission. I hope you share that view with me and will grant your approval to our project.

Sincerely,

Teri Jo Barber
Hydrologist