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Filed:	November 9, 2009
49th Day:	Waived
Staff:	James R. Baskin AICP
Staff Report:	April 1, 2010
Hearing Date:	April 15, 2010
Commission Action:	

STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE DETERMINATION

LOCAL GOVERNMENT:	County of Del Norte
DECISION:	Approval with Conditions
APPEAL NO.:	**A-1-DNC-09-048**
APPLICANT:	Border Coast Regional Airport Authority
PROJECT LOCATION:	Jack McNamara Field (CEC) 150 Dale Rupert Road, Crescent County, Del Norte County, APNs 110-010-21 & 120-020-02.
PROJECT DESCRIPTION:	*Jack McNamara Field Terminal Replacement Project* – Development of a 20,800-square-foot passenger terminal complex, with ancillary aircraft apron, domestic and firefighting water supply utilities, onsite sewage disposal system, public and employee off-street parking lots, and access roadway facilities.
APPELLANT(S):	(1) **Friends of Del Norte**; and (2) Commissioners **Mary Shallenberger & Sara Wan**
SUBSTANTIVE FILE DOCUMENTS:	(1) County of Del Norte Coastal Use / Development Permit No. UP0736C; (2) County of Del Norte Coastal Building / Development Permit No. B308031C; and (3) County of Del Norte Local Coastal Program (LCP)

SUMMARY OF STAFF RECOMMENDATION:

Coastal Act Section 30625(b) requires the Commission to hear an appeal unless it determines that no substantial issue exists with respect to the grounds on which the appeal has been filed.[1] Commission staff has analyzed the County's *Notice of Final Local Action* for the development (see Exhibit No. 7), appellant's claims (Exhibit Nos. 5 and 6), and the relevant requirements of the LCP (Attachment A).

The staff recommends that the Commission, after public hearing, determine that a substantial issue exists with respect to the grounds on which the appeal has been filed, and that the Commission hold a *de novo* hearing, because the appellants have raised a substantial issue with the local government's action and it's consistency with the certified LCP. The staff believe the project as approved by the County is not consistent with the LCP for the following reasons:

- The authorized development, located an environmentally sensitive habitat area (ESHA) comprised of a rare, biologically significant shore pine – Sitka Spruce forest, would be for a use that is not dependent upon the resources within the environmentally sensitive forest area, inconsistent with the LUP's *Marine and Water Resources* policies;

- The approved project is not the least environmentally damaging feasible alternative with respect to the LCP *Marine and Water Resources* requirements on permissible dredging, diking, and filling of wetlands;

- The adequacy of the preliminary design of the onsite wastewater disposal system to protect coastal resources was not established as required by the LCP's *Marine and Water Resources* and *New Development* policies; and

- The development as approved would have significant impacts on coastal visual resources inconsistent with the LCP's *Visual Resources* policies.

The motion to adopt the staff recommendation of substantial issue is found on page 4.

[1] The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: (a) the degree of factual and legal support for the local government's decision; (b) the extent and scope of the development as approved or denied by the local government; (c) the significance of the coastal resources affected by the decision; (d) the precedential value of the local government's decision for future interpretations of its LCP; and (e) whether the appeal raises only local issues, or those of regional or statewide significance.

STAFF NOTES:

1. Appeal Process.

After certification of Local Coastal Programs (LCPs), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits (Coastal Act Section 30603).

Section 30603 states that an action taken by a local government on a coastal development permit application may be appealed to the Commission for certain kinds of developments, including developments located within certain geographic appeal areas, such as those located between the sea and the first public road paralleling the sea or within one hundred feet of a wetland or stream or three hundred feet of the mean high tide line or inland extent of any beach or top of the seaward face of a coastal bluff, or those located in a sensitive coastal resource area.

Furthermore, developments approved by counties may be appealed if they are not designated the "principal permitted use" under the certified LCP. Finally, developments constituting major public works or major energy facilities may be appealed whether approved or denied by the city or county. The grounds for an appeal are limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program and, if development is located between the first public road and the sea, the public access and public recreation policies set forth in the Coastal Act.

The approved development is appealable to the Commission pursuant to Section 30603(a)(2) of the Coastal Act because it is (a) located between the sea and the first public road paralleling the sea, (b) located within one hundred feet of a wetland, (c) development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map, and (d) development which constitutes a major public works project.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that the appeal raises no substantial issue of conformity of the approved project with the certified LCP. Since the staff is recommending substantial issue, unless three Commissioners object, it is presumed that the appeal raises a substantial issue and the Commission may proceed to its *de novo* review. The Commission will not take public testimony during this phase of the appeal hearing unless three Commissioners request it.

If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission on the substantial issue question are the applicants, the appellant and persons who made their views known to the local government (or their representatives). Testimony from other persons regarding substantial issue must be submitted in writing. It takes a majority of Commissioners present to find that no substantial issue is raised.

Unless it is determined that there is no substantial issue, the Commission will proceed to the *de novo* portion of the appeal hearing and review the merits of the proposed project. Oral and

written public testimony will be taken during this *de novo* review which may occur at the same or subsequent meeting. If the Commission were to conduct a *de novo* hearing on the appeal, because the proposed development is located between the first public road and the sea, the applicable test for the Commission to consider would be whether the development is in conformity with the certified Local Coastal Program and with the public access and public recreation policies of the Coastal Act.

2. Filing of Appeal.

On November 9, 2009 appeals were filed with the North Coast District Office by: (1) Friends of Del Norte, a public benefit, not-for-profit organization; and (2) Commissioner's Shallenberger and Wan (see Exhibit Nos. 5 and 6). The appeals were filed in a timely manner within ten (10) working days of receipt by the Commission on October 20, 2009 of the County's Notice of Final Local Action (see Exhibit No. 7).

3. 49-Day Waiver.

Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. The appeals on the above-described decision were filed on October 9, 2009. The 49th day from the date the appeal was filed was December 28, 2009. On November 24, 2009, prior to the 49th day after the filing of the appeals, the applicants submitted a signed 49-Day Waiver waiving the applicants' right to have a hearing set within 49 days from the date of the appeal. Subsequent to that request, the applicants have met with Commission staff and provided additional information, including potential project alternatives, to address many of the issues of LCP consistency.

I. MOTION AND RESOLUTION ON SUBSTANTIAL ISSUE:

Recommendation:

Staff recommends that the Commission determine that **a substantial issue exists** with respect to the grounds on which Appeal No. A-1-DNC-09-048 has been filed and that the Commission hold a *de novo* hearing.

Staff recommends a **NO** vote on the following motion & resolution:

> **Motion & Resolution.** I move that the Commission determine and resolve that: Appeal No. A-1-DNC-09-048 raises no substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

Following the staff recommendation by voting no will result in the Commission conducting a *de novo* review of the application, and adoption of the following findings. Passage of this motion, via a yes vote, thereby rejecting the staff recommendation, will result in a finding of No

Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

II. FINDINGS AND DECLARATIONS:

A. Appealable Local Action

On October 14, 2009, the Del Norte Planning Commission approved the *Jack M. McNamara Airfield Terminal Replacement Project*, specifically, the construction of Alternative "C" comprising a new approximately 20,800-square-foot replacement airport terminal building with associated 350-ft. x 190-ft. aircraft apron, new and realigned acess roadways, 1.44-acres of off-street parking facilities, an onsite sewage disposal system, other related utility, drainage, lighting, and site improvements, and the relocation of existing emergency response and hanger facilities and offsite water supply system reservoir improvements, within an approximately 10-acre project area situated along both sides of Dale Rupert Road on a portion of Jack M. McNamara Airfield (CEC); APNs 110-010-21 and 120-020-02 (see Exhibit Nos. 1-4 and 7). The County's *Notice of* [Final] *Action* was received by the Commission staff on October 20, 2009 (see Exhibit No. 7). The County's approval of the project was appealed to the Coastal Commission in a timely manner on October 9, 2009, within 10-working days after receipt by the Commission of the notice of final local action.

Pursuant to Coastal Act Section 30603(a), sub-sections (2), (4), and (5), this approval is appealable to the Commission because the approved development is: (a) within 100 feet of a wetland; (b) development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map; and (c) development which constitutes a major public works project.

B. Appellants' Contentions

On October 9, 2009 appeals were filed with the North Coast District Office by: (1) Friends of Del Norte, a public benefit, not-for-profit organization; and (2) Commissioner's Shallenberger and Wan (see Exhibit Nos. 5 and 6). In their appeals, the appellants raise issues of LCP conformity of the approved project as follows:

- The project as approved is inconsistent with the *Marine and Water Resources* policies of the LCP regarding limitations on the types of permissible development within and adjacent to environmentally sensitive habitat areas (ESHAs), including wetlands, and its requirements that the adequacy less than 100-foot wide reduced-width wetland buffers be substantiated;

- The project as approved is inconsistent with the *Marine and Water Resources* policies of the LCP regarding siting and designing development adjacent to environmentally sensitive habitat areas to (a) prevent impacts that would substantially degrade such areas (b) be compatible with the continuance of such habitat areas, and (c) provide a 100-foot

buffer unless it has been demonstrated that a buffer of less than 100 feet would not have adverse impacts on the environmentally sensitive habitat area.

- The approved project is not the least environmentally damaging feasible alternative with respect to the LCP *Marine and Water Resources* requirements on permissible dredging, diking, and filling of wetlands;

- The adequacy of the preliminary design of the approved onsite wastewater disposal system to protect coastal resources was not established as required by the LCP's *Marine and Water Resources* and *New Development* policies; and

- The development as approved would have significant impacts on coastal visual resources inconsistent with the LCP's *Visual Resources* policies.

C. Substantial Issue Analysis

Section 30603(b)(1) of the Coastal Act states:

> *The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.*

All five of the contentions raised in the appeal present potentially valid grounds for appeal in that they allege the approved project's inconsistency with policies of the certified LCP.

Coastal Act Section 30625(b) states that the Commission shall hear an appeal unless it determines:

> *With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.*

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Title 14, Section 13115(b), California Code of Regulations.) In previous decisions on appeals, the Commission has been guided by the following factors:

- The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP and with the public access policies of the Coastal Act;

- The extent and scope of the development as approved or denied by the local government;

- The significance of the coastal resources affected by the decision;

- The precedential value of the local government's decision for future interpretations of its LCP; and

- Whether the appeal raises only local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure Section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that with respect to each of the contentions concerning raised by the appellants, the appeal raises a substantial issue with regard to the approved project's conformance with the certified County of Del Norte LCP.

1. Permissible Uses within Environmentally Sensitive Habitat Areas (ESHAs).

The project as approved authorizes development within an environmentally sensitive habitat area for an airport terminal and associated development which is a use which is not dependent upon the resources situated therein. Policy No. 6 of the County LUP's *Marine and Water Resources* chapter limits development within ESHAs to uses dependent upon those resources.

On November 10, 2009, Commission staff biologist John Dixon PhD . together with California Department of Fish and Game staff, visited the project site to review site conditions for determining whether the forested area in which the propsed terminal improvements would be placed constitutes ESHA as alleged in the appeal. The area in question is composed of a composite of wetland and upland areas with a predominant vegetative cover composed of a mixture of shore pine (Pinus *contorta* var. *contorta*) and Sitka spruce (*Picea sitchensis*) which, while seemingly abundant within the immediate area, is rare in its overall geographic extent and provides habitat for a variety of wildlife including the Northern red-legged frog (*Rana aurora*), a species of critical concern. As discussed further in his review memo (see Attachment B), a reconnaissance of the site was conducted with the following noteworthy features being observed:

- In addition to roughly 40% of the forested area comprising wetlands per se, both the shore pine and Sitka spruce co-dominants are facultative (FAC) wetland indicator species.

- Aside from their overall statewide (vulnerable) and bioregional (imperiled) status, the location of this occurrence of the spruce association of this forest type at the geographic edge of its distribution equates to these trees likely having a genetic structure different from the more central populations to the south. The relatively rare genes harbored by these populations may help the species cope with environmental shifts such as those resulting from the current global warming and concomitant climate change.

- The micro-topography of the forest results in an assemblage of low wetland areas surrounded by raised hummocked areas dominated by wetland indicator species, though notfully comprising a preponderance of hydrophytes. The requisite 100-foot buffer called for in the LUP to be prescribed around the perimeter of wetlands would likely encompass all of the these adjoining upland forested areas. Therefore the whole of the forest should be considered a functionally integrated habitat.

- The seasonal ponds and wet forest provide important breeding, foraging, and dispersal habitat for the northern red-legged frog, a "species of special concern" whose populations in California are considered to be at risk, and as such, should be considered "rare."

In considering the presence and extent of these biological components, Dr. Dixon concluded:

> The area encompassing the forest, associated riparian vegetation, and the adjacent seasonal pond[2] next to the airport parking lot meet the definition of Environmentally Sensitive Habitat Area (ESHA) in the Coastal Act both because the Sitka spruce and beach pine community types are rare in California and because that area provides the important ecosystem function of supporting the rare northern red-legged frog population. I recommend that the ESHA boundary follow the line of contiguous forest trees and include the wetland at the north western edge of the forest.

Therefore, given the significance of the resources affected by the decision and their statewide and regional significance, as well as the precedential value of the local government's decision, the appeal raises a substantial issue with respect to the development's consistency with the policies of the LCP for protecting ESHA, including but not limited to Policy No. 6 of the County LUP's *Marine and Water Resources* chapter which limits uses in ESHAs to resource-dependent uses.

2. Design and Siting of Development Adjacent to ESHAs.

Very little consideration of the effects of those portions of the development to be constructed adjacent to the project site ESHA (though not directly encroaching into the pine-spruce forest ESHA or otherwise permissible in wetlands), or the need for protective mitigation was addressed in the project record. This includes a lack of analysis of the adequacy of providing a less than 100-foot-wide buffer from wetlands, or measures for maintaining riparian vegetation, as required by the LCP. Accordingly, given the paucity of factual or legal information to support the decision to approve the project, the appeal raises a substantial issue with respect to the approved development's consistency with the LCP policies and standards regarding siting and designing development adjacent to ESHA, including but not limited to *Marine and Water Resources – Sensitive Coastal Habitats* Specific Area Policy Section VII. D.4, sub-sections a and f.

3. Feasible Less Environmentally Damaging Alternatives.

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[2] Identified by CDFG biologist Michael Van Hattem as breeding habitat.

Numerous project alternatives were reviewed during the course of the local government's project review. However, these alternatives related primarily to alternate sites for the terminal or retention and continued use of the existing terminal ("no project"). Although significant public comments were received regarding the potential for reducing the overall size of the terminal building by eliminating non-essential features or surplus circulation space, a reduced-size terminal alternative that would have necessitated less wetlands fill was not substantively analyzed. Instead, the County based its dismissal of this alternative on statements that the terminal must be at the approved size to meet Federal Aviation Administration and Transportation Safety Administration requirements without explaining specifically why a smaller terminal would be noncompliant. Thus, given the lack of factual or legal information to support the decision to approve the project, the extent and scope of the development approved, the significance of the coastal resources affected by the decision, and the precedential value of the local government's decision for future interpretations of its LCP, the appeal raises a substantial issue with respect to the approved development's consistency with the LCP policies and standards restricting the authorization of wetlands dredging, diking, and filling to the least environmentally damaging feasible alternative including but not limited to *Marine and Water Resources – Sensitive Coastal Habitats* Specific Area Policy Section VII. D.4, sub-section a.

4. Protection of Water Quality and Other Coastal Resources.

The project record indicates that, based upon preliminary onsite soil texture, percolation rate, depth-to-groundwater, and site topographic investigations, an adequately sized onsite wastewater treatment and leachfield-based disposal system could be developed to serve the replacement terminal discharges. Although these evaluations were conducted pursuant to established protocols set forth in the North Coast Regional Water Quality Control Board's *Basin Plan*, as incorporated into County septic system regulations, comments were presented in public testimony before the County questioning whether an anomalous dry period during the early part of the septic system field testing "wet season" may have occurred which might have skewed the groundwater separation data collected. No substantive response in the form of supplemental information, such as verification of the lack of soil mottling above the encountered groundwater levels, or a vetted review of the site suitability information from the regional board was provided by the County prior to approving the project. As a result, the adequacy of the underlying soil substrate to support an onsite sewage disposal system capable of processing the wastewater flows from the replacement terminal was left unresolved. If adequate vertical separation between the disposal leachfield and groundwater is not provided, untreated wastewater effluent could become entrained in subsurface flows into adjoining environmentally sensitive wetlands and shoreline areas. Thus, given the lack of factual or legal information to support the decision to approve the project, the extent and scope of the development approved, and the significance of the coastal resources affected by the decision, a substantial issue is raised with respect to the approved development's consistency with the LCP policies and standards regarding the protection of coastal water quality from impacts associated with wastewater discharges, including but not limited to LUP *Marine and Water Resources* Policy Nos. 1, 3, and 4 and *Housing/New Development* Policy No. 2.

5. Protection of Visual Resources.

The LCP recognizes the exceptionally scenic nature of the views to and along the coast in proximity to the proposed development through its inclusion of the Point Saint George headlands and vistas along Radio Road and Pebble Beach Drive within its "Visual Resource Inventory." Such areas are so designated because they possess "particular visual distinctiveness, integrity, harmony and/or [are] of special interest to the general public." The County LCP does not formally designate any areas within the coastal zone portions of Del Norte County as "highly scenic." Instead, the LUP designates numerous locales as either "View Points" or "View Corridors." Thus, the majority of the LCP's policies and standards regarding visual resource protection are not applicable to the project site and its surroundings, as they specifically address designated "highly scenic areas," of which there are currently no areas in the County so designated.

While not being located within a formally decreed "highly scenic area," the replacement terminal project would nonetheless be subject to the policies of the LUP as the policies relate to the protection of the significant aesthetic amenities of the areas appearing in the Visual Resource Inventory. To this end, the effects of the grading, road and utility placement, the height and bulk of buildings, their placement and orientation, the selection of their exterior building materials and colors, landscaping, signage, and the management of solid waste to prevent litter are to be considered in the interest of reducing the impacts of new development on the designated visual resources of the area. The closest designated coastal scenic "Viewpoints" are located at the Point Saint George public access facility at the northern terminus of Radio Road and the vehicle turn-outs oriented toward Castle Rock along the northern end of Pebble Beach Drive near its intersection with Washington Boulevard. "View Corridors" include the whole length of Pebble Beach Drive/Radio Road and the western ½-mile end of Washington Boulevard.

While the County did evaluate the effects of the visibility of the terminal improvements on the Point Saint George area viewshed as viewed from the vantage of the public access parking lot at the terminus of Radio Road, the analysis did not substantively address the appearance of the replacement airport from points along the Radio Road and upper Pebble Beach Drive View Corridors. In addition, although the County analysis found the replacement terminal to be compatible with the character of the high contrast, visually distinct appearance of the other airport buildings and structures located on the open and cleared portions of the site near the active runways — where such contrast is desirable to assist visual flight rule ("VFR") based piloting — the County analysis did not address how the new terminal would be compatible with the darker, earthtone character of the forested area backdrop against which the new terminal would be constructed.

In addition to the above consideration regarding the construction of site improvements, the approved project would entail significant landform alteration in the form of cutting into a significant acreage of the airport's onsite pine-spruce forest. As approved, portions of the replacement terminal building, looped access roadway and parking lot facilities would necessitate the removal of approximately 14 acres of pine and spruce trees and fringing riparian vegetation. This forest is a natural landform element that, along with the adjoining coastal prairie openings and wetland depressions, defines the visual character of the surrounding uplifted terrace area. The LUP directs that such alterations be minimized, where feasible, through the design and siting of development.

Similar to the preceding appellate issue regarding the siting and design of new development adjacent to ESHA, reduced-size alternatives to the preferred project were identified which were not analyzed in the County's approval of the project and which could have resulted in a reduction in the relative degree of impact on visual resources, particularly landform alteration in terms of forest removal. Therefore, given the lack of factual or legal information to support the decision to approve the project, the extent and scope of the development approved, and the significance of the coastal resources affected by the decision, the appeal raises a substantial issue with respect to the approved development's consistency with the LCP policies and standards regarding the protection of visual resources, including but not limited to Visual Resources Policy No. 6 and the Visual Resource Evaluation Criteria Section II.A.

6. Conclusion.

For the reasons stated above, the Commission finds that Appeal Number A-1-DNC-09-048 raises a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency of the approved development with the certified Local Coastal Program.

D. Information Needed for *De Novo* Review of Application

Section 30621 of the Coastal Act instructs the Commission to provide for a *de novo* hearing on all appeals where it has determined that a substantial issue exists with respect to the grounds on which an appeal has been filed. If the Commission finds substantial issue as recommended above, staff also recommends that the Commission continue the *de novo* hearing to a subsequent date. The *de novo* portion of the appeal must be continued because the Commission does not have sufficient information to determine what, if any, development can be approved, consistent with the certified LCP.

The project the Commission will be considering *de novo* has come to the Commission after an appeal of a local government action which has identified several issues for which adequate factual information does not currently exist within the project record. In the interim since the filing of the appeal and the drafting of this report, the Commission has requested information from the applicant needed to determine if the project can be found to be consistent with the certified LCP. The applicant and their consultants have provided some of this requested information, including an alternatives analysis of two additional terminal site and roadway alignment alternatives, additional coverage of the extent of wetlands within these localities, and site plan mapping and elevation depictions of the various terminal alternative designs. Unfortunately, due to the scheduling of field visits to review onsite conditions with the Commission's staff biologist and the availability of the applicant's consultants to compile supplemental biological field data and engineering information, not all of the supplemental information requested by staff have been prepared and submitted. As of the date of the publication of this staff recommendation report, data on the precise extent of ESHA along the periphery of the pine-spruce forest relative to the location of the terminal building envelope and access roadway alignment alternatives and information regarding the incorporation of under-crossing structures into the alterative access roadway's design to facilitate the movement of red-

legged frogs, remain outstanding. These items are crucial to substantiating whether an alternate-location terminal complex development can be sited such that intrusion into adjoining ESHA is completely avoided and that such a project alternative layout has been designed to prevent impacts which would significantly degrade those areas, and would be compatible with the continuance of the habitat area. Therefore, before the Commission can act on the proposed project *de novo*, the applicant must submit all of the information identified below.

Alternatives Analysis – Biological Supplement: As discussed above, to make the necessary findings regarding whether the previously identified Options "2" and "3" project site alternatives can be developed without encroaching into the adjacent pine-spruce and fringing riparian vegetation ESHAs in conformity with LUP *Marine and Water Resources* Policy 6, additional mapping detail delineating the boundaries of the ESHA areas is required for the area along the western side of the forested ESHA east of Dale Rupert Road. In addition, engineering information is needed to disclose the location, number, size, and spacing of proposed crush culverts along the eastern access roadway depicted on the project site alternatives to provide under-crossings to facilitate the movement of sensitive red-legged frogs.

Alternatives Analysis – Reduced-sized Project Alternative Supplement: The filed appeals raise questions as to whether alternatives exist that would achieve greater conformance with the policies and standards of the LCP regarding siting and designing development adjacent to ESHA to prevent impacts that would substantially degrade the ESHA, allowing dredging, diking, and filling of wetlands only for the least environmentally damaging alternative, and the protection of highly scenic visual resources and minimization of landform alteration. To make the necessary findings that a project approved at a future *de novo* hearing is consistent with these policies, an analysis is needed substantiating why a 20,800 square-foot terminal is the absolute minimum sized facility that can be feasibly developed. The analysis should address whether non-essential (though inarguably "desirable") space for certain uses (e.g., retail concessions and inventory stock storage, observation decks, etc.) can be either deleted entirely or provided elsewhere on or near the grounds of the airport. The analysis must also detail which portions of the space plan are purely for general circulation and specific passenger assembly uses and which are for direct terminal operations, administrative, mechanical, and other critical functional uses.

Alternatives Analysis – Vehicular Circulation Supplement: Project Site Alternative Options "2" and "3" depict the use of a "roundabout" turning circle. It is not clear how this facility would be utilized by vehicles transporting passengers, terminal employees, visitors, and others whose destinations might include the drop-off/pick-up area in front of the terminal, the parking lots, another portion of the airport grounds, such as general aviation. The alternatives analysis needs to be supplemented to include a narrative description and flow diagram illustrating the intended function of the roundabout with respect to its interface with the various roadways and parking area to which it interconnects. In addition, it is noted that, in its action on the appealed project, the County imposed several requirements for roadway improvements at the entry to the airport which had not been disclosed within the project application materials. The alternatives analysis needs to be supplemented to include roadway improvements necessary to meet County street standards. If any of these improvements entail the filling of wetlands, in addition to addressing consistency of such proposed fill with all relevant LCP wetland policies and requirements, the location, type, and areal amount of wetlands affected must also be identified.

Without the above information, the Commission cannot reach a final determination concerning the consistency of the project with the policies of the LCP. Therefore, before the Commission can act on the proposed project *de novo*, the applicant must submit all of the above-identified information.

III. EXHIBITS:

1. Regional Location Map
2. Vicinity Map
3. Site Aerial
4. Site Oblique Aerial
5. Appeal Filed by Friends of Del Norte, November 9, 2009
6. Appeal Filed by Commissioners Mary Shallenberger and Sara Wan, November 9, 2009
7. *Notice of Final Local Action*, Coastal Use/Development and Coastal Building/Development Permit Nos. UP0736C and B308031C

ATTACHMENT A:

LCP POLICIES AND STANDARDS CITED IN APPEAL

Land Use Plan Policies

Marine and Water Resources Policies:

1. The County seeks to maintain and where feasible enhance the existing quality of all marine and water resources.

3. All surface and subsurface waters shall be maintained at the highest level of quality to insure the safety of public health and the biological productivity of coastal waters.

4. Wastes from industrial, agricultural, domestic or other uses shall not impair or contribute significantly to a cumulative impairment of water quality to the extent of causing a public health hazard or adversely impacting the biological productivity of coastal waters.

6. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Marine and Water Resources – Sensitive Coastal Habitats Specific Area Policies - Section VII. D.4. *Wetlands*:

a. The diking, filling, or dredging of wetlands shall be permitted in accordance with other applicable provisions of this program, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. Such projects shall be limited to those identified in Section 30233 of the Coastal Act.

f. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which could significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. The primary tool to reduce the above impacts around wetlands between the development and the edge of the wetland shall be a buffer of one-hundred feet in width. A buffer of less than one-hundred feet may be utilized where it can be determined that there is no adverse impact on the wetland. A determination to utilize a buffer area of less than one-hundred feet shall be done in cooperation with the California Department of Fish and Game and the County's determination shall be based upon specific findings as to the adequacy of the proposed buffer to

protect the identified resource. Firewood removal by owner for on site use and commercial timber harvest pursuant to CDF timber harvest requirements are to be considered as allowable uses within one-hundred foot buffer areas.

g. Due to the scale of the constraints maps, questions may arise as to the specific boundary limits of an identified environmentally sensitive habitat area. Where there is a dispute over the boundary or location of an environmentally sensitive habitats area, the following may be requested of the applicant:

i.) A base map delineating topographic lines, adjacent roads, location of dikes, levees, flood control channels and tide gates.
ii.) Vegetation map.
iii.) Soils map.

Review of this information shall be in cooperation with the Department of Fish and Game and the County's determination shall be based upon specific findings as to whether an area is or is not an environmentally sensitive habitat area based on land use plan criteria, definition, and criteria included in commission guidelines for wetland and other wet environmentally sensitive habitat areas as adopted February 4, 1981. The Department of Fish and Game shall have up to fifteen days upon receipt of County notice to provide review and cooperation.

Marine and Water Resources – Sensitive Coastal Habitats Specific Area Policies - Section VII. E.4. *Riparian Vegetation*:

a. Riparian vegetation shall be maintained along streams, creeks and sloughs and other water courses within the Coastal Zone for their qualities as wildlife habitat, stream buffer zones, and bank stabilization.

Marhoffer Creek Wetlands Special Study Area Policies:

2. A buffer strip shall be maintained in natural conditions around the Marhoffer Creek wetlands where adjacent land uses are found incompatible with the productivity or maintenance of the wetlands.

3. New development adjacent to the Marhoffer Creek wetlands shall not result in adverse levels of additional sediment, runoff, noise, wastewater or other disturbances.

9. Vegetation removal in the Marhoffer Creek wetland shall be limited to that necessary to maintain the free flow of the drainage courses and only when excessive impediment creates flooding hazards on adjacent lands.

Housing/New Development Policies:

2. Proposed development within the urban boundary may be approved only after it has been adequately proven that the location of the proposed development will

accommodate the development. These factors include but are not limited to sewage disposal, water supply and street system capacity.

Visual Resources Policies:

1. The County encourages the continuation of existing land uses, where appropriate, to maintain open views in highly scenic areas.

2. Proposed development within established highly scenic areas shall be visually compatible with their scenic surroundings, by being reflective of the character of the existing land uses while conforming to the land use criteria. As set forth in the land use component and subsequent zoning ordinance.

6. Activities which significantly and permanently alter natural landforms, such as mining and excavation, shall be required to restore disturbed areas to, close as possible, a natural appearance.

Visual Resources Evaluation Criteria – Section II.A:

Implementation of the Coastal Act requires the identification of "highly scenic (coastal) areas" in order that these areas might be protected as important public resources. The establishment of specific guidelines to evaluate coastal aesthetics and define specific scenic areas is, however, a complex task. Value judgements [*sic*], variable and inherently qualitative in nature, must be made at the outset.* Nonetheless, certain aesthetic paramenters [*sic*] such as visual distinctiveness and harmony are considered by many to constitute specific scenic qualities. These of course, include both natural and man-made or cultural features. In addition to visual features, other resource values such as sounds, odors, and tactile qualities may be considered aesthetically appealing.

Criteria for designating highly scenic coastal areas in Del Norte County are proposed as follows:

1. Views of special interest to the general public (e.g., Pacific Ocean; lighthouses, old growth forests);

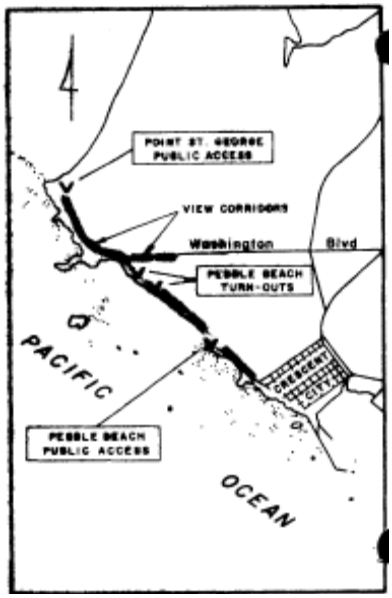
2. Visually distinctive scenes resulting from unique contrasts or diversity in landscape patterns (e.g., offshore rocks, forested uplands);

3. Views with special integrity or unimpaired conditions (e.g., open space, nature preserves);

*NOTE: Due to the subjective aspect of such decisions, the actual deliniation [*sic*] of these "highly scenic" areas will require considerable public input and review. Only criteria and guidelines will be proposed here.

Visual Resource Inventory – *Point St. George to Crescent City*:

Point Saint George to Crescent City:



VIEWPOINTS: (**V**)
1. Point St. George Public Fishing Access
2. Pebble Beach Drive turn outs
3. Pebble Beach Public Fishing Access

VIEW CORRIDORS: (**▬**)
1. Radio Road
2. Pebble Beach Drive
3. Westerly end of Washington Boulevard

PHYSICAL ENVIRONMENT: The physical landscape between Point St. George and Crescent City consists, for the most part, of a grass-covered marine terrace overlooking rocky/sandy beaches and numerous offshore rocks. The Marhoffer Creek drainage, covered with dense riparian vegetation, bisects the terrace south of Washington Blvd. Forests of Sitka spruce and beach pine occur inland. Coastal dunes and associated vegetation extend east and north of Point St. George.

LAND USE: Marhoffer Creek, in general, separates two major land uses within this area. To the north, the terrace is dominated by open grazing lands. South of Marhoffer Creek, single-family residences are situated east of Pebble Beach Drive. The County airport is located north of Washington Blvd.

VIEWSHED CHARACTERISTICS: View of the ocean, offshore rocks and marine life dominate the scenery of the area between Point St. George and Crescent City. Radio Road, Pebble Beach Drive and the westerly end of Washington Blvd provide open scenic vistas of the ocean and surrounding landscape. Owing to the open character of the area, numerous viewing points are available. Three vista points in particular are noteworthy and may be used t o summarize the aesthetic appeal of this visual resource area.

1. Point St. George: The Point St. George Public Fishing Access offers a full panoramic view of marine and terrestrial features. Seaward are views of offshore rocks, sea cliffs, and the Point St. George Lighthouse. Landscape views include the vast coastal strand extending northward, distant uplands and mountains as far east as Preston Peak in Siskiyou County, and the surrounding agricultural grazing lands. An older Coast Guard Station dating from 1926 stands on the high terrace and is presently used as a medical facility. Archaeological sites have also been recognized within the Point St. George area.

2. Pebble Beach Drive Pull-Outs: Immediately south of Washington Blvd. on Pebble Beach Drive, two vehicle pull-outs provide ocean vantage points. Situated some 30 feet above the beach on a marine terrace, these vista points offer a wide range of scenic views. Castle rock with its abundant bird life lies oceanward. Landward are views of grazing lands, spruce forest and distant uplands.

3. Pebble Beach Public Fishing Access: The parking area of the Pebble Beach Public Fishing Access sits approximately 50 feet above the ocean giving a wide overview of offshore rocks, sea cliffs and expansive beaches below. The oceanic view extends from Point St. George in the north to the distant southerly headland of Patrick's Point. This viewpoint is also a recognized historical landmark as the former site of a Talawa Indian Settlement.

Implementation Program Standards

None cited.

ATTACHMENT B:

BIOLOGICAL FIELD REVIEW MEMORANDUM

STATE OF CALIFORNIA—THE NATURAL RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885

MEMORANDUM

FROM: John Dixon, Ph.D.
Ecologist

TO: Jim Baskin

SUBJECT: Crescent City Airport

DATE: March 30, 2010

Documents reviewed:

Roberts, C. 2008. Letter report to E. Cooper (Friends of Del Norte) regarding "Brief site visit, McNamara Airport expansion proposal" dated October 14, 2008.

Stacy, G.B. (CDFG). 2008. Letter to J. Bernard (Border Coast Regional Airport Authority) regarding "Draft Environmental Assessment and Environmental Impact Report (SCH# 2006112120) for the terminal replacement project Del Norte County" dated October 21, 2008.

URS Corporation. 2009. Final Environmental Impact Report for the Terminal Replacement Project, Del Norte County Regional Airport, Jack McNamara Field. Volumes I & II. A report prepared for the Border Coast Regional Airport Authority dated April 2009.

Del Norte County. 2009. Staff report dated October 6, 2009 concerning the Border Coast Regional Airport Authority application for a Coastal Development Permit and Use Permit for an airport passenger terminal and ancillary facilities.

The area to the south and east of the regional airport is a patchwork of wetlands, riparian vegetation, and Sitka spruce and beach pine forest[1]. Although discrete areas are appropriately characterized as either a Sitka spruce or a beach pine vegetation community, individual pines and spruce are scattered within both community types. The airport and the forested area drain by means of ditches. How the ditches relate to the undisturbed drainage patterns is not known, but they probably have increased the rate of drainage and lowered the water table as intended. Nevertheless, probably 40% of the forested area delineates as wetland. Both Sitka spruce and beach pine are themselves facultative (FAC) wetland indicator species.

[1] On November 10, 2009, I traversed much of the site with California Department of Fish and Game biologists Michael VanHattem and Gordon Leppig.

The beach pine community occurs from Mendocino County to southern Alaska. This community is restricted to coastal dune and bluff habitats in northern California and is ranked G5S3 in the Department of Fish and Game (CDFG) Natural Diversity Database (NDDB), indicating it is secure in the world but vulnerable in California. As result of continuing losses of habitat, CDFG biologists believe that beach pine forest may now warrant a ranking of S2 (imperiled). Sitka spruce forests range from northern California to Alaska and the community type is ranked G5S2 (secure in the world but imperiled in California). In California, Sitka spruce forest is restricted to the coastal fringe from central Humboldt County to Oregon with a small disjunct population in Mendocino County. Besides being rare in California, these forests may be especially valuable because populations at the extremes of their ranges often have a genetic structure different from central populations. The relatively rare genes harbored by these populations may help the species cope with environmental shifts such as those resulting from the current global warming and concomitant climate change.

The forest near the airport is of particular interest because there are wetlands scattered throughout. The forest floor is irregular and where there are depressions the vegetation tends to be dominated by wetland indicator species. The hummocks and larger elevated areas support understory species which are characteristic of uplands. The areas delineating as "upland" typically are dominated by a wetland indicator tree species and one or two upland shrubs. All of the areas sampled were a mix of upland and wetland species, indicating that the whole forest is at the wet end of the moisture gradient. Were one to draw 100-foot buffers around the many wetland patches, virtually the entire forest would be either wetland or buffer. Open areas near seasonal ponds and water courses are thought to be appropriate habitat for the federally endangered western lily, although the closest documented occurrence is about 1,000 feet away. The seasonal ponds and wet forest provide important breeding, foraging, and dispersal habitat for the northern red-legged frog.

The northern red-legged frog (*Rana aurora*) occurs west of the Cascade crest from British Columbia to southern Mendocino County[2], where it narrowly overlaps the northern limits of the endangered California red-legged frog (*R. draytonii*) near Elk Creek.[3] Although populations in Washington are apparently secure[4], those in British Columbia, Oregon, and California are considered at risk. The red-legged frog has been designated a "special concern" species[5] in Canada, a "vulnerable sensitive species" in Oregon[6], and a "species of special concern" in California. The California Department of

[2] It is not found in the Sierra Nevada as asserted in the EIR.
[3] Shaffer, H.G., G.M. Fellers, S.R. Voss, J.C. Oliver, and G.B. Pauly. 2004. Species boundaries, phylogeography and conservation genetics of the red-legged frog (*Rana aurora/draytonii*) complex. Molecular Ecology 13:2667–2677
[4] Washington Department of Natural Resources. http://www1.dnr.wa.gov/nhp/refdesk/fguide/html/rauraur.html (accessed March 31, 2010).
[5] A wildlife species that may become threatened or endangered because of a combination of biological characteristics and identified threats (Committee on the Status of Endangered Wildlife in Canada (COSEWIC). 2002. Canadian Species at Risk).
[6] Vulnerable sensitive species are species that are declining in numbers and are facing one or more threats to their populations and/or habitats but are not currently imperiled with extirpation from a specific

Fish and Game applies the latter designation to species when declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction. The California Natural Diversity Database lists the northern red-legged frog as "G4 S2?". This indicates that throughout its range the frog is uncommon but not rare (G4). However, there is some cause for long-term concern due to declines or other factors. Within California it has been designated imperiled (S2) because of rarity due to very restricted range, very few populations, steep declines, or other factors making it very vulnerable to extirpation; however, this numeric rank is considered inexact (?), probably due to lack of adequate data to make a more precise determination. Although there is uncertainty in the northern red-legged frog's conservation status in California, the designations accorded it by the California Department of Fish and Game indicates that it should be considered "rare" under the Coastal Act.

The area encompassing the forest, associated riparian vegetation, and the adjacent seasonal pond[7] next to the airport parking lot meet the definition of Environmentally Sensitive Habitat Area (ESHA) in the Coastal Act both because the Sitka spruce and beach pine community types are rare in California and because that area provides the important ecosystem function of supporting the rare northern red-legged frog population. I recommend that the ESHA boundary follow the line of contiguous forest trees and include the wetland at the north western edge of the forest.

The forested ESHA is bisected by an existing, but little trafficked, road that extends from West Washington Boulevard to a gate near a line of hangers at the airport. If this road is included in a future development proposal, such development could potentially result in impacts that would significantly degrade the adjacent ESHA. Wildlife, especially reptiles and amphibians, could be killed by vehicles or the road could create a barrier to dispersal. Besides avoiding direct impacts to the forested ESHA, an improved road would have to be constructed in such a way as to provide a safe crossing while preventing wildlife from accessing the pavement. There is a significant literature focused on this problem, the solution to which may be quite complex (e.g., undercrossings should be permeable, have a natural substrate, be sized to accommodate the animals that potentially would use them, receive light and rainfall but not flood, and be large enough or sufficiently numerous to provide a high probability of encounter by reptiles and amphibians).

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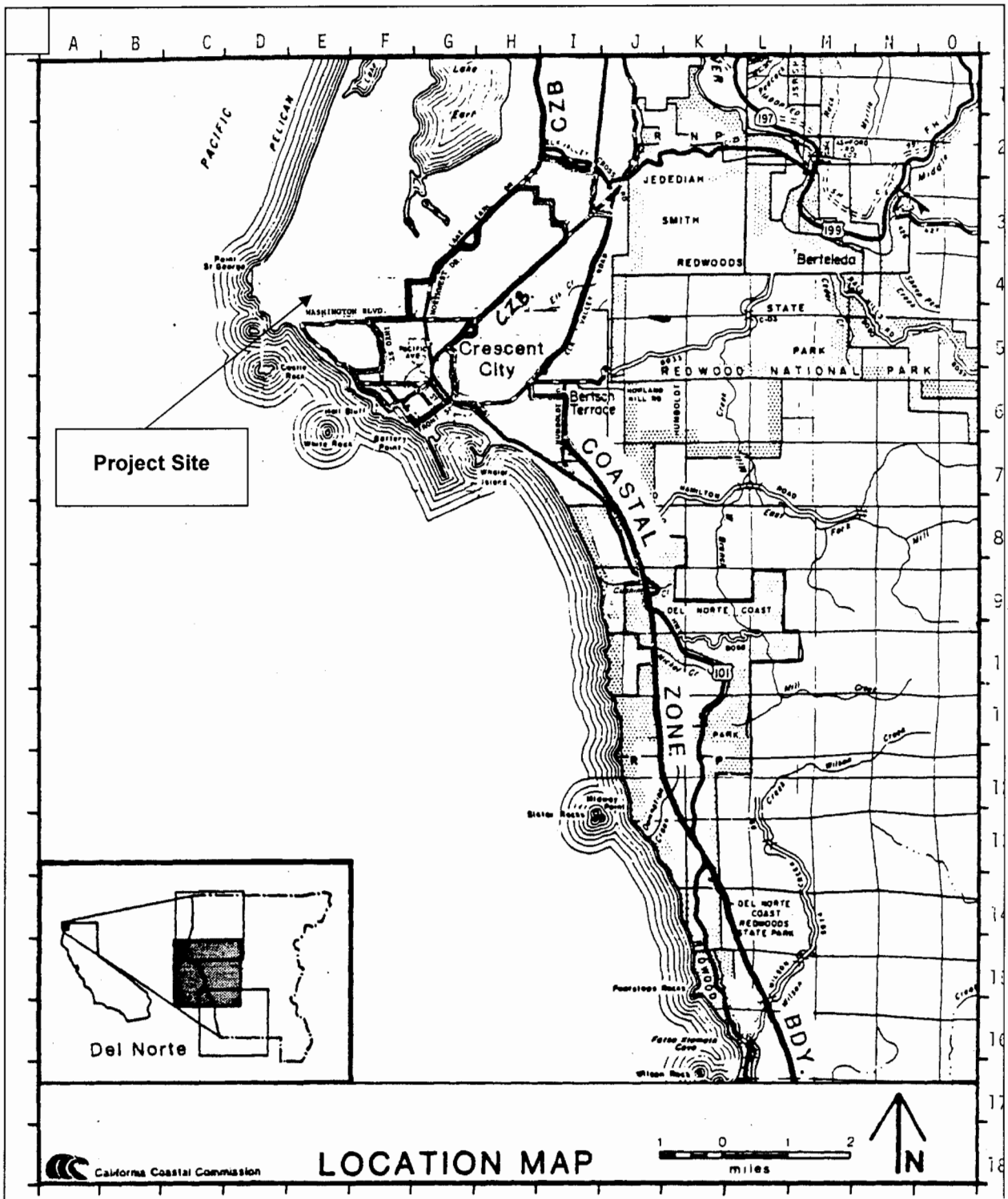
geographic area or the state but could become so with continued or increased threats to populations and/or habitats. (Oregon Department of Fish and Wildlife. 2008 Sensitive species list by category).
[7] Identified by CDFG biologist Michael Van Hattem as breeding habitat.



County of Del Norte

EXHIBIT NO. 1

APPEAL NO.

A-1-DNC-09-048

BORDER COAST REGIONAL AIRPORT AUTHORITY

REGIONAL LOCATION MAP

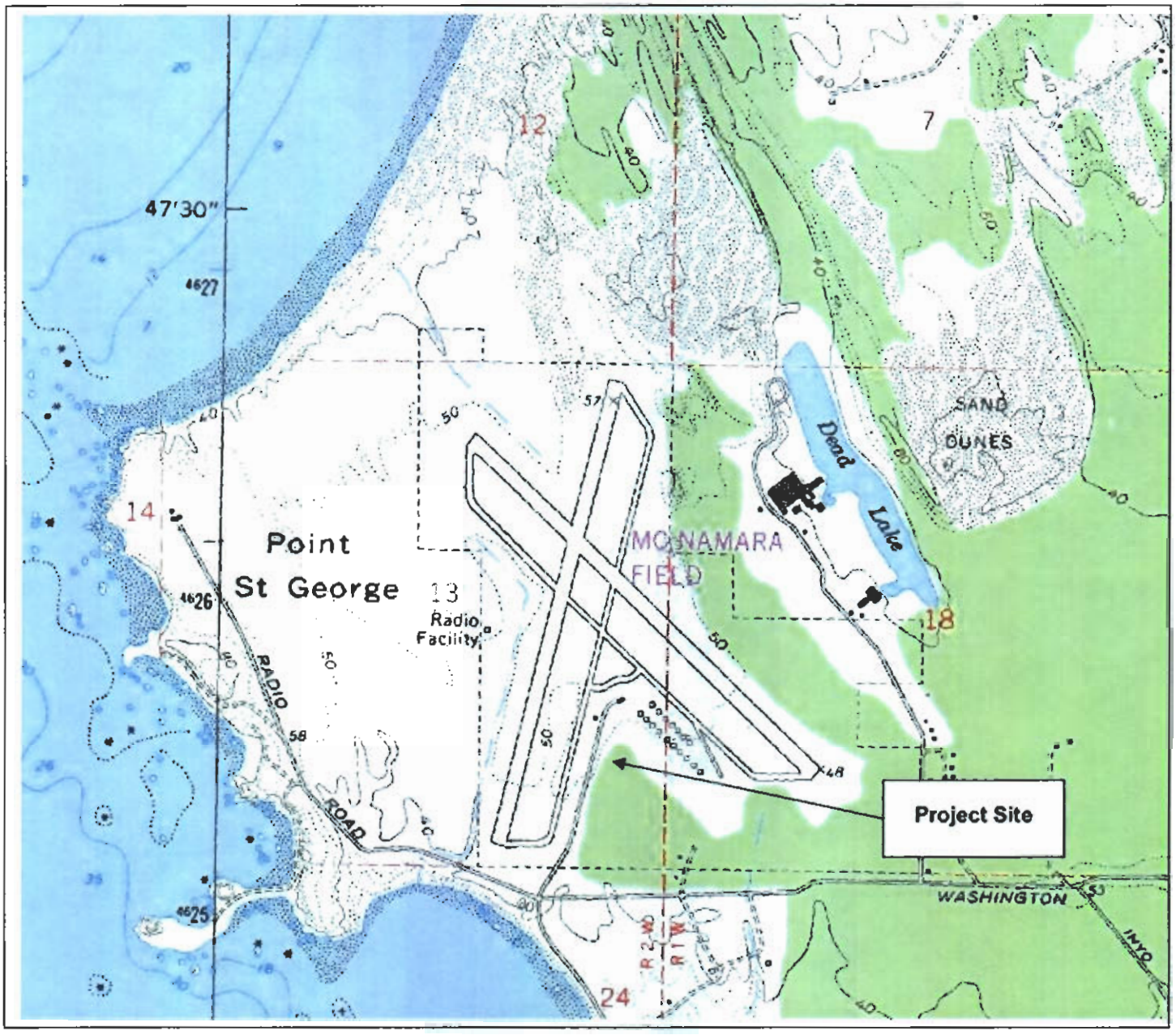


EXHIBIT NO. 2

APPEAL NO.

A-1-DNC-09-048

BORDER COAST REGIONAL AIRPORT AUTHORITY

VICINITY MAP

EXHIBIT NO. 3

APPEAL NO.

A-1-DNC-09-048

BORDER COAST REGIONAL AIRPORT AUTHORITY

SITE AERIAL

Source: California Coast Records Project Image 200501267 Copyright © 2002-2009 Kenneth & Gabrielle Adelman, California Coastal Records Project, www.californiacoastline.org

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION
NORTH COAST DISTRICT OFFICE
710 E STREET, SUITE 200
EUREKA, CA 95501
VOICE (707) 445-7833 FAX (707) 445-7877

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Friends of Del Norte
Mailing Address: P.O. Box 229
City: Gasquet CA Zip Code: 95543 Phone: 707-954-2473

SECTION II. Decision Being Appealed

1. Name of local/port government: Del Norte County

2. Brief description of development being appealed:
Airport Passenger Terminal and Ancillary Facilities
Coastal development and Use Permit

3. Development's location (street address, assessor's parcel no., cross street, etc.):
AP# 110-010-21 and 120-020-35.
Dale Rupert Road, Crescent City

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

☐ Approval; no special conditions
☒ Approval with special conditions:
☐ Denial

RECEIVED
NOV 0 9 2009
CALIFORNIA
COASTAL COMMISSION

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

TO BE COMPLETED BY COMMISSION:
APPEAL NO: A-1-DNC-09-048
DATE FILED: 11/9/09
DISTRICT: North Coast

EXHIBIT NO. 5
APPEAL NO.
A-1-DNC-09-048 - BORDER COAST REGIONAL AIRPORT AUTHORITY
APPEAL FILED BY FRIENDS OF DEL NORTE, NOV. 9, 2009
(1 of 18)

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

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

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

6. Date of local government's decision: Oct. 14, 2009 hearing

7. Local government's file number (if any): App# UP0736C & B30831C

SECTION III. Identification of Other Interested Persons

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

a. Name and mailing address of permit applicant:
Border Coast Regional Airport Authority
150 Dale Rupert Rd.
Crescent City CA 95531

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

(1) Crescent City & Del Norte County Chamber of Commerce
1001 Front St., Crescent City CA 95531

(2) City of Brookings
898 Elk Drive, Brookings, OR 97415

(3) Robert F. Cochran
888 fourth Street
Crescent City, CA 95531

(4) Eileen Cooper
2644 Roy Ave
Crescent City CA 95531 (continued)

Section IV (pg 3) Reasons Supporting This Appeal as attached

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

SECTION V. Certification

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

Signature on File

Signature of Appellant(s) or Authorized Agent

Date: Nov 8 '09

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

Section VI. Agent Authorization

I/We hereby authorize Eileen Cooper - FDN Board member to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature on File

Signature of Appellant(s)

Nov 9 '09
FAXED

Date: Nov 8 '09

A hard copy is also mailed, with more supporting evidence

Interested others continued:

(5) Northcoast Environmental Center
791 Eighth St.
Arcata, CA 95521

Comments FAXED pages 1 to 15

Friends of Del Norte, *Committed to our environment since 1973*
A nonprofit, membership based conservation group
advocating sound environmental policies for our region.
PO Box 229, Gasquet, CA 95543, 707-954-BIRD

Nov. 8, 2009
ATT: California Coastal Commission, North Coast District, Jim Baskin
Del Norte County Planning Department , 981 H Street, # 110, Crescent City, CA 95531
and James Bernard, Border Coast Airport Authority, 150 Dale Rupert Rd.

Regarding: Coastal Appeal of Airport Passenger Terminal, Jack McNamara Field (CEC),
UP 0736C/ B 30831C- APN 110-010-21 and 120-020-35

Contents:

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Introduction

Our community deserves the best planned terminal project possible. People come to Del Norte County for its unparalleled natural beauty and diversity, and will want to return to a community that recognizes this and seeks to protect it and value it. Any municipal project deserves the utmost care and planning to see that this unique setting at our airport is not diminished in any way.

Thankfully, alternative parking has now been located along the road and west of the forested wetlands. We greatly appreciate the extra planning effort by Ernie Perry, former Director of Community Development, to accomplish this. Alternative C moves in the right direction.

However, the proposed road system remains fragmenting environmentally sensitive forest and wetlands. Also, future parking facilities are dedicated to someday taking out more Environmentally Sensitive Habitat Areas (ESHA). And there is an omission of previously surveyed wetland ESHA, which will affect the wetland evaluation for Alternative C (shown as attached).

These impacts are avoidable, and it is very feasible to do so. We hired our own professional planning consultant, to redesign a road system and to modify the terminal placement. We recently submitted this for consideration. Since the finalization of the EIR., the process has been fast tracked, and there has not been time to carefully evaluate our alternate road suggestions, and incorporate a slightly reduced terminal building footprint. We would appreciate careful evaluation of this superior placement of road system, with reduced terminal footprint.

The Environmental Impact Report (EIR) failed to recognize ESHA, both coastal wetlands and imperiled forest areas, correctly before drafting proposed alternatives.

The staff analysis and findings for the use/building permit (finding M) continue to fail to recognize the character of forest type as ESHA, although we have submitted expert biological testimony (Chad Roberts, FEIR, DG0002). This report is supported by written comments by the California Department of Fish and Game (FEIR, DS0005), and the California Native Plant Society. There are great losses of this forested ESHA. California Department of Fish and Game recommendations have not been followed, to utilize the existing road to avoid impacting and fragmenting the forested ESHA and wetlands. All of the terminal designs still have severe impact to wetland and forested ESHA, and there are feasible solutions that avoid these impacts. All of the terminal designs fragment the wetland/forest habitat, and provide insufficient buffers. There is minimal mitigation for wetland impacts, and none for forested ESHA. And wetland delineations should be correctly shown, evaluated and respected.

After full participation in the EIR process, on Jan 6, 2009, we gave further instructive solution that greatly avoids impacts to these ESHA. We offered an alternative that more adequately meets Coastal Commission requirements by placing terminal development, including the drop-off road, west of the Marhoffer Creek branch stream. And we hired our own consultant and presented professional layouts and testimony to confirm that there is adequate room for an alternate design with a 300 FOOT BLAST ZONE FREE ACCESS that will not impact ESHA severely.

Unfortunately, at the scoping level for the Draft EIR, the terminal and terminal placement was a fully formed, and detailed concept, as evidenced by all exhibit drawings dated July 31, 2006, and shown in EIR Scoping presentations. While the EIR was not completed until February 2009. This preformed concept was presented as the only alternative analyzed for impacts in the DEIR, which later turned out to be very inaccurate. Several short paragraphs were devoted to rejected ideas, and the basis for rejection was that the oversized terminal and poorly placed parking configuration would not fit anywhere else. It was not until the last days of the Final EIR that coastal wetlands were mapped. And then at the final hours, we were left with a terminal, parking and road design that fragmented and severely impacted wetlands and forested ESHA.

The terminal designers persist in taking out large areas of ESHA forest for an elaborate road system and oversized building, rather than slightly modify the floor plan for the terminal, and do some creative thinking. And they have dedicated ESHA forest for future parking needs. We have been shut out of meaningful participation, when careful evaluation of our effort to propose a superior placement of road system could be better incorporated into the evolving design process.

The current designs still fail to recognize the ESHA forest. The elaborate road system is designed to serve large airports. The road system within the forest will take out approximately 100,000 to 150,000 square feet of ESHA forest. This loss has not been recognized or mitigated. Wetlands are left with only 25 foot buffers at most. Our LCP requires 100 foot wetland buffers, and recognizes the importance of avoiding such imperiled and rare forest habitats. And so does the Dept. of Fish and Game. Wetlands still need to be indicated correctly.

The Terminal Building is unnecessarily large, resulting in significant unmitigated ESHA impacts.

We are convinced that a reduced floor plan would be adequate, in that Del Norte County Airport Master Plan terminal requirements, FAA Guidelines, and the FEIR show that a substantially reduced area would be adequate even for much greater passenger enplanements than is expected from FAA TAF growth. The importance of this is that if the building footprint can be reduced slightly or changed to allow the drop-off road to remain on the west side of the creek, then the ESHA complex of forest/wetlands on east side of the creek can be conserved, and crossing the creek three times can be avoided. This is a Marhoffer Creek, which has extra protective provisions within the LCP.

Please compare the Master Plan layout requirements to the proposed project floor plan, as well as the FEIR. The FEIR (section 3-2) specified a space requirement to accommodate an overly generous peak hour passenger number of 90. Although it is not usual practice to design for the most severe use conditions, even so, the FEIR still acknowledges that a building of 13,500 square feet would be adequate (EA/EIR, page 3-1, 2):

*"FAA guidance for terminal planning estimates approximately **150 square feet per peak-hour passenger**, or 0.08 to 0.12 square feet per annual enplanned passenger for estimating **gross terminal area space** . ...Based on this number* (90), *the size of the terminal building at CEC should be a minimum of 13,500 square feet."*

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Gross terminal area space means 100% of the terminal building area (FAA Terminal Building Space and Facility Guidlines, AC 150/5360-13, pages 53,55). And the guideline recommends using peak hour passenger number for estimating small terminals, rather than the annual enplanement. The FAA guidelines specify (AC 150/5360-13, page 57) airports handling less than 100,000 annual enplanements frequently provide a single combined lobby for ticketing, waiting and baggage claim.

The Building Application Staff Report wrongly describes need

Contradicting the FEIR, as well as the 150/5360-13 FAA Facility Guidelines, the staff report states:

"the square footage calculation for the terminal assumes 150 square feet per passenger for circulation and holding area."

Notice the change in language. The gross building size of 13,500 square feet, and not just the circulation and holding areas, is adequate for peak hour passengers of 90 x 150 sq. feet = 13,500, according to the FEIR and the Airport Master Plan, and the FAA Guidelines 150/5360-13.

The current application expects growth to only about 16,000 yearly total enplanements (building application staff report page, 50) . The Master Plan recognizes that 10,802 square feet would be adequate for up to 21,000 yearly total enplanements (attached Master Plan layout requirements). And the Master Plan predicts a peak hour passenger number of only 64 for an annual enplanement of 21,000. Therefore, 13,500 square feet is overly generous, as it is appropriate for 90 peak hour passengers, and the Master Plan anticipates 64. We would be able to accommodate about double the number of passengers that we have today with a building of about 13,500 square feet.

Please keep in mind that we currently have only about 22 peak hour enplanements, or 44 peak hour passengers (loading plus unloading). Peak hour passengers have remained at about 44, unchanged at the end of 2007 (EA/EIR, page 3-1). To support the current 44 peak hour passengers, the current terminal should be 6,600 square feet.

We currently service one commercial flight at a time, and only three commercial planes per day. One commercial flight is scheduled in the early morning to arrive and then immediately take off. The second plane comes in the afternoon, arrives and immediately takes off, and the third comes and takes off in the evening. At the slow rate of growth indicated in the FEIR, we do not need such a large terminal. And even if growth is exceeded, still 13,500 square feet is adequate for up to about 21,000 total enplanements. It is entirely feasible to service the expected growth of enplanements with a much smaller building footprint. The drop off road should be and can be on the west side of the creek. We consider it a frivolous waste of taxpayer dollars to overbuild the terminal to such a great extent. as is planned.

The Aircraft Parking Plan is unnecessarily too big, and results in significant unmitigated ESHA impacts, which are avoidable.

The Aircraft Parking Plan (Exhibit CA-2.1) accommodates an apron for very large planes that greatly exceed our growth needs. These planes also require much longer runways than we currently have,

and which we are not planning to build. These planes carry far more passengers than planned growth demands.

Illustrated, is a B737-300, which has a very large turning radius. This plane requires a runway length of about 6,500 feet. Our runway is only 5,000 feet long. This plane seats 128 passengers. Our expected growth can be met with a 30 seat aircraft. We currently average 10 passengers per flight, and only 22 peak hour enplanements, which means even at peak hours we do not fill three daily planes.

The importance of this is that, because the Aircraft Parking Plan accommodates an inappropriately large plane, the terminal building is shifted unnecessarily too close to the creek. This, combined with the unnecessarily large terminal building, requires the drop off road to be placed on the east side of the creek, resulting in three stream crossings and rare forest/wetland ESHA impacts.

URS designers and proponents did not value the forest or wetlands. They selected the wall covering and details of the terminal building and placement before they located coastal wetlands and rare forest types. They developed a detailed road system and parking system, before coastal wetlands and biological constraints were mapped. They took a cookie cutter approach, and simply transferred a prefabricated layout to this sensitive coastal ESHA location. This is a classic case study on what not to do for impact avoidance designing.

A Superior Road System, reduced Terminal and Future Parking needs.

We would appreciate careful evaluation of a superior placement of road system, with a slightly reduced floorplan.
This system has two key elements.

1- DO NOT Disturb the Marhhoffer Creek-
CROSSING THE CREEK TO LOAD AND UNLOAD PASSENGERS IS AVOIDABLE
The terminal should be reduced in size slightly, **and/or** designed more shapely, to utilize space more efficiently, so that it would not be necessary to cross the creek to load and unload passengers. Simple, modest modifications of the building layout would accomplish this (attachment). The Airport Parking Plan should accommodate appropriately sized aircraft, to also allow for drop-off road space, and better utilization of the current Dale Rupert Road.

The proposed project still places an elaborate one way circular road system through the ESHA forest, in a failed attempt to construct a roadway that drops off passengers and also provide **safe** access around the terminal beyond a 300 foot safety blast zone. Unfortunately the road system for permit alternatives falls far short of 300 feet to do even that.

2- PROVIDE TRULY SAFE 300 FOOT BLAST ZONE FREE ACCESS OUTSIDE OF FOREST AND WETLANDS.
The new road designed by our consultant, Brook Ray Smith, is an alternate road along the hanger fence (as attached). It provides safe passage to the terminal at far greater than 300 feet, and it does so in a far more efficient direct route to the terminal and parking area. There would be far less ESHA impact. The ESHA forest and forested wetlands would be avoided. Approximately .2 to .3 acres of

mowed wetlands will be impacted. This is a more simple road to build, that would be far less costly. It utilizes a current road and a mostly graded and cleared area along the hanger fence, which has a roadside drainage system already in place. It requires moving the hanger fence, and perhaps two small hangers.(The proponents project moves hangers and fences as well.)

The elaborate road system within the forest, is designed to serve large airports. The FAA guidelines, AC 150/5360-9, page 19, state that at lower activity airports, a multilane roadway can serve both the ticketing and baggage claim areas. Brooke Ray Smith's two way road works better for circulation purposes, according to the FAA guidelines, and it avoids impacting ESHA.

3. Dedicate parking needs, or future parking needs,to the existing parking area. If need be, provide a covered walkway to the terminal from the existing parking area

We have taken the time to get professional review to show that where there is a will there is a way to save our beautiful and productive wetlands and rare forest.

Highly Scenic Vistas from Point St. George and along the coastal road to Point. St. George will be unnecessarily impacted by an overscaled building.

The photographs submitted with the County building application show views from the north end of Point St. George, at the north parking area. However, Point St. George, a County and Coastal Conservancy Park, follows the cliffs and the road to the south. The terminal is far more visible and intrusive from the southern vantage points along the trails within Point St. George Park. We disagree with the staff report, page 20, that the primary use areas by the public are not in close proximity to the proposed new terminal building. The southern trails are very well used.

We submit photos to illustrate the views. Please note the southern recreational parking area, where hiking trails from the south start. The southern trail mounts the cliff, and rises to the closest and best view of Castle Rock Wildlife Refuge. This is a unique, fantastic view of the second largest seabird colony south of Alaska. As you look around to the east, you see the beautiful forest behind the airport. You see one large ugly white hanger, which is only about 18 feet high and 36 feet wide. This hanger is at what will become the southern end of the new terminal. The new terminal will be about 36 feet high and 250 feet wide. The large scale of this building will forever change the beauty and natural character of this site. The loss of the forest behind the hanger will be an unacceptable loss of what is integral to the natural beauty of the site.

The photos show how beautiful the forested ESHA looks from the southern trail. The retention of this forest is important to the scenic beauty of the area. The scale and character of such an imposingly large building will have significant negative effects to the natural beauty of this most prized highly scenic coastal park of Del Norte. Any reduction of building size would lessen the visual impact. Native vegetative planting can soften the harsh visual impacts of such a building. Natural colors could also help. The metal roof ~~and building~~ should be forest green or other earth tone. The siding of the building should be earth tones.

Our organization still believes that it is possible, if you reduce the size of the terminal building, and place parking carefully along the airport access road, that the new terminal can be located where the existing parking area is located. This would avoid significant visual impact to a highly scenic resource, Point St. George. The FEIR basis for rejecting the current terminal site was that there was not enough room to put a gigantic terminal with parking located directly in front of it.

Lighting of Apron- Scenic issues and biological issues

We are very concerned about lighting of the apron. FAA guidelines suggest flood lighting of the apron located 25feet high or more. This will negatively impact scenic beauty as well as biological resources, as Castle Rock National Wildlife Refuge is close to the airport and is ESHA, and supports many migrating shorebirds. As there are only three commercial planes coming to the airport during the day, could the lights be turned off at night?

Septic System, and water quality issues

We question if water quality impacts for waste water are yet met, as the large reserve mounded leach field is located only 50 feet from a drainage, and soils are very sandy with fast percolation rates. True wet weather season testing should be required, as this is the basis for approval in the North Coast Regional Water Quality Basin Plan. April 27, 2006 was much drier than our wet winters. Precipitation records for April 2006, show that there was absolutely no rain during the ten day period preceding the so called wet weather test. The large mound system, located in very sandy soils with high groundwater is questionable and needs careful review, before any site approval is given. Careful design of this septic system is needed to protect water quality, which is a required LCP policy.

LCP Policy, Marine and Water Resources, VI. C:

1. The County seeks to maintain and where feasible enhance the existing quality of all marine and water resources.

3. All surface and subsurface waters shall be maintained at the highest level of quality to insure the safety of the public health and the biological productivity of coastal waters.

Analysis of ESHA- Forest, S2 status:

Our case is very similar to case histories of Coastal Appeals that upheld California Natural Diversity Data Base S2 designation as ESHA:

Del Norte LCP contains ESHA definition that encompasses rare and endangered species habitat, and it recognizes that such ESHA are evolving, as rare and sensitive species emerge. Our policy is two tiered, in that there is an overarching LCP ESHA policy that includes all ESHA, including habitat for rare and endangered species, as well as specifically designated ESHA. The second tier ESHA policy concerns specifically designated ESHA only.

Del Norte County LCP: Marine and Water Resources, IV. Sensitive Coastal Habitat:

ID 4 18

A. Planning issues:
2. Rare and Endangered Species: Accelerated development and utilization of land resources in this century has led to a diminishment of available habitat for many species of plants and animals on a statewide basis. Species incapable of adapting to new environments and circumstances decline in number or many even become extinct. Concern over this continuing threat to nature's biological diversity has led to a number of State, National and International laws designed to protect rare and endangered species. The legal protection of a species has little impact, however, if the species has no place to live and reproduce. The Coastal Act, therefore, recognizes the needs of rare and endangered species and the protection of habitats necessary to their survival.
The following is a list of current rare and endangered species of coastal Del Norte County....
(The above list will require updating annually to reflect any addition or deletions).

B. Designation Criteria: The following criteria are proposed for designating biologically sensitive habitats in the marine and coastal water environments and related terrestrial habitats of Del Norte County:

2. Habitat areas vital to the maintenance and enhancement of rare and/or endangered species.

VI. General Policy: C. LCP Policies:
6. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The listing of the rarity of a forest as S2 in the Califorinia Natural Diversity Data Base (CNDDB) has been recognized by the Coastal Commission, the Dept. of Fish and Game, and our Consultant Chad Roberts, as environmentally sensitive habitat.
The airport wetlands interlaced with the S2 forest support:

Western Lily- A Federally Listed Endangered Plant species.
Yes
Individuals
Rare and endangered plant species.
CNPS List 1B

Shore pine forest or Beach Pine forest (*Pinus contorta ssp. contorta*)
Yes
Sensitive Plant Community. Global Rank of 4 and State Rank of 2.1 (based on the CNDDB 2007)
Global Rank 5 and State

11 of 18

Rank 3 (Vegetation Classification and Mapping Program List of California Vegetation Alliances October 22, 2007)

Listed as sensitive (List of California Terrestrial Natural Communities Recognized by the California Natural Diversity Database September 2003 Edition) *87.060.00 Beach Pine Forest [Pinus contorta ssp. contorta] *87.060.01 Beach Pine Forest (83110) Coastal Act

and Sitka Spruce, Vegetation Classification State Rank 2

Red-legged Frogs and Black-capped Chickadee, which are California Species of Concern, were observed at the airport forest/wetlands.

As you can see from wetland delineation and vegetation analysis maps for the entire forested area in the airport project, a mosaic of numerous wetlands are an interwoven with S2 forest. They are interlaced to form an ESHA complex., with endangered and rare species, and should be looked at as a whole. It is illogical to think of the forest as just a wetland buffer, as the areas between the wetlands are narrow, and support several California Species of Concern, redlegged frogs and black capped chickadee, and can support endangered western lilies, which are found at the airport. Sensitive amphibians have both upland and wetland dependent life cycles. The forest type itself, Shore Pine Series with Sitka Spruce, have California designation of S2.1 which is a rare forest type.

This forest type has been significantly impacted by development in the surrounding areas, and there are cumulative impact considerations. Most of the Sitka Spruce/Shore Pine forests between Blackwell and Washington Blvd. have been cleared during the last 20 years for residential development, R/R 1 zoning. New urban development directly to the east of the airport and within the urban boundary is planned to remove more S2 forest, as it was recently given land use zoning as high density residential, 6 units per acre. Private subdivisions along Pebble Beach Drive directly to the south have already removed more S2 forest, with dense residential development. The recently approved Harbor Center Tract to the west of Blackwell along Lake Earl Drive is an approved subdivision to disturb approximately another 100 acres that include large stands of Sitka Spruce/Shore Pine forest. These are cumulatively significant losses.

Respectfully, Signature on File

Eileen Cooper, FDN Board Member 707-465-8904

Joe Gillespie, FDN President

CC: California Dept. of Fish and Game, Eureka, Michael Vanhattem

Regional Water Quality Control Board

12 of 18

Del Norte County LCP Policies in conflict:

LCP Policy, Marine and Water Resources.

LCP Policy, Marine and Water Resources, VI. C:

1. The County seeks to maintain and where feasible enhance the existing quality of all marine and water resources.

3. All surface and subsurface waters shall be maintained at the highest level of quality to insure the safety of the public health and the biological productivity of coastal waters.

6. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

LCP Marine and Water Resources V11. E. Riparian Vegetation 4.a

Riparian vegetation shall be maintained along streams, creeks, and sloughs and other water courses within the Coastal Zone for their qualities as wildlife habitat, stream buffer zones, and bank stabilization.

LCP V11.D: Wetlands,4: Policies and Recommendations

f.) Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which could significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. The primary tool to reduce the above impacts around wetlands between the development and the edge of the wetland shall be a buffer of 100 feet in width. A buffer of less than 100 feet may be utilized where it can be determined that there is no adverse impact on the wetland. A determination to be done in cooperation with the California Dept. of Fish and Game and the County's determination shall be based on specific findings as to the adequacy of the proposed buffer to protect the identified resource.

LCP Policy, Marine and Water Resources, VII. D. Wetlands:

4. g. Due to the scale of the constraints maps, questions may arise as to the specific boundary limits of an identified environmentally sensitive habitat area. Where there is a dispute over boundary or location of an environmentally sensitive habitats area, the following may be requested of the applicant:

i.) A base map delineating topographic lines, adjacent roads, location of dikes, levees, flood control channels and tide gates.

ii.) Vegetation map

iii.) Soils map

Review of this information shall be in cooperation with the Dept. of Fish and Game and the

County's determination shall be based upon specific findings as to whether an area is or is not an environmentally sensitive habitat area based on land use plan criteria, definition, and criteria included in commission guidelines for wetland and other wet environmentally sensitive habitat areas as adopted February 4, 1981. The Dept. of Fish and Game shall have up to fifteen days upon receipt of County notice to provide review and cooperation.

The stream and riparian area that the County refers to as a ditch, was actually mapped and identified in the LCP as a Marhoffer branch stream.

Marhoffer branch streams are important Environmentally Sensitive Habitat Area (ESHA), with specific policy requirements. Besides the usual 100 foot buffer zones that are required to protect such ESHA areas, specific Marhoffer Creek branch stream policies include:

6- Riparian vegetation along the course of Marhoffer Creek and its branch streams shall be maintained for their qualities of wildlife habitat and stream buffer zones.

3- New development adjacent to Marhoffer Creek wetlands shall not result in adverse levels of additional sediment, runoff, noise, wastewater or other disturbances.

2-A buffer strip shall be maintained in natural conditions around the Marhoffer creek wetlands where adjacent land uses are found incompatible with the productivity or maintenance of the wetlands.

9. Vegetation removal in the Marhoffer Creek wetland shall be limited to that necessary to maintain the free flow of the drainage courses and only when excessive impediment creates flooding hazards on adjacent lands.

***Aesthetics V. C. LCP Policies**: The visual resources of Del Norte County are important to the County's tourist economy and are a continuing source of enjoyment to its residents. Policies designed to maintain the scenic resources of the Coastal Zone of Del Norte County are stated here:*

1. *The County encourages the continuation of existing land uses, where appropriate, to maintain open views in highly scenic areas.*
2. *Proposed development within established highly scenic areas shall be visually compatible with their scenic surroundings, by being reflective of the character of the existing land uses while conforming to the land use criteria. As set forth in the land use component and subsequent zoning ordinance.*

The Del Norte County LCP criteria, for designating highly scenic areas are as follows:

1. *Views of special interest to the general public (e.g., Pacific Ocean, lighthouses, old growth forest).*
2. *Visually distinctive scenes resulting from unique contrasts or diversity in landscape patterns (e.g., offshore rocks, forested uplands).*
3. *Views with special integrity or unimpaired conditions (e.g. open space, nature preserves).*

14 of 19

More than TAF growth Rate 12
16,000 Projected growth [redacted] 2016-
is 16,000 enplanement/annua

Table 4B. Terminal Space Requirements

	Existing	★ Projected Demand Scenarios				Demand	Over	%
	2002	2002	2008	2013	2026	Space	Request	
Annual Enplanements ★	10,500	10,500	21,000	26,000	40,000			
PHEP	22	22	32	40	50			
PHDP	22	22	32	40	50			
Peak Hour Total PAX ★	44	44	64	80	100			
Airline & Car Rental Space (non-eligible)								
Airline Ticketing Office	255	740	740	740	740	690	260	9.5%
Rental Car Office Area	10	340	340	340	340	355		1.3%
Baggage Make-up	0	374	544	690	850	1,150	420	5.8%
Baggage Input	0	900	900	900	900	840		3.1%
Subtotal Airline	265	2,354	2,524	2,668	2,830	3,035	680	13.7%
Concessions & Leased Space (non-eligible)								
Food Concession	28	200	200	200	200	170		0.6%
Other Lease Space	200	600	600	600	600	620		2.3%
Subtotal Concessions	228	800	800	800	800	790		2.9%
Airport Administration Space (non-eligible)								
Airport Administration	0	800	800	800	800	1,920		7.1%
Subtotal Support	0	800	800	800	800	1,920		7.1%
TOTAL REVENUE SPACE	493	3,954	4,124	4,268	4,430	5,745	680	23.7%
Passenger Terminal Space (eligible)								
Circulation	336	1,100	1,200	1,350	1,560	2,340		7.4%
Circulation (2nd Floor)							1,840	7.4%
Airline Ticketing Counter - LF	8	36	36	36	36	36	19	
Airline Ticketing Office	255	520	520	520	520	710	390	4.2%
Rental Car Counter - LF	3	36	36	36	36	36		
Rental Car Office Area		236	236	236	236	240		0.9%
Lobby/Seating	262	495	720	900	1,125	1,125		5.4%
Lobby/Seating (2nd Floor)							2,810	10.4%
Display Area (2nd Floor)							1,740	6.4%
Passenger Observation Area (2nd Floor)	0						880	3.3%
ATO Queue Area	36	540	540	540	540	1,000	860	6.9%
RAC Queue Area	0	360	360	360	360	360		1.3%
Security Queue Area	192	320	320	320	320	400		1.5%
Bag Claim PAX Area	0	356	480	576	690	720		2.7%
Bag Claim Device - LF	0	24	32	39	47	47		
Passenger Hold Rm. Secured	312	495	720	900	1,125	1,460		5.4%
Gates	1	1	1	1	1	1		
Restrooms (Unsecured)	200	118	217	296	395	580		2.1%
Restrooms (Unsecured, 2nd Floor)							580	2.1%
Restrooms (Secured)	0	100	100	100	100	100		0.4%
Airport Security	445	700	700	700	700	620		2.3%
Mech/Elec/Jan/Storage	73	150	250	400	600	825		3.0%
Mech/Elec/Jan/Storage (2nd Floor)							256	0.9%
Subtotal Public	2,111	5,492	6,363	7,200	8,220	10,480	9,375	76.4%
Building Structure/Non-usable Space	232	289	315	344	380	487	302	2.0%
TOTAL NON-REVENUE	2,343	5,775	6,678	7,544	8,600	10,967	9,677	78.3%
BUILDING TOTAL Sq feet			10,802	11,804	13,030		27,888	100.0%

Note: Space size is based on diagrammatic design. Sizes are subject to change as floor plans are further refined. This will also modify eligible/non-eligible percentages.

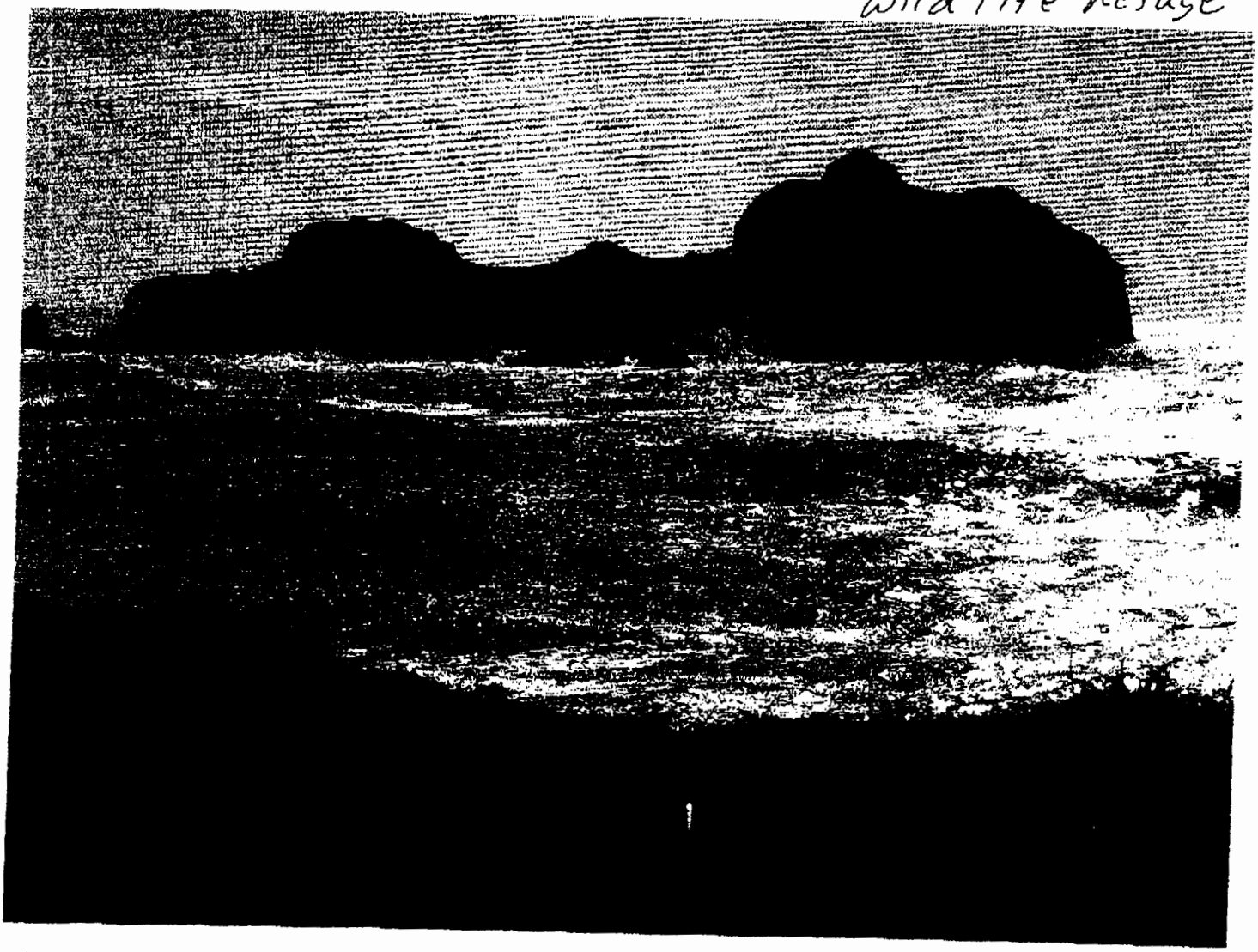
Notes: All figures represent square foot (SF) unless otherwise noted.
Existing data from 2002 peaking calculations.

Sources: Terminal Floor Plans, FAA AC150/5360-13; *Planning and Design Guidelines for Airport Terminal Facilities*; FAA AC150/5360-9, Planning and Design of Airport Terminal Facilities at Non-Hub Airports; Mead & Hunt, Inc.

15418

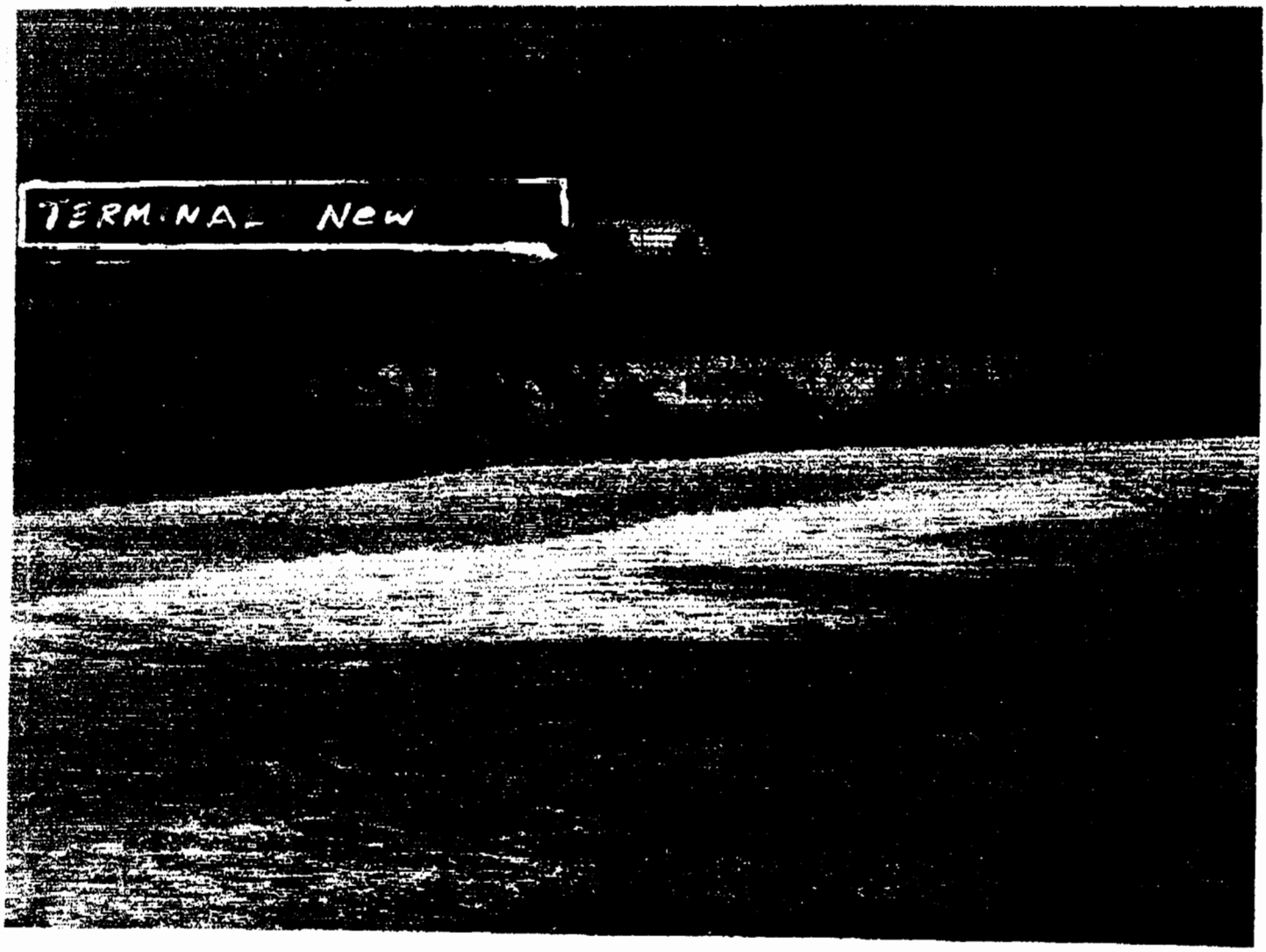
The terminal will significantly degrade the view towards the east, at the Castle Rock lookout.

The view to the west – Castle Rock National Wild life Refuge



This is the view from cliff trails in Point St George. This at the lookout vista point, looking west. This is a unique spot, a destination point which is the closest view of Castle Rock National Wildlife Refuge. 16 of 18

The new terminal is about 36' tall x 250' wide, Looking east: the forest behind the terminal is reserved for parking & roads - removed or thinned. The white hanger is only about 18' tall and 36' wide. The new terminal is located directly adjacent to the north of the hanger



Looking towards the terminal from cliff trails in Point St. George Coastal Conservancy & County Park. This is at a lookout vista point, which is where bird watchers go to view Castle Rock National Wildlife Refuge. They are nature lovers, looking for the elusive tufted puffin.

17918

15

Area of Wetlands omitted
Please correct - & evaluate
Area of wetlands Omitted from Alternatives use/building Permit application
PROPOSED PROJECT
1.7 Acres Wetlands, Including 25-foot
W. WASHINGTON BLVD

18918

CALIFORNIA COASTAL COMMISSION
NORTH COAST DISTRICT OFFICE
710 E STREET, SUITE 200
EUREKA, CA 95501
VOICE (707) 445-7833 FAX (707) 445-7877

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: SEE ATTACHMENT A

Mailing Address:

City: Zip Code: Phone:

RECEIVED
NOV 0 9 2009
CALIFORNIA
COASTAL COMMISSION

SECTION II. Decision Being Appealed

1. Name of local/port government:

County of Del Norte

2. Brief description of development being appealed:

Jack M. McNamara Airfield Teminal Replacement Project – Construction of Alternative "C" comprising a new approximately 20,800 square-foot replacement airport terminal building with associated 350-ft. x 190-ft. aircraft apron, new and realigned acess roadways, 1.44-acres of off-street parking facilities, an onsite sewage disposal system, and other related utility, drainage, lighting, and site improvements. The project would also involve the relocation of existing emergency response and hanger facilities and offsite water supply system reservoir improvements.

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

Within an approximately 10-acre project area situated along both sides of Dale Rupert Road within a portion of Jack M. McNamara Airfield (CEC); APNs 110-010-21 and 120-020-35.

EXHIBIT NO. 6
APPEAL NO.
A-1-DNC-09-048 - BORDER COAST REGIONAL AIRPORT AUTHORITY
APPEAL FILED BY COMMISSIONERS SHALLENBERGER & WAN, NOV. 9, 2009 (1 of 8)

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

☐ Approval; no special conditions

☒ Approval with special conditions:

☐ Denial

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

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-1-DNC-09-048

DATE FILED: November 9, 2009

DISTRICT: North Coast

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

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

☐ Planning Director/Zoning Administrator

☒ City Council/Board of Supervisors

☒ Planning Commission

☐ Other

6. Date of local government's decision: October 14, 2009

7. Local government's file number (if any): UP0736C and B30831C

SECTION III. Identification of Other Interested Persons

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

a. Name and mailing address of permit applicant:

Border Coast Regional Airport Authority
County of Del Norte - Flynn Administrative Center
981 H Street, Suite 110
Crescent City, CA 95531

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

(1) Friends of Del Norte
P.O. Box 229
Gasquet, Ca 95543

(2)

(3)

(4)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

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

Signed: Signature on File
Appellant or Age.

Date: 11/9/09

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

(Document2)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

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SECTION V. Certification

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

Signed: Signature on File
Appellant or Agent

Date: 11/9/09

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

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

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

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

The approved development is inconsistent with the certified LCP, including but not limited to the policies contained in the Marine and Water Resources, and New Development chapters of the Land Use Plan (see attachment containing cited LCP policies and standards), for the following reasons:

A. Inconsistencies with LUP Marine and Water Resources Chapter Policies

Environmentally Sensitive Habitat Areas / Permissible Wetlands Dredging, Diking, and Filling
The approved development entails construction activities to be conducted both within and adjacent to environmentally sensitive habitat areas (ESHA) specifically enumerated within the LCP, namely emergent and paustrine wetlands, and meeting the criteria for such designation, in the form of the Shore Pine and Sitka Spruce forest series. "Environmentally sensitive habitat areas" comprise "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 an ecosystem and which could be easily disturbed or degraded by human activities and developments." The LUP incorporates the Coastal Act definition of "environmentally sensitive habitat areas" through its reiteration of Coastal Act Section 30240 in LUP Marine and Water Resources Policy No. 6. LUP Marine and Water Resources Policy No. 6 directs that environmentally sensitive habitat areas be protected against any significant disruption of habitat values, and only uses dependent on such resources be allowed within such areas. Additionally, development in areas adjacent to environmentally sensitive habitat areas must be sited and designed to prevent impacts which would significantly degrade such areas, and be compatible with the continuance of such habitat areas. Section VII.D.4.a. states that the diking, filling, or dredging of wetlands shall be permitted in accordance with other applicable provisions of the LCP, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. Moreover, such development is limited to those uses identified in Section 30233 of the Coastal Act. Section VII.D.4.f. identifies the establishment of a buffer of one-hundred feet in width as the primary tool to reduce the impacts to wetlands from development. While provisions for buffers of less than one-hundred feet are made, they may only be authorized where it has been determined that there is no adverse impact on the wetland. Finally, Section VII.D.4.f. goes on to direct that the determination regarding the adequacy of the proposed reduced-width buffer to protect the identified resource is to be made in cooperation with the California Department of Fish and Game, with the resulting determination based upon specific findings.

The development conditionally approved by the County is inconsistent with the above cited LUP Marine and Water Resources policies including, but not limited to, the policies specifically cited above from several perspectives: (1) the portions of the development project occurring within the Shore Pine / Sitka Spruce Forest portions of the site are not a resource-dependent use; (2) environmentally less damaging feasible alternatives to the proposed filling, dredging (i.e., excavation), and diking of project site wetlands exist; and (3) the protective adequacy of the buffers of less than 100-foot width between development components and adjacent wetlands has not been substantiated.

1. Development Within Shore Pine – Sitka Spruce ESHA. The project record for the approved development summarily dismisses the forested portions of the site as constituting ESHA, citing the relative abundance of the vegetation association within the vicinity of the airport and noting that the area had been previously cut-over some 60 to 70 years ago and has grown back. However, this basis does not fully address the two-pronged definition of ESHA as any area in which: (a) plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem; and (b) which could be easily disturbed or degraded by human activities and developments. Notwithstanding the localized concentration of this series, the Shore Pine-Sitka Spruce forest type is designated as "S1.1" and S2.1," respectively, in the Californinia Natural Diversity Data Base (CNDDB). The S1 designation identifies species and/or habitats with less than 6 viable element occurrences, or less than 1,000 individuals, or less than 2,000 acres on a statewide basis. The S2 designation indicates species / habitat types with 6-20 element occurrences, or 1,000-3,000 individuals, or 2,000-10,000 acres statewide. The ".1" suffix identifies the species or habitats as "very threatened." Thus, (a) given the statewide significance of the forest type in terms of its rarity, and (b) that an examination of aerial photos taken at a timeframe shortly after the area was cut shows residual, mature, possibly old-growth trees within the project area, contrary evidence exists that the area constitutes ESHA. Therefore, the proposed clearing for the roadway and other improvements is inconsistent with LUP Marine and Water Resources Policy No. 6 as these uses are not resource-dependent.

2. Alternatives. Notwithstanding the submittal of highly-detailed information during the environmental review and project hearing stages, a very limited number of alterantives to the proposed project were substantively considered in approving the development. Reduced-footprint options and alternate roadway configurations which would avoid the forested ESHA area, albeit with possibly slightly greater wetland fill components, were summarily dismissed, notwithstanding the reduction in impacts on other biological resources that would be lessened or avoided. Therefore, the project as approved is not the least environmnetally damaging feasible alternative.

3. Buffer Adequacy. The majority of the biological resource impact analysis was focused on the effects of the direct filling of wetlands to create the new roadway crossings. No analysis was provided with respect to the adquacy of the less than 100-foot reduced-wide buffers for the other portions of the development adjacent to wetlands, contrary to Sections VII.D.4.f. and g. Of the LUP Marine and Water Resources chapter.

B. Inconsistencies with LUP New Development Chapter Policies

LUP New Development Chapter Policy No. 2 states that, "Proposed development within the urban

boundary may be approved only after it has been adequately proven that the location of the proposed development will accommodate the development. These factors include but are not limited to sewage disposal, water supply and street system capacity." The project will depend upon the development of an onsite sewage disposal system. However, the design of the system was not preceded by the collection of monitoring well data for the high-groundwater conditions the area experiences. Nor has the system design been vetted by the Regional Water Quality Control Board prior to the issuance of the coastal development permit. Accordingly, the project as approved has not been adequately proven to be in a location that will accommodate the development, contrary to the directives of the LUP New Development Chapter policies, including but not limited to Policy No. 2.

ATTACHMENT A

SECTION I. Appellant(s)

1. Mary K. Shallenberger
45 Fremont Street, Suite 2000
San Francisco, CA 94105
(415) 604-5200

2. Sara J. Wan
22350 Carbon Mesa Road
Malibu, CA 90265
(415) 904-5200

DEL NORTE COUNTY COMMUNITY DEVELOPMENT DEP/
981 H STREET, SUITE 110
CRESCENT CITY, CA 95531

EXHIBIT NO. 7
APPEAL NO.
A-1-DNC-09-048 - BORDER COAST REGIONAL AIRPORT AUTHORITY
NOTICE OF FINAL LOCAL ACTION, COASTAL USE/DEVELOPMENT & COASTAL BUILDING/DEVELOPMENT PERMIT NOS. UP0736C & B308031C

NOTICE OF ACTION

I. Notice is hereby given that the **Planning Commission** of Del Norte County took the following action on **October 14, 2009** regarding the application for development listed below:

Action: ✓ Approved ___ Denied ___ Continued ___ Recommended EIR
___ Forwarded to Board of Supervisors

RECEIVED
OCT 20 2009
CALIFORNIA
COASTAL COMMISSION

Application Number: UP0736C and B308031C
Project Description: Coastal Development Permit and Use Permit
Project Location: Dale Rupert Road, Crescent City
Assessor's Parcel Number: 110-010-21 and 120-020-35
Applicant: Border Coast Regional Airport Authority
Applicant's Mailing Address: 150 Dale Rupert Road, Crescent City, CA 95531
Agent's Name & Address: , ,

A copy of any conditions of approval and/or findings adopted as part of the above action is attached.

II. **If Approved:**

✓ This County permit or entitlement serves as a Coastal permit. No further action is required unless an appeal is filed in which case you will be notified.

This County permit or entitlement DOES NOT serve as a Coastal permit. Consult the Coastal Zone Permit procedure section of your NOTICE OF APPLICATION STATUS or the Planning Division of the Community Development Department if you have questions.

III. **Notice is given that this project:**

Is not appealable to the California Coastal Commission, however, a local appeal period does exist.

✓ Is appealable to the California Coastal Commission.

✓ Any appeal of the above decision must be filed with the Clerk of the Board of Supervisors by OCT. 26, 2009 for consideration by the Board of Supervisors.

✓ Any action of the Board of Supervisors on this item may be appealed to the California Coastal Commission within 10 working days or 21 calendar days subject to the requirements of Chapter 21.52 DNCC and Coastal Regulations.

Must be forwarded to the California Coastal Commission for final action. You will be notified of its status by the Coastal Commission Office.

(Continued on the next page)

Is not subject to Coastal Commission regulations, however, a local appeal process is available. Written appeals must be filed with the Clerk of the Board of Supervisors by N/A. Consideration will be by the Board of Supervisors.

Requests for deferment of road improvement standards or for modification of road improvement standards must be filed in writing with the Clerk of the Board of Supervisors by OCT. 26, 2009, with a copy provided to the Secretary of the Planning Commission. Consideration will be by the Board of Supervisors.

Parcel map must be filed within 24 months of the date of approval.

N/A Record of Survey and new deeds must be filed within 24 months of the date of approval.

New deeds must be filed within 24 months of the date of approval.

EXTENSIONS – MAJOR & MINOR SUBDIVISIONS OR BOUNDARY ADJUSTMENTS – Maps (or Records of Survey/Deeds) must be filed within 12 months after the original date of expiration.

NOTICE – SECTION 1.40.070

The time within which review of this decision must be sought is governed by the California Code of Civil Procedure, Section 1094.6, and the Del Norte County Ordinance Code, Chapter 1.40. Any petition seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision was made; however, if within 10 days after the decision was made, a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to no later than the 30th day following the date on which the record is either personally delivered or mailed to you or your attorney of record.

FISH AND GAME FILING FEES

Projects subject to CEQA are also subject to the following fees as required by the California Department of Fish and Game:

Applicable Fee - ___Neg. Dec. ($2043.00) ✓ EIR ($2818.25) ___Exempt

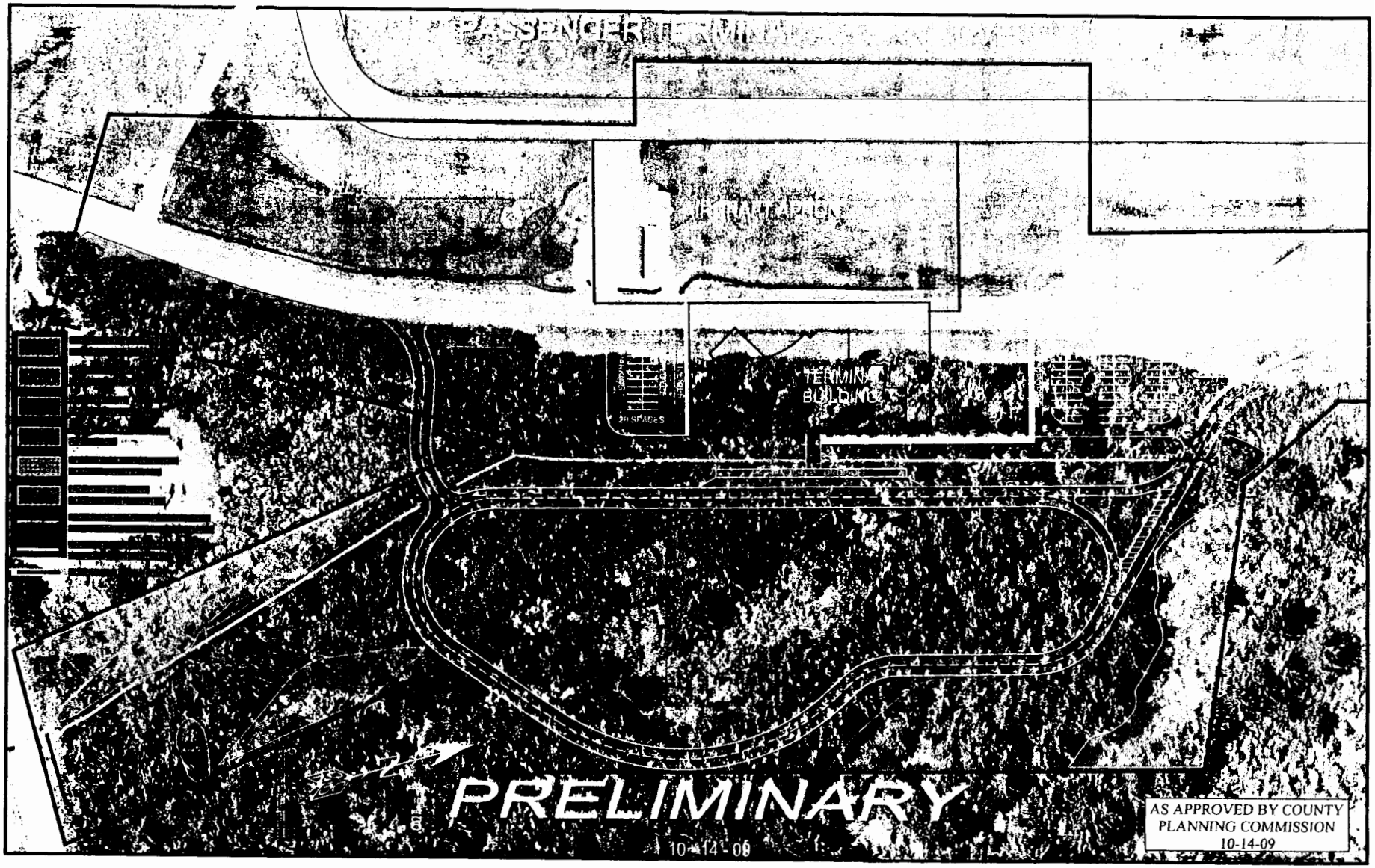
Paid 5/7/09 receipt #375180

This fee is due and payable to the County Clerk's Office. The applicant or agent is responsible for paying the current Fish and Game fee, which is subject to change. If not paid within 5 working days of the date of action of the Planning Commission, your project may be invalid by law (PRC 21089(b)) and will be referred to Fish and Game's Department of Compliance and External Audits in the Clerk's monthly deposit and report to Fish and Game.

ATTENTION APPLICANT

As a subdivider or adjuster of property, this notice is to advise you that **all taxes** must be paid in full prior to the recordation of your map or deeds. If the map or deeds are filed **after December 16th, you must pay all taxes due PLUS NEXT YEAR'S TAXES** before the map or deeds can be recorded.

If you have any questions regarding the payment of taxes, call the Del Norte County Tax Collector's Office at (707) 464-7283.


TERMINAL
BUILDING
PRELIMINARY
10-14-09
AS APPROVED BY COUNTY
PLANNING COMMISSION
10-14-09

Agent: Jim Bernard

APP# UP0736C and B30831C

STAFF REPORT

APPLICANT: Border Coast Regional Airport Authority

APPLYING FOR: Coastal Development Permit and Use Permit for an Airport Passenger Terminal and Ancillary Facilities

AP#: 110-010-21 and 120-020-35 LOCATION: Dale Rupert Road, Crescent City

PARCEL(S)
SIZE: 260+acres

EXISTING
USE: Airport

EXISTING
STRUCTURES: Terminal, 29 Hangers, 1 Office, 1 ARFF Building, Various NAVAIDS

PLANNING AREA: 4

GENERAL PLAN: Public Facility, Light Industrial, Heavy Commercial

ADJ. GEN. PLAN: Public Facility, Light Industrial, Heavy Commercial, AgGen5

ZONING: PF-C(A)(H), MP

ADJ. ZONING: : PF-C(A)(H), MP, A-5

1. PROCESSING CATEGORY:

NON-COASTAL
NON-APPEALABLE COASTAL

APPEALABLE COASTAL X
PROJECT REVIEW APPEAL

2. FIELD REVIEW NOTES: DATE: 07/02/07

HEALTH DEPT X
PLANNING X

BUILDING INSP X
ENGINEERING/SURVEYING X

ACCESS: Dale Rupert Road

ADJ. USES: Airport uses, undeveloped lands, State Park

TOPOGRAPHY: Flat with some sand dune features on the periphery

DRAINAGE: channelized & natural drainage features

DATE OF COMPLETE APPLICATION: 8/13/09

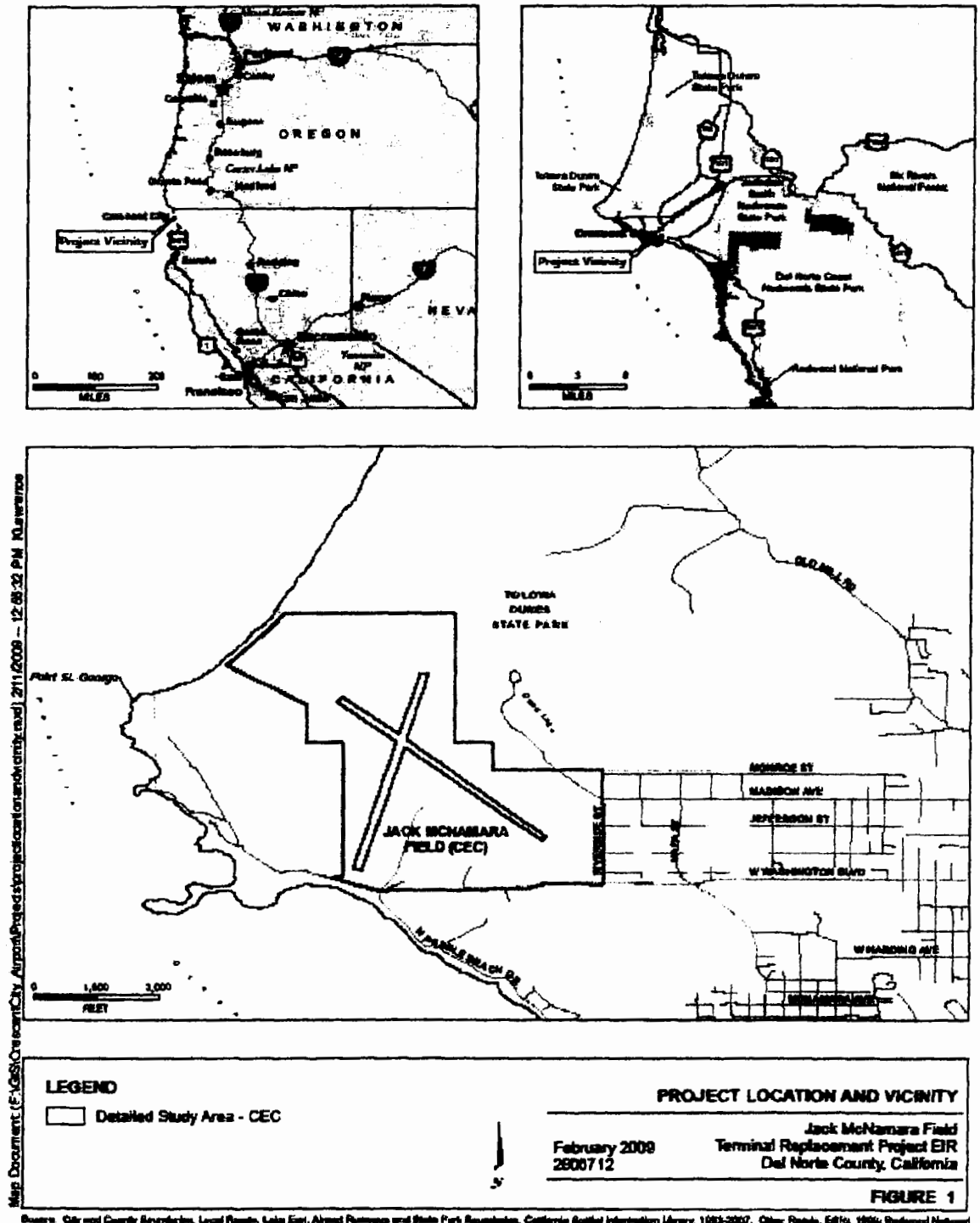
3. ERC RECOMMENDATION: Application complete. Final Environmental Impact Report applies (SCH# 2006112120). Approval with conditions.

4. STAFF REPORT:

Existing Facilities

Jack McNamara Field (CEC), in Del Norte County is located approximately 3 miles northwest of the City of Crescent City, and the airport is adjacent to the Pacific Ocean. The project vicinity and location of CEC are depicted in **Figure 1**. The Airport is owned by Del Norte County and managed by the Border Coast Regional Airport Authority (BCRAA), through a Joint Powers Agreement (JPA) effective as of October 4, 2007, consisting of Del Norte County, CA, the City of Crescent City, CA, the City of Brookings, OR, and the Elk Valley Rancheria. CEC is a commercial service airport that provides airfield, terminal, and support facilities for scheduled commercial airlines, air charter/taxi, military, and general aviation (GA) operations. CEC participates in the Federal Essential Air Service Program to ensure scheduled commercial flights to the Crescent City area. CEC is an essential public facility, as it is the only commercial airport currently serving Del Norte County, as well as Curry County, Oregon to the north.

Figure 1


WASHINGTON
OREGON
Project Vicinity
NEVADA
CALIFORNIA
MILES
Project Vicinity
MILES
TOLOWA DUNES STATE PARK
Point St. George
JACK MCNAMARA FIELD (CEC)
MONROE ST
MADISON AVE
JEFFERSON ST
WASHINGTON BLVD
HARDING AVE
FEET
LEGEND
Detailed Study Area - CEC
PROJECT LOCATION AND VICINITY
February 2009
2606712
Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California
FIGURE 1

CEC is a certified Federal Aviation (FAA) Regulation Part 139 commercial service airport that is part of the National Integrated Airport Systems (NPIAS). Additionally, as part of the California Aviation System Plan (CASP), CEC is one of only two designated primary commercial non-hub airports in the North Coast Region that have scheduled airline passenger service. CEC is an important connection in the region's air transport network and provides access to national and international air service. CEC also plays a crucial role in providing emergency services and staging area for disaster relief, firefighting operations, and search and rescue activities for the region and state. During emergency events, firefighting and search and rescue aircraft use CEC as a staging location.

CEC has two intersecting runways, both with full-length parallel taxiways. Runway 11/29 and Runway 17/35 are both 5,002 feet in length and 150 feet wide, and constructed of asphalt. Runway 11 is considered to be the primary runway with precision instrument approach capability (Instrument Landing System/Distance Measuring Equipment [ILS/DME]) and three non-precision instrument approach procedures. The FAA classification for Runway 11/29 is C-III. Runway 17/35 is considered to be the secondary crosswind runway with two non-precision instrument approach procedures. The ARC classification for Runway 17/35 is B-II. The runways pavement strengths were designed to accommodate a 43,000-pound, dual-wheel aircraft. Taxiways A and B are parallel taxiways. They are 50 feet wide and marked with standard yellow, centerline striping. CEC does not have an FAA Airport Traffic Control Tower.

Thirty-six general aviation aircraft are currently based at the Airport. These aircraft are stored in hangars provided by the fixed-base operator, on private leaseholds, or in hangars managed by the BCRAA. There are 7 individual T-hangars, 17 small box hangars, and 3 large box hangars. Transient aircraft parking is also available. Currently, CEC is served by only one commercial passenger carrier, United Express (operated by SkyWest Airlines), which operates six flights daily using an Embraer EMB-120 Brasilia. Air cargo, air taxi, commuter, and emergency service operators also use CEC facilities.

The existing terminal building is a single-story facility, which was constructed in 1950 and is 2,020 square feet in size. Only minimal renovation has occurred since its original construction. A separate double-wide, modular building of approximately 980 square feet was added adjacent to the terminal building in 2002 to accommodate new U.S. Department of Homeland Security – Transportation Security Administration (TSA) screening procedures and a small secure hold room. Terminal area parking facilities include short-term and long-term parking for passengers; employee, staff and visitor parking; and car rental spaces (85 total spaces and a small gravel overflow lot with approximately 25 spaces).

The terminal building has become outdated and is in poor condition, having had only minimal renovation since its original construction. It had previously been determined by Del Norte County and the FAA that the existing terminal building is not functional and, due to its age and layout, cannot be modified to provide the required space in a cost-effective manner. The FAA has been clear in its desire not to fund any significant improvements to the existing terminal. The existing terminal building does not have adequate space to provide all the typical functions required to accommodate commercial passenger operations. The meet/greet areas are combined together with the ticketing, baggage claim, and the passenger waiting area is not in compliance with current TSA regulations (TSA, 2006). More importantly, the existing terminal building can barely accommodate one flight at a time because the arriving and departing passengers waiting to board aircraft share the same space. The TSA has concerns about the mixing of arriving and departing passengers and the awaiting public. Furthermore, when a flight is delayed or a flight is diverted to CEC, which happens frequently due to coastal weather conditions, the existing terminal building cannot handle the additional capacity of arriving and departing passengers.

The existing terminal building is not compliant with current seismic codes and the requirements of the Americans with Disabilities Act (ADA). Additionally, the design standards of 1950, when the existing terminal building was constructed, do not adequately address or meet the demands and expectations of today's airline operators and the traveling public. TSA security screening has also evolved considerably since the events of September 11, 2001 (9/11) and requires additional terminal space in order to function properly.

The existing aircraft parking apron area in front of the terminal is not adequate to accommodate aircraft plane loads. Recent safety inspections indicate there is ramp congestion which limits aircraft movement. To allocate more space, in the existing configuration, the terminal building would have to be moved farther back into the parking lot to the southeast. Based on blast protection guidance (which will be determined in the next phase of design), normal exterior TSA design standards typically recommend an average 150-foot setback distance from the terminal building for parking areas. Also a distance of 300 feet from the terminal building is required by TSA regulations during elevated threat level conditions, and vehicles are prohibited in this area during the elevated threat period. The main Airport access road are to be clear of this 300-foot restricted distance from the passenger terminal during elevated threat levels in order to maintain tenant and emergency vehicle access to the non-terminal related Airport facilities. The Airport is currently non-compliant with these regulations and recommendations and in order to comply would need to move and expand the current parking area into the area directly behind the existing parking lots. This move would result in significant impacts to jurisdictional wetlands. Consequently, due to current design standards, it is necessary to construct an entirely new terminal building with designated areas and adequate space for each of the Airport functions required to process tenants, customers, employees, and passengers in order to maintain the efficiency and security of the Airport, and provide an acceptable level of customer service.

Aviation Forecast

Aviation demand forecasts provide a basis for determining the type, size, and timing of future facility development at CEC, including terminal facilities, apron areas, airside/landside access, and parking facilities. Consequently, the forecasts influence nearly all phases of the future development. Forecasting the number of passenger carrier operations at CEC helped with Airport facility planning. An aircraft operation is defined as a take-off or a landing; thus, each flight consists of two operations. A direct relationship exists between the number of passenger carrier operations, the level of passenger enplanements and the facility space requirements. The FAA reviewed the historical Air Carrier Activity Information System (ACAIS) information to verify the enplaned passenger numbers. The ACAIS records indicated that 13,694 enplaned passengers were recorded in 2007. A conservative growth rate of 2 percent was used to determine enplaned passenger estimates in the future resulting in 14,822 in 2011 and 16,116 in 2016.

PROPOSED PROJECT

The proposed replacement terminal consists of the construction of a new terminal building and related facilities (i.e., parking lot, access road, aircraft apron, infrastructure/utilities) at CEC. The size of the new terminal building is based upon projected enplanements for year 2016. Development of the Proposed Project would commence after funds have been secured from the FAA. It is anticipated that construction would occur between 2010 and 2011 with the new terminal building being in operation by 2011. The components of the Proposed Project are shown on **Figure 2 and Figure 3** and listed in **Table 1**, below.

Figure 2

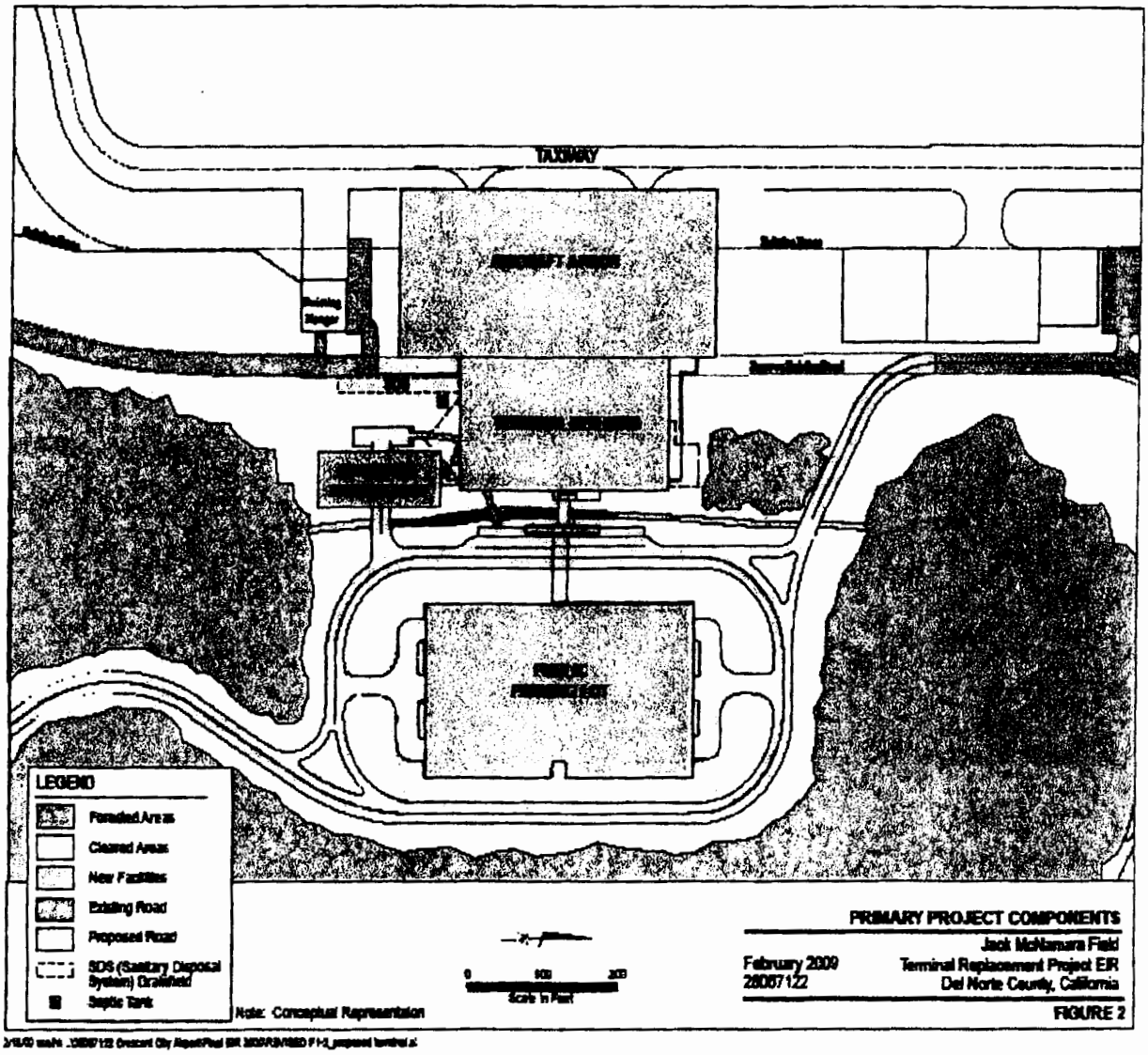

TAXIWAY
LEGEND
Paved Areas
Cleared Areas
New Facilities
Existing Road
Proposed Road
SDS (Sanitary Disposal System) Drainfield
Septic Tank
Note: Conceptual Representation
PRIMARY PROJECT COMPONENTS
Jack McNamara Field
February 2009
28007122
Terminal Replacement Project EIR
Del Norte County, California
FIGURE 2

Figure 3

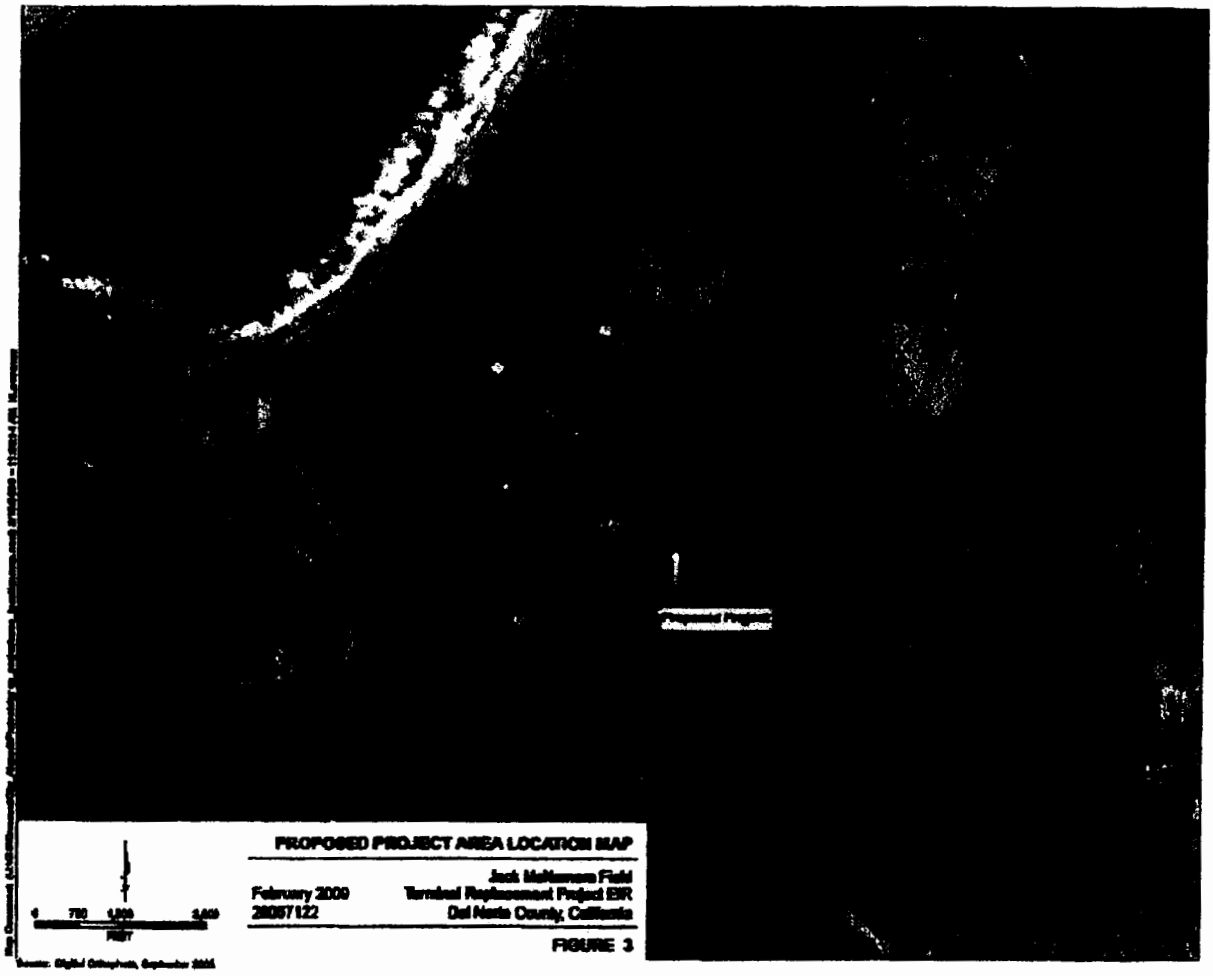


Table 1
Terminal Replacement Project Components

- Construct new terminal building (20,800 square feet);
- Construct new aircraft apron area (350 feet by 190 feet);
- Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres);
- Realign Dale Rupert Road and construct circulation road; and
- Implement infrastructure and utilities improvements (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, parking meters/machines, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area.

The square footage calculation for the terminal assumes 150 square feet per passenger for the circulation and holding area of terminal per FAA design criteria (AC 150-5360-13). This results in the need for a minimum of 13,500 square feet for passenger movement.

In addition to the 13,500 square feet of space needed for passenger movement, 7,300 square feet is necessary for components such as ticketing/check-In, security/passenger screening, baggage claim, concessions/retail, rental car counter, Airport administration, public services, support areas, mechanical/electrical, communications, and storage. The proposed terminal size is based upon several design criteria for airports, including the need for adequate space for functions such as ticketing/check-In, security/passenger screening, passenger hold rooms, baggage claim, concessions/retail, rental car counter, Airport administration, public services, support areas, mechanical/electrical /communications, circulation, and storage. The design estimate of the Terminal Replacement Project includes adequate space to allow for these conditions within a 20,800-square-foot facility.

A breakdown of the estimated square feet per terminal function is identified in **Table 2**, below.

Table 2

CEC Proposed Terminal Space Program

Primary Function	Square Feet
Ticketing – Check-In	
Counter Positions/Area, Ticket Office, Baggage Screening, Baggage Make-up Area, Check-in Queue Area	4,880
Security-Passenger Screening	
Security Check Point, Passenger Queue Area, Search Room, TSA Office, Security Staff Breakroom, File Room, Communication Room, Secured Storage, Supply/Equipment Storage, Multi-purpose Training Room	2,500
Hold Room Area	
Departure Hold Room, Podium/Gate Check-in, Hold Room Restrooms, Vending Machine Alcove, Circulation	2,100
Baggage Claim	
Baggage Claim Area, Baggage Claim Area, Greeter Area, Tourist/Information, Community Cultural Display Area	4,000
Rental Car	
Office and Counter Area	400
Concessions/Retail	
Secure Side, Public Side, Lease Space, Storage, Office	1,450
Airport Administration	
Airport Management, Security Operation Center, Custodial & Maintenance	1,400
Public Services	
Secure Restroom, Public Restroom	600
Subtotal Square Feet	**17,330**
Circulation 20%	**3,470**
Total	**20,800**

Attached as **Exhibit 1** is the proposed design of the terminal building as described in the schematic drawing dated July 31, 2006. This is the submitted design by the applicant and therefore the design under consideration by the Planning Commission for issuance of this use permit. It should be noted that locating the terminal building outside of the study area or a significantly different exterior architectural design could trigger an additional review by the Planning Commission.

Proposed On-Site Disposal System
The design was based upon information and results obtained from a site evaluation that was conducted on April 27, 2006, during the wet-weather season and from a historical soil evaluation that was conducted by Michael Young and Associates in February 1998.

Ten test holes (TH) were excavated by a backhoe to the depths where groundwater was observed or to a maximum eight foot depth below ground surface (bgs) if groundwater wasn't encountered.

Results of the investigation are as follow:

- Generally ground water was observed between 4 feet and 5 feet bgs in nine of the ten holes with the tenth hole being 8 feet bgs.
- Soils were sandy loam or sand
- Sand content and dampness increased with depth
- In some of the excavations, a random 6 to 12-inch thick organic clay and sand layer was encountered
- Percolation test results were between 5 to 7 minutes per inch

For the on-site sewage disposal treatment system (SDS), the following improvements have been recommended by the applicant's consultant:

- 2,750 gallon septic tank
- 20' x 210' primary mound system placed in the area where THs 6 and 7 are located with a pressurized distribution system and pump
- 16' x 150' reserve area placed where THs 2 & 3 are located and a 16' x 200' reserve area placed where TH 1 is located

An on-site mound design is based upon Del Norte County Ordinance, Chapter 14.12; California Basin Plan, Chapter 4; Wisconsin Mound Soil Absorption System, 2000; and Uniform Plumbing Code. Per the results of the site evaluation, textural analysis and percolation test results, the applicants consulting engineer concluded that a primary mound system and a reserve area can be supported on the soils where indicated on page CL-2-1 of **Exhibit 1** (new terminal facility schematic design). Final design approval and permitting will be from the North Coast Regional Water Quality Control Board.

New Aircraft Apron
Because the new terminal building is proposed to be constructed at a new location, and the existing apron is undersized, a new aircraft apron area is necessary to provide an area adjacent to the new

terminal building. The apron would be designed to allow for two aircraft to be parked adjacent to the terminal so passengers could easily and efficiently board and disembark from aircraft. The aircraft parking apron will be constructed of Portland cement concrete and connected to the existing adjacent parallel taxiway with a section of asphalt concrete pavement. Minor demolition of existing pavements and utilities will be required as well as grading and excavation of the existing site terrain. The apron area will be provided with drainage facilities, apron floodlighting (shielded downward), fire hydrants, pavement markings, and security fencing.

It is projected by the applicant's consultant (URS) that the critical aircraft at CEC will likely continue to be the Embraer Brasilia, E-120. The E-120 has a wingspan of 65 feet and a length of 65.66 feet. The next step up in aircraft seating capacity would be comparable to the de Havilland Dash 8 turbo-prop Q400 and/or the Bombardier Regional Jet CRJ-200. These aircraft could operate under the current classification approved in the Airport Layout Plan (ALP), C-III, and the existing runway lengths. The wingspans for this future critical aircraft size range from 69.6 feet (CRJ-200) to 93.3 feet (Q400), while their lengths range from 87.8 feet (CRJ 200) to 107.8 feet (Q400) (URS, 2006). The new aircraft apron is designed to accommodate two aircraft of this size range, which can operate consistent with the existing CEC runway category. Direct connection to the taxiway would be provided to allow for efficient taxiing to and from the runway system. Page CA-2.1 of **Exhibit 1** illustrates the area required for the aircraft discussed above and the required area to turn each aircraft within the proper clearances from any obstacles.

Drainage facilities for the apron area will consist of a concrete swale and catch basin with all storm water directed to landside conveyances. Rain water leaders from the terminal roof will be connected to collector pipes and likewise routed to landside drainage conveyances. Pretreatment will be required prior to any discharge.

Two fire hydrants will be provided adjacent to the terminal building on the airside in accordance with FAA Aircraft Rescue and Fire Fighting (ARFF) requirements. These fire hydrants will be supplied with water from the landside water distribution system.

The fire sprinkler and flow demands for the proposed terminal cannot be supplied adequately from the existing fire suppression line and pressures. In addition, the existing 8-inch fire suppression system supply main located on the east side of Dale Rupert Road is adjacent to the proposed facility on its west side and small portions of the main are shown underneath the building footprint. Provision of fire sprinkler and flow demands to the proposed terminal will require the following improvements:

- Re-routing portions of the line where the building is located over the existing main
- Install a small pumping station and pump rated at 1500 gpm near the existing 50,000 gallon reservoir, on the 8-inch main, between the tank and the proposed facility.
- Sprinkler system, 8" x 8" x 6" tee connection into the existing 8-inch main northwest of the proposed terminal footprint, installation of +/- 20 lineal feet of C-900 pipe, to get within 10 feet of the proposed building footprint and capping
- Reinstall an existing hydrant on the southwest side of the proposed footprint closer to the south side of the proposed new terminal
- Install a new hydrant for the northwest side of the new terminal

Apron flood lighting shall be accomplished in accordance with IES RP-14-87, Recommended Practices for Airport Service Area Lighting. For the aircraft parking apron, the illumination level shall average 2 to 5 foot-candles on horizontal surfaces and 2 foot-candles (average) on vertical surfaces. Flood lighting will be pole-mounted with the height of floodlights and poles kept below FAR Part 77 surfaces. All fixtures shall be the metal halide type, nominal 1,000 watts and be shielded to direct the light downward.

New Parking Lot

The terminal building is proposed to be constructed in a new location and the current parking lot is not sufficient in area, location, or compliance with TSA/FAA standards. A new parking lot is proposed in proximity to the new terminal building. Vehicle parking facilities are necessary to provide an area adjacent to the new terminal building where Airport patrons can have easy access to Airport facilities. Our inclement weather would encourage parking problems if the parking is not located within a reasonable distance of the new terminal building.

CEC operations generate a demand for both public and employee parking. In addition to parking needs driven by increased activity at CEC, post-9/11 security requirements have increased the number of security employees working at the Airport. Currently, CEC has 85 paved parking spaces on an existing surface lot for short-term parking and an additional overflow gravel lot with 25 spaces for long-term parking. The short-term lot is shared with Airport employees. Neither parking lot is compliant with current TSA regulations and recommended blast protection and high alert zones due to their proximity to the existing terminal building. Based on blast protection guidance, normal exterior TSA design standards typically recommend a 150-foot setback distance from the terminal building for parking areas. Expansion of the existing parking lot is physically hampered by TSA/FAA standards, security issues, proximity to wetlands, and design constraints. A parking survey at CEC indicated that during the peak holiday season the short-term parking lot was at capacity and the long-term overflow lot was at 65 percent capacity (CEC, 2007). The new parking facilities consist of 152 public spaces and 25 employee spaces to accommodate existing aviation activity and forecast future demand. A minimum of 7 spaces (6 of the public spaces and 1 of the employee spaces) as well as any sidewalks, crosswalks, or other facilities will be compliant with the Americans with Disabilities Act (ADA) standards.

Adequate parking is essential to the safe and efficient flow of landside traffic at a well-designed terminal facility providing for customer, tenant, and employee access to terminals and other Airport facilities. The peak holiday season capacity issues at CEC create an inconvenient and inefficient parking condition, which is noncompliant with FAA and TSA guidelines and hinders customer, tenant, and employee access to Airport facilities. Construction of larger parking facilities at CEC in a new location would address existing demand and reduce peak holiday season parking issues. The construction of a new parking facility would bring CEC into compliance with TSA regulations regarding Airport security.

Relocated Access Road

The new terminal building and parking lot proposed to be constructed would eliminate a substantial portion of the existing airport access road, Dale Rupert Road. The existing access road does not meet TSA security guidelines or current Del Norte County road standards. Therefore, the Airport access road requires realignment (Stover Engineering, 2005). A Ground Access Plan was prepared by Stover Engineering, 2005, which determined that the four-way intersection currently existing at Dale Rupert Road, Washington Boulevard, and Pebble Beach Drive was a traffic hazard. This intersection has skewed angles and curves on Washington Boulevard that are difficult for vehicles to negotiate at the intersection. Currently, there is no left-turn lane, which causes traffic to be impeded when turning vehicles have to stop for oncoming traffic.

This has led to confusion and accidents in the past. The new road would be classified as a collector road serving urban areas, with a 44-foot design standard.

As proposed by the applicant, the realigned road would connect into a loop bypass road around the terminal parking lots with a road segment in front of the terminal building for drop-off or pick-up. This new access road and more effective traffic flow design will allow for TSA security checks of vehicles before entering the parking area and during high alert conditions, maintaining recommended blast protection zones and allowing for a 300-foot restricted zone from the terminal without closing Airport access to other facilities. At the same time, a loop road limits circulation through the parking lot, which is compliant with current TSA guidelines for adequate maneuvering space in the case of an emergency. This design layout is recommended in the FAA and TSA design guidelines. The existing Dale Rupert Road would then become dedicated access for ongoing secondary, emergency response to the Airport as recommended in the 2005 Ground Access Plan, compatible with other aviation-related uses at CEC.

The applicant's consultant (URS) has included the following features in their proposed design for the street and parking lot improvements:

- 30 foot street travel width with A2-6 curb and gutters which adds an additional 5' to the road section. With the curb and gutter, the total street width from back of curb to back of curb, is 35 feet.
- 5' wide x 4" thick sidewalks placed as indicated on page CL2-0 of **Exhibit 1**. (At the sidewalk locations the road width increases to 40' or 45', dependent upon whether the sidewalk is on one or both sides of the road.)
- 5' wide Class I bike lanes.
- Street and parking lot structural sections are the same: .3' AC, .8' AB. (This may be revised after detailed R-value testing is performed.)
- Eleven drainage inlets placed in locations such that the amount of runoff generated from a 100-year rain event is limited to a drainage cross-sectional area formed between the face of curb and an 8' width into the traveled way.
- Two open channel street crossings located at the vendor parking lot and located just past and north of the general parking lot. The cost estimate was predicated upon a culvert length = 40', span = 10' +/-, rise between 3' to 5' and headwalls, etc. specified per Cal-Trans specifications referenced above.
- Eleven street lights with 17' standards, Cal-Trans pole type 18-1-129.

Associated Infrastructure and Utilities

Since the new terminal building is proposed to be constructed in a new location, infrastructure and utility connections (i.e., electrical and water connections) are necessary to support construction and/or operation of the new terminal building, parking facility, and aircraft apron areas.

Electrical supply is available to the proposed project site. A power increase of 10 percent is projected over the existing capacity. This can be accommodated with installation of a new transformer and back-up generator with tie-in connections into the existing system.

The potable water demand for the proposed terminal location can be supplied adequately from the existing pressures and distribution system with improvements to the potable water 4-inch distribution main. This potable water distribution piping is supplied from a connection to an 8-inch supply main located at the Washington Boulevard/Dale Rupert Road intersection. This main would have sufficient pressure for a fire suppression system that would be needed to service the new terminal. A small pumping station and pump

rated at 1,500 gallons per minute would be needed near the existing 50,000-gallon reservoir. The station would be located on the 8-inch main, between the tank and the proposed facility.

ENVIRONMENTAL REVIEW

A Draft Environmental Assessment (EA) and an Environmental Impact Report (EIR) was prepared to address the potential environmental impacts associated with the Terminal Replacement Project to satisfy the requirement of the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) respectively. The Draft EA/EIR was released on September 2, 2008 for a 45-day review period. A public hearing was held on October 2, 2008. All comments received concerning the Draft EIR have been addressed in the Final EIR and are included in Appendix L, Comments and Responses from that document.

Resolution 2009-02 (copy attached as **Exhibit 2**) was passed and adopted by the Border Coast Regional Airport Authority on May 7, 2009 and encompassed several actions, including (1) certification of the Final Environmental Impact Report ("Final EIR" or "FEIR"); (2) the application for and issuance of a Coastal Development Permit ("CDP") by the County of Del Norte pursuant to the County's approved Local Coastal Plan; and (3) related discretionary approvals, including those from federal, state and other local agencies. A copy of the Executive Summary for the Airport Terminal Replacement Project (**Exhibit 3**) is attached as part of this staff report. The Executive Summary includes a Mitigation and Monitoring Program (table ES-3) which summarizes the impacts and the proposed mitigation and how it is to be implemented. Each of the Planning Commission members have been provided with a compact disc (cd) copy of the FEIR (**Exhibit 4**) that was approved by the Border Coast Regional Airport Authority acting as lead agency. A hard copy of the FEIR is available at the CDD counter for the general public.

Alternatives Considered But Rejected

The FEIR addressed several sites in its alternative analysis. Sites west of runways 17/35 and 11/29 as well as areas generally east of the same two runways were eliminated from consideration early in the process as these areas have extensive wetlands and other physical constraints. These areas also posed more potential conflicts when evaluated to FAA and TSA standards of operation. Therefore, the area that was considered for alternative terminal locations was within the triangle of land formed by Washington Boulevard and the existing runways and in the general location of existing structures at the airport.

As indicated above, several alternative sites were not feasible because they conflicted with FAA and TSA standards for operation of CEC, or had the potential for greater environmental impacts, which limited the number of options that could be further considered. **Exhibit 3** (Executive Summary FEIS ES-3) shows the locations of Alternative Terminal Locations and summary of wetland impacts that were considered in the FEIR. The alternatives were studied in more detail, but rejected due to the potential for greater wetland impacts. All of these alternatives would have larger potential impacts to wetlands and waters of the U.S. when compared to the Proposed Project Alternative as indicated in **Table 3.**

Table 3

Summary of CEC On-Airport Alternatives Considered

Proposed Project Alternative	• Phased construction of new terminal building (not to exceed 20,800 square feet) 550 feet southwest of the existing terminal facility; • Construction new aircraft apron area (350 feet by 190 feet); • Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres); • Realign Dale Rupert Road and construct circulation road; • Implement infrastructure and utilities (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area as needed or required; and • Potentially directly impact 1.0 acre of wetlands, including 0.7 acre wetland indirect impacts within a 25-foot general perimeter buffer.
No-Action Alternative	No Change
Alternative A-1	• Renovate and expand existing terminal from 2,020 to 20,800 SF; • Increase aircraft apron area to (350 feet by 190 feet); • Expand and reconfigure existing paved short-term parking lot to accommodate both short-term and long-term parking needs (152 public spaces, 25 employee spaces, 1.44 acres); • Realign connection from Dale Rupert Road to circulation road; • Removal of T-hangars; and • Potentially impact 2.5 acres of wetlands including 25-foot general perimeter buffer.
Alternative A-2	• Construct new terminal building (20,800 square feet) adjacent to the existing terminal facility; • Construction new area for aircraft apron area (350 feet by 190 feet); • Expand existing paved short-term parking lot to accommodate both short-term and long-term parking needs (152 public spaces, 25 employee spaces, 1.44 acres); • Realign connection from Dale Rupert Road to circulation road; • Removal of T-hangars; and • Potentially impact 4.0 acres of wetlands, including 25-foot general perimeter buffer
Alternative B-1	• Construct new terminal building (20,800 square feet) 550 feet southwest of the existing terminal facility but 300 feet closer to Runway 17/35; • Relocate of approximately 1,800 feet of existing Taxiway B to the west; • Construction new aircraft apron area (350 feet by 190 feet); • Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres); • Realign Dale Rupert Road and construct circulation road; • Implement infrastructure and utilities (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area as needed or required; and • Potentially impact 4.5 acres of wetlands, including 25-foot general perimeter buffer
Alternative B-2	• Construct new terminal building (20,800 square feet) 1,800 feet southeast of the existing terminal facility; • Construct 600-foot extension of Taxiway A; • Construction new aircraft apron area (350 feet by 190 feet); • Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres); • Build new road including circulation road; • Implement infrastructure and utilities (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area as needed or required; • Potentially impact 6.5 acres of wetlands including 25-foot general perimeter buffer; and • Potentially disturb an EPA toxic waste Superfund site

Alternative A-1
This alternative would involve rehabilitating the existing terminal building and would require expansion to increase the size to accommodate space requirements. The existing short-term and long-term parking lots and portions of the access road would also need to be modified to meet TSA and FAA setback guidelines, resulting in greater wetland impacts than the proposed alternative. These set-back requirements are based upon blast protection calculations, typically requiring a distance of 150 feet from the terminal under normal operating conditions. During high TSA security alert periods, a 300-foot restricted area setback distance is required from a passenger terminal facility. The aircraft apron area would also have to be expanded and moved to the south in order to create a safe aircraft movement area and accommodate two aircraft in front of the terminal for passenger loading.

Realignment of Dale Rupert Road would not be required under this alternative; however, road connections to other Airport facilities at CEC would need to be realigned. Additionally, the need to have a secondary emergency access road would not be accomplished by this alternative.

The existing terminal building is in substandard condition and contains asbestos and lead based paint and therefore renovation would not be practical from a function, material and cost standpoint. The terminal building would need to be increased in size from 2,020 square feet to 13,500 square feet to meet the minimal per passenger space requirements plus additional square footage for related service facilities. The layout of the existing terminal building would make it difficult to design, rehabilitate and fit an addition at the current location in a cost-effective manner.

The site of the existing terminal facility was determined to be not viable because it has limited space to accommodate ADA, FAA, and TSA design standards. To construct a functional terminal building, much of the existing structure would have to be demolished and altered. This approach is often less cost effective and less efficient than constructing a new building. The terminal would have to be moved and expanded to the south into the existing parking lot to allow for adequate apron area to maintain a safe aircraft movement area and accommodate two aircraft directly in front of the terminal for passenger loading. This would displace the parking and require relocation and expansion in the forested area impacting 2.5 acres of wetlands. Additionally, the airport must be able to maintain CEC operations during terminal construction and/or renovation, which is not possible given the dimensions and configuration of the existing terminal building and trailer that houses the TSA screening function. The airport authority identified the Proposed Project as its preferred alternative since it allows operations to continue during construction, standards can be achieved, and it has the least potential environmental impact.

For these reasons, Alternative A-1, rehabilitation and expansion of the existing passenger terminal building would result in more significant impacts compared to the Proposed Project Alternative and was not retained for further consideration by the Airport Authority.

Alternative A-2
This alternative involves the construction of a new terminal building adjacent to the existing terminal facility and the expansion of the existing paved short-term parking lot to accommodate both short-term and long-term parking needs. Expansion of the aircraft apron area to accommodate two aircraft, of appropriate size, in the front of the terminal would be required for passenger loading and creation of a safe aircraft movement area sufficient to meet FAA standards. The overall realignment of Dale Rupert Road would not be required; however, road connections to other parts of the Airport would be needed under this alternative.

It was determined by the Airport Authority that it would be difficult to situate a new terminal building adjacent to the existing terminal due to limited space to fit terminal functions, including an adequately sized ramp and apron area, sufficiently set back from the taxiway. The terminal would also have to be set back far enough to be compliant with current FAA and TSA standards. This would require shifting the new terminal building to the south toward the current parking, which would impact a larger wetland area.

Depending upon the final configuration of Alternative A-2, a new terminal building in this area would remove several T-hangars and also require replacement of the Airport's only water storage tank, fuel tanks, and relocation of the Airport's emergency generator. During construction, most of the existing short-term parking lot would be rendered unusable, requiring temporary automobile parking to be found elsewhere on site or off site. The existing parking lot does not comply with TSA security standards. If the existing terminal was to be utilized in any manner, the parking lot would also have to be relocated further south into wetland areas.

Alternative A-2 would accommodate existing passenger demand, significantly improve the function of CEC, and increase the Airport's opportunity for providing quality service. However, this alternative would have significant environmental impacts due to the displacement of 4.0 acres of wetlands south of the existing parking area.

Alternative A-2, construction of a new terminal building, would result in more significant impacts compared to the Proposed Project Alternative and was therefore dropped from further consideration by the Airport Authority.

Alternative B-1

This alternative involves the construction of a new terminal building and related actions, including new aircraft apron area, new parking lot, and realigned Dale Rupert Road along with a new circulation road, utilities, and infrastructure. This location is similar to that of the Proposed Project Alternative, on the southwest side of the Airport, but 300 feet closer to Runway 17/35. The location of new terminal building under Alternative B-1 would require relocation of approximately 1,800 feet of existing Taxiway B to the west, which would be an additional design feature requiring a much larger investment. This would also create a non-standard design of the unlit parallel taxiway that could create a safety issue for taxiing aircraft and lead to excursions from the pavement resulting in possible injuries and substantial damage to aircraft and potential injury passengers. All other components of this alternative regarding the project would be similar as those of the Proposed Project Alternative.

While Alternative B-1 would accommodate existing passenger demand, significantly improve the function of CEC, as well as increase the Airport's opportunity for providing quality service, the impacts on the environmental setting and on existing infrastructure would be greater than the Proposed Project Alternative and would impact 4.5 acres of wetlands. Additionally, the relocation of existing Taxiway B to accommodate Alternative B-1 would require the construction of a new segment of non-standard taxiway, which would change the configuration of the airfield and significantly increase overall project costs and create a potential safety concern for taxiing aircraft.

Alternative B-1 would result in more significant impacts compared to the Proposed Project Alternative and was therefore dropped from further consideration by the Airport Authority.

Alternative B-2

This alternative involves the construction of a new terminal building and related actions including a new aircraft apron area, new parking lot, new access road, circulation road, utilities and infrastructure on the

southeastern side of the Airport adjacent to Runway 11/29, approximately 1,800 feet from the existing terminal facility. This location is behind the Animal Control/Agriculture Department buildings adjacent to the existing taxiway. Alternative B-2 would also involve a 600-foot extension of Taxiway A to connect to the apron area, which is an additional design feature that would require a much larger investment. All other components of this alternative regarding the design would be similar to those of the Proposed Project Alternative.

While Alternative B-2 would accommodate existing passenger demand, significantly improve the function of CEC, and increase the Airport's opportunity for providing quality service, the impacts on existing infrastructure and the environmental setting would be greater than the Proposed Project Alternative. The extension of existing Taxiway A to accommodate Alternative B-2 would require the construction of a new segment of taxiway, which would change the configuration of the airfield and significantly increase overall project costs. The configuration of this alternative had to take into consideration existing facilities including, T-hangars, to limit cost implications. The existing taxilane between these T-hangars could not be used for general Airport circulation due to its alignment with the apron area and TSA requirements for maintaining distance from the terminal and airfield, therefore, circulation would be limited. Construction in this area would affect more wetlands. The new footprint would result in potential impacts to 6.5 acres or more of wetlands. Alternative B-2 would result in more significant environmental, design, and financial impacts, compared to the Proposed Project Alternative and was therefore dropped from further consideration by the Airport Authority.

No Project Alternative

Under a no project alternative, the existing terminal facility would continue to be used. The No Project Alternative would not accommodate existing passenger demand. The No Project Alternative would not improve the function of the airport terminal. The airport's existing terminal does not comply with the ADA, FAA, and TSA standards. The FAA has taken the firm position that it will not invest any FAA funds in the existing building to bring it into compliance due to its age and configuration. The No Project Alternative does not address the existing problem of compliance with current standards of access and security. These issues alone expose the County to an increased liability risk. Current Airport users would continue to experience crowded conditions, thus increasing dissatisfaction with the level of service at CEC. The No Project Alternative could result in the County's only commercial airport, and the only airport available for all weather landings, to violate the FAA standards for Certification and Operations. The Airport could lose its permit to operate, resulting in the loss of commercial and emergency service to the community. Loss of the airport and/or its permit to operate would have a severe social and economic impact upon the area.

Staff Analysis of BCRAA Proposed Project Alternative

The proposed terminal location is based upon FAA siting criteria as well as the planning analysis, which was used to determine the placement within the ALP with least environmental impact. The extent of this development footprint was established to allow for flexibility in placement of the final terminal design. The Proposed Project footprint represents the maximum extent of project-related disturbance. However, the review by the Planning Commission also includes the proposed design of the terminal building as described in the schematic drawing dated July 31, 2006 (attached as **Exhibit 1**). Locating terminal building and its facilities totally outside of the study area or a significantly different exterior architectural design could trigger an additional review by the Planning Commission.

Implementation of the Proposed Project Alternative would potentially directly impact approximately 1.7 acres of wetlands under the criteria established by the California Coastal Commission (CCC). (There is 0.12 acre of U.S. Army Corps of Engineers (USACE) wetlands located within the 1.7 CCC wetlands.) For

reference, the Coastal Commission criteria only requires one of three wetland parameters to be present to designate wetlands; whereas, the Army Corps requires all three parameters to be present. The potential impact area to wetlands under the Coastal Commission criteria is shown on **Figure 4** which is also in the FEIR and contained in the applicants submittals.

Figure 4

Five types of wetlands were mapped using the Sawyer and Keeler-Wolf vegetation classification, while other waters of the United States identified within the Proposed Project area investigated include a drainage ditch, and culverted waters of the United States. The ditch is classified as unconsolidated bottom riverine wetlands. Approximately 5.2 acres under coastal criteria and 2.49 acres under the jurisdiction of the USACE were identified in the Proposed Project area investigated. The five types of wetlands meeting either USACE or Coastal Commission definitions were identified in the following vegetation types: Sitka Spruce Series, Beach Pine Series, Red Alder/Cascara Series, Cascara-Waxmyrtle Series, and Pacific Reedgrass-Tufted Hairgrass Series. The first three types are considered to be forested palustrine wetlands, while the later two are considered to be palustrine emergent wetlands. Additional jurisdictional features include drainage ditches, which are considered other waters of the U.S. by USACE, and wetlands by Coastal.

In accordance with Nationwide Permit #39, wetlands impacts would be mitigated through implementation of Mitigation Measure W-A, which is found in the Mitigation and Monitoring Plan of the FEIR. Wetland mitigation would occur consistent with the requirements of 40 CFR 230. Since wetlands can attract wildlife that is hazardous to aviation operations, the FAA highly recommends that mitigation occur off-site, such as at the Del Norte County Landfill, Crescent City Marsh, or wetland mitigation banks to be determined by oversight agencies. Siting criteria consistent with FAA Advisory Circular 150/5200-33, Hazardous Wildlife Attractants on or Near Airports are required.

Federal Register, Part II, Department of Defense, USACE 33 CFR Parts 325 and 332, USEPA 40 CFR Part 230, Compensatory Mitigation for Losses of Aquatic Resources; Final Rule, April 10, 2008 includes the issuance of revised regulations for mitigation. This regulation establishes equivalent and effective standards for the preferred treatment of wetland mitigation with mitigation banks as the top preference. Mitigation banks involve off-site compensation activities, when mitigation is solved through a bank sponsor or in-lieu fee program, responsibility for ensuring required mitigation is satisfied.

Del Norte County LCP Specific Wetland Policy 4a states that where there is no feasible, less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, impacts to wetlands shall only be permitted for specific uses as specified with Section 30233 of the Coastal Act. The Airport Authority has determined that the construction of the Proposed Project Alternative is consistent with this policy because the project would be considered an incidental public service (Coastal Act Section 30233(a)(4)), an upgrade to an existing public facility, not intended to increase capacity, but to allow the aviation operations and the passenger terminal to function more effectively to meet existing demand projected to the year 2016, and meet current federal TSA requirements. The Del Norte County LCP states that the Airport should remain as a functioning airport and that space on-site be reserved for future development of Airport-related facilities. The proposed Terminal Replacement Project was selected by the Airport Authority as the least environmentally damaging alternative that could meet the FAA design standards and the infrastructure needs of CEC. In addition, the Terminal Replacement Project has been designed by the Authority to limit impacts to coastal resources, and many of the potential impacts to wetlands would be temporary construction impacts; the final design has incorporated measures to retain wetlands and culverted waters as much as feasible. The Airport Authority has adopted feasible mitigation measures to replace the value and function of the wetlands impacted by the Proposed Project. As described in Mitigation Measure W-A of the FEIR, an off-site location is proposed to be selected to mitigate wetland impacts.

Del Norte County LCP Specific Wetland Policy 4f also states that development adjacent to wetlands should be designed to prevent impacts which could significantly degrade the wetland area. The policy suggests that a 100-foot buffer be included in the development design to achieve this protection of adjacent areas

but does state that a buffer of less than 100 feet could be adequate depending on the particulars of project design and other relevant factors that affect functional capacity of the adjacent wetland (e.g., sensitivity of species to disturbance, susceptibility of the site to erosion, etc). The width of the buffer between the Proposed Project Alternative perimeter footprint and the wetland areas on-site varies with a minimum of 25 feet generally provided. Portions of the proposed terminal access road and the northern end of the parking area would be constructed adjacent to wetlands. Implementation of Mitigation Measures G-A, G-B, and H-A in the FEIR would ensure that erosion and stormwater runoff during construction would be minimized, and the wetlands affected by construction activities would be minimal. The project site is generally flat and, therefore, the Airport Authority determined that the Proposed Project would not significantly alter the existing drainage patterns, nor would it hydrologically interrupt or alter riparian habitat. The erosion susceptibility of the site is considered low and would not change substantially. In addition, final project design would incorporate drainage design that directs stormwater runoff from the adjacent wetlands, and vegetation restoration between the road and adjacent wetlands, reestablishing a general perimeter buffer of at least 25 feet, that would be maintained in nearly all areas during operations. In addition, the areas adjacent to the wetland areas (i.e., access road and parking area) are not expected to be high-use areas, and public access would be strictly controlled due to site security concerns. The Airport Authority expects that activities associated with terminal operation would be strictly limited to the project footprint area and would not overflow into the adjacent areas and further impact the adjacent wetlands. Due to the proposed uses adjacent to the wetlands, and with implementation of the mitigation measures described above, the functional capacity of the adjacent wetlands would be maintained, and impacts would be less than significant.

Applicable Local Coastal Plan Policies

Public Access

Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, with limited exceptions. Section 30210 states that maximum access and recreational opportunities shall be provided 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 that development shall not interfere with the public's right to 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 vegetation. Section 30212 states that public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where it is inconsistent with public safety, military needs, or the protection of fragile coastal resources, adequate access exists nearby, or agriculture would be adversely affected.

The Local Coastal Plan (LCP) of the County includes several policies which reflect the Sections cited above. The Public Access chapter includes the following applicable policies:

1. The County shall work actively towards the attainment of maximum coastal access for the public, where it is consistent with public safety, property owner rights and the protection of fragile resources.

8. Development along the immediate shoreline shall provide public access to the shoreline except where:
a. Findings are made consistent with Section 30212 of the Coastal Act that access is inconsistent with public safety or that agriculture would be adversely affected;

11. No permit shall be issued for a project which obstructs lateral access on the immediate shoreline, inland of the mean high tide line to the first line of vegetation, or the crest of the paralleling bluff. The exception would be for the placement of navigational aids or shoreline protective devices to protect existing structures, i.e. houses, roadways and parking areas.

The proposed replacement terminal will not preclude access to the immediate shoreline or inland of the mean high tide line to the first line of vegetation. Safety issues and security issues restrict and limit the public's access to the lands of the airport in general. There is no historic use of or any access trails by the public through this area. Existing public access to and from the headlands at Pt. St. George from the improved parking lots and along Radio Road will be unaffected. Construction of a new terminal building at the region's only commercial airport will significantly improve public access to the County from outside of the area to those visitors to Del Norte County's extensive coastal shoreline under public ownership.

Visual Impacts
The Visual Resources Chapter of the certified LUP, Section V, subsection C (LCP Policies) states in applicable part:

1. *The County encourages the continuation of existing land uses, where appropriate, to maintain open views in highly scenic areas.*
2. *Proposed development within established highly scenic areas shall be visually compatible with their scenic surroundings, by being reflective of the character of the existing land uses while conforming to the land use criteria. As set forth in the land use component and subsequent zoning ordinance.*
5. *The alteration of natural land forms in highly scenic areas shall be minimized, where feasible, ...*
10. *New or relocated utility lines shall be placed underground, whenever feasible and when warranted in highly scenic coastal areas. Utility lines that cannot feasibly be placed underground in highly scenic areas shall be aligned so as to best maintain scenic natural resources,*

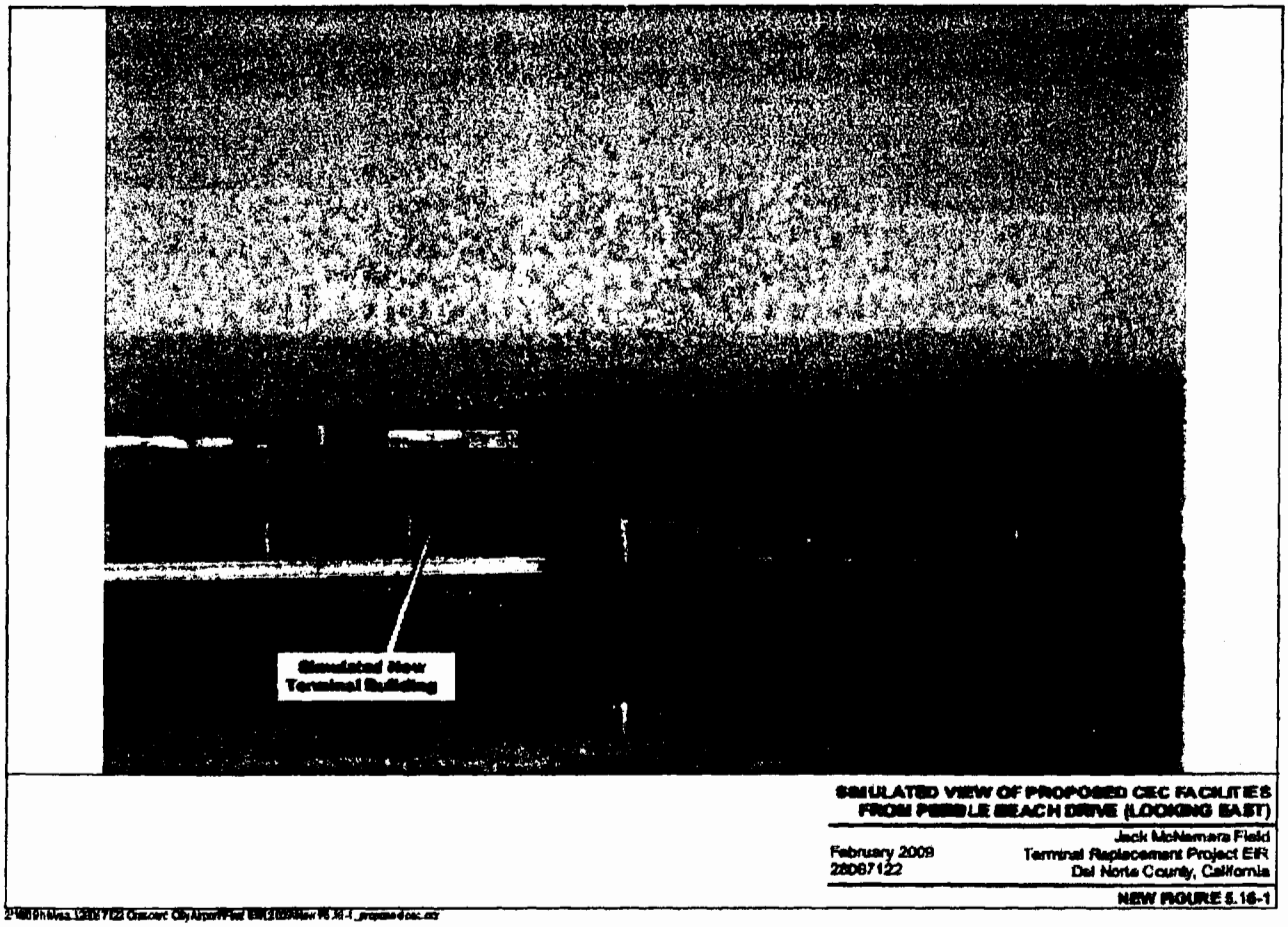
The Point Saint George headland is identified in the Visual Resource Inventory of the LCP. The visual inventory of the LCP focuses on the westerly views from Pebble Beach Drive and Point St. George. The primary use areas by the public are not in close proximity to the proposed new terminal building. Most public activities at Pt. St. George are at the headlands and focus on the areas west of Radio Road and north and west of the parking lot at the end of Radio Road (actually listed as the north extension of Pebble Beach Drive but commonly referred to as Radio Road).

Using the existing Quonset hut-shaped hangar located at the new terminal building site and the existing water tank as guide posts, Planning staff examined the potential visibility of the new terminal building from Pebble Beach Drive and Pt. St. George. The water tower is approximately 40 feet high, which is approximately five feet more than the height of the proposed new terminal building (35 feet). The new terminal building would be located between the water tower and the Quonset hut hangar along the current alignment of Dale Rupert Road. Planning staff observed that the new terminal building would be visible from the intersection of Washington Boulevard and Pebble Beach Drive and westerly approximately 900 feet along the mowed section of the end of runway 35. (This area is part of the clear zone of the airport and is mowed on a regular basis resulting in no intervening vegetation from the road to the new terminal building site.) From this location to the parking lot at the end of Radio Road, the existing water tower and Quonset hut hangar are only visible for one brief moment through the intervening spruce trees. (These trees are not within the airport clear zone and are part of the Pt. St. George ownership of the County.) This brief moment of visibility is approximately one second or less in a moving vehicle and is only a partial potential view. Since the new terminal is five feet lower than the water tank, the building itself may not be visible at this location.

Once at the north parking lot, the water tank is partially visible and is approximately one mile easterly of the parking lot. **Figure 5** (5.16-1 of the FEIR) is a simulation of the view from the southeast corner of the parking lot of the proposed terminal building. This is the most potentially visible site from the

parking lot of the new building. It should be noted that this corner of the parking lot is not used by the public. The area is unpaved and covered in tall grass. On August 14, 2009, the area showed no wheel tracks or other indications that the public uses this area. At about the mid point of the north parking lot at Pt. St. George, an intervening vegetated sand dune significantly obscures the visibility of the water tank and the Quonset hut hangar. This same intervening sand dune and vegetation also obscure the visibility of the new building from the "knoll" at the headland north of the parking lot. At this point, the new terminal building is more than a mile away and will tend to blend in with the other existing buildings at the airport. (The colors of the simulation in Figure 5.16-1 are slightly off. The actual schematic design shows colors that are more subtle than those on the simulation.) The colors of the proposed building are intended to compliment the colors of the existing newly constructed ARFF building immediately to the north of the proposed terminal building. The architectural styles of the buildings also compliment each other.

Figure 5



Additionally, the proposed project does include a proposed second-floor observation area that will provide a scenic vista view of Castle Rock and the shoreline. This observation area will be in an area available to the public and, as such, will provide the public with a previously not available open view of a

scenic area. The construction site for the terminal building, apron, access road and parking lot are on lands that are relatively flat. There will be limited alteration of the natural landform. Existing utility service lines at the proposed site are underground and the new connections to these utilities will also be underground. In summation, construction of the new terminal building would have limited visual effects to the visual areas of Pebble Beach Drive and Pt. St. George. The westerly views of the shoreline and offshore rocks as well as the open ocean would be unaffected. The project as proposed is consistent with the visual policies of the LCP.

Water Resources
The Marine and Water Resources (MWR) chapter of the LUP (Land Use Plan) of the LCP provides the applicable standards for consideration of maintaining the productivity and quality of surface and subsurface waters.

Marine and Water Resources LCP Policy 3: All surface and subsurface waters shall be maintained at the highest level of quality to insure the safety of public health and the biological productivity of coastal waters.

Marine and Water Resources LCP Policy 5: Water conservation measures should be required in new development to lessen cumulative impacts on existing water system sand supplies.

The new terminal building will be serviced by an existing water system that is connected to the Crescent City water distribution system. The project will not utilize any groundwater. The project will use an on-site wastewater treatment system (OWTS). On-site testing has been conducted for the terminal site and a California licensed engineer has determined that an OWTS can be placed in conformance with the standards of the County and consistent with the standards of the North Coast Regional Water Quality Control (NCRWQB) Board. Attached is a preliminary layout plan for the OWTS and a letter from Stover Engineering stating that the proposed OWTS conforms to the requirements of the NCRWQB and that final design and a waste discharge permit will be obtained for the project from NCRWQB.

Regarding surface waters, CEC presently has approximately 66 acres of impervious surface. The Terminal Replacement Project would add an additional 6.87 acres of impervious surface (2.0 acres for the airside projects and 4.87 acres for the landside projects) increasing total percentage on the property from 11.5 percent to approximately 12.6 percent. The application package of the Airport Authority states that sufficient capacity exists in the existing stormwater tributaries to accommodate the associated increases in stormwater runoff, and no additional stormwater detention is required. The application further states that implementation of the Terminal Replacement Project would slightly alter an existing open earth channel to accommodate the new parking lot, but would not divert, impound, or drain the channel and therefore would not be significantly altered. The project area is relatively flat, meaning that earthwork would be expected to be minimal and limited to prepare the site for development. Erosion or siltation during earthwork activities would not be significant and would not alter existing drainage patterns. Stormwater drainage systems would be designed to preserve existing drainage patterns. The Proposed Project would not significantly alter the existing drainage patterns, nor would it hydrologically interrupt or alter riparian habitat. Therefore, no significant impacts are anticipated.

The application acknowledges that construction activities could temporarily impact water quality on-site. Land clearing/grading activities at the construction site would disturb ground surface, decrease vegetative cover, and temporarily increase the potential for soil erosion. However, implementation of **Mitigation Measure G-A: Comply with Del Norte County ordinances for all grading, drainage, and construction of improvements** and **Mitigation Measure G-B: Prepare and implement a grading/erosion control plan** would reduce potential impacts due to erosion to a non-significant level.

In addition to impacts from erosion, impacts to runoff water quality during construction could potentially result from leaks or spills of fuel or hydraulic fluid used in construction equipment; outdoor storage of construction materials; or spills of paints, solvents, or other potentially hazardous materials commonly used in construction. Implementation of **Mitigation Measure H-A: Prepare and implement a SWPPP for construction activities** would reduce potential impacts due to construction activities to a non-significant level.

In any case, the attached conditions include measures to address runoff during construction and after completion of the terminal building and its facilities. The conditions also include the requirement that the project include stormwater runoff facilities designed to treat, infiltrate or filter the amount of stormwater runoff from the project site produced by all storms up to and including the 85th percentile, 24-hour storm event. Achieving this level of pretreatment can be accomplished through several means and combinations of alternative treatments of stormwater. These methods can include but not be limited to bio-filtration swales, de-siltation basins, porous concrete, porous pavement (parking lots), and other pretreatment facilities within the drainage collection system. Sufficient room exists for these facilities within the project area and compliance with these conditions will achieve consistency with the above LCP policies.

Wetlands

Each of the alternatives examined in the FEIR include filling of wetlands. The amount of wetland fill is summarized in **Table 4**, in the alternatives section discussed previously in this report. The proposed project submitted by the Airport Authority would potentially impact approximately 1.7 acres of wetlands under the criteria established by the Coastal Commission. **Figure 4** of this staff report identifies the distribution of these areas on the ground and as they relate to the applicants proposed project. **Figure 4** is a reproduction of Figure 7 in the applicant's Coastal Development Permit.

Table 4

USACE and CCC Wetlands and Other Waters of the United States Impacts in the Proposed Project Area

Cowardin Classification System	Sawyer/Keeler-Wolf Wetland Vegetation Types	USACE Jurisdictional Acreage	USACE Area of Potential Impact[1] (acre)	CCC Jurisdictional Acreage	CCC Area of Potential Impact[1] (acre)
Forested Palustrine Wetlands	Sitka Spruce Series; Red Alder/Cascara Series; Cascara/Waxmyrtle Series; Beach Pine Series	1.35	0.03	3.8	1.62
Palustrine Emergent Wetlands	Pacific Reedgrass Series/Tufted Hairgrass Series	0.89	—	1.16	—
Total Jurisdictional Wetlands		**2.24**	**0.03**	**4.96**	**1.62**
Other Waters of the United States[2]		0.24	0.09	0.24	0.09
Culverted Waters of the United States		0.01	—	0.01	—
Total Jurisdictional Waters		**2.49**	**0.12**	**5.21**	**1.71**

Notes:

[1] Includes 25-foot buffer area around project footprint

[2] For USACE jurisdiction, this includes drainage ditches. For the Coastal Commission, these drainage ditches are considered bottom riverine wetlands.

Section VII of the Marine and Water Resources (MWR) chapter of the LUP (Land Use Plan) of the LCP, provides the applicable standard for consideration of development within areas mapped as wetlands. The section states in part the following:

a. The diking, filling, or dredging of wetlands shall be permitted in accordance with other applicable provisions of this program, where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. Such projects shall be limited to those identified in Section 30233 of the Coastal Act.

Section 30233 of the Coastal Act identifies "Incidental public service purposes" as an activity that would allow the consideration of the diking, filling, or dredging of wetlands. The standards for consideration of Section 30233 is discussed further in this staff report. The following two policies provide guidance to avoid and lessen impacts to wetlands as identified in the proposed project of the applicant.

Section VI of the Marine and Water Resources (MWR) chapter of the LUP (Land Use Plan) of the LCP, states in part the following:

6. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

f. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which could significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. The primary tool to reduce the above impacts around wetlands between the development and the edge of the wetland shall be a buffer of one-hundred feet in width. A buffer of less than one-hundred feet may be utilized where it can be determined that there is no adverse impact on the wetland. A determination to utilize a buffer area of less than one-hundred feet shall be done in cooperation with the California Department of Fish and Game and the County's determination shall be based on specific findings as to the adequacy of the proposed buffer to protect the identified resource. Firewood removal by the owner for on-site use and commercial timber harvest pursuant to a CDF timber harvest requirements are to be considered as allowable uses within the one-hundred foot buffer areas.

Section 30233(a) of the Coastal Act 3-Part Test

(1) Allowable Use Test

Section 30233(a) of the Coastal Act requires a 3-part test for projects that involve wetland fill. The three tests are (a) the allowable use test; (b) the alternatives test; and (c) the mitigation test. Under the first of these tests, a project must qualify as one of the eight stated uses allowed under Section 30233(a). The applicable allowable use is item (5) which authorizes fill for "(i)ncidental public service purposes, including but not limited to, burying cables, pipes, or inspection of piers and maintenance of existing intake and outfall lines." In order to be for an "incidental public service purpose' a proposed fill project must satisfy two tests: (1) the project must have a "public service purpose," and (2) the purpose must be "incidental" within the meaning of that term as used in Section 30233 (a)(5). Because the project is being constructed by a public agency, the Border Coast Regional Airport Authority, for the purpose of providing essential transportation services to the public, the fill (if any) associated with this project is for a public service purpose. Thus the project satisfies the first test under Section 30233 (a)(5).

With regard to the second test, in 1981 the Coastal Commission adopted the "Statewide Interpretive Guidelines for Wetlands and Other Wet Environmentally Sensitive Habitat Areas. These guidelines analyze the allowable uses in wetlands under Section 30233 including the provision regarding "incidental public service purposes." The guidelines state that fill is allowed for "(i)ncidental public service purposes which temporarily impact the resources of the area, which include, but are not limited to, burying cables and pipes, inspection of piers, and maintenance of existing intake and outfall lines.

A footnote (no. 3) to the above-quoted passage further states:

> When no other alternative exists, and when consistent with the other provisions of this section, limited expansion of roadbeds and bridges necessary to maintain existing traffic capacity may be permitted.

The Court of Appeal has previously recognized the Coastal Commission's interpretation in the Guidelines' of the term "incidental public service purposes" as a permissible one. In the case of *Bolsa Chica Land trust et al., v. The Superior Court of San Diego County* (1999) 71 Cal.App.4th 493, 517, the court found that:

> *... we accept Commission's interpretation of sections 30233 and 30240... In particular we note that under Commission's interpretation, incidental public services are limited to temporary disruptions and do not usually include permanent roadway expansions. Roadway expansions are permitted only when no other alternative exists and the expansion is necessary to maintain existing traffic capacity.*

In past cases, the Coastal Commission has considered the circumstances under which fill associated with the expansion of an existing "roadbed or bridge" might be allowed under Section 30233(a)(5). In such cases the Commission has determined that, consistent with the analysis in the Guidelines, the expansion of an existing road or bridge may constitute an "incidental public service purpose" when no other alternative exists and the expansion is necessary to maintain existing traffic capacity.

The Coastal Commission has previously granted to the Cities of Seal Beach and Long Beach a coastal development permit (5-00-321), for the construction of bridge abutments and concrete piles for the Marina Drive Bridge located on the San Gabriel River. The Coastal Commission found that the project involved the fill of open coastal water for an incidental public service purpose because the fill was being undertaken by a public agency in pursuit of its public mission, and because it maintained existing road capacity.

The Coastal Commission has also determined in connection with a project (El Ranch Rd. Bridge) proposed by the U.S. Air Force (USAF) that permanent impacts to wetlands are allowable under Section 30233(a)(5) of the Coastal Act as an incidental public service because USAF was undertaking the fill in the pursuit of a public service mission and because the "permanent fill [was] associated with a bridge replacement project [that] would not result in an increase in traffic capacity of the road." (CD-70-92), (and reiterated in CD-106-01).

Thus, based on past interpretations, fill for the expansion of existing roadways and bridges may be considered to be an "incidental public serve purpose" if: (1) there is no less damaging feasible alternative; (2) the fill is undertaken by a public agency in pursuit of its public mission; and (3) the expansion is necessary to maintain existing traffic capacity. The Coastal Commission also has addressed

the question regarding the applicability of this interpretation to transportation infrastructure other than roads and bridges, such as the construction of a "safety area" at the end of the airport runway.

One such case was a light rail train mass transit proposal in San Diego (CC-64-99), where a bridge support piling was located in a wetland. The Coastal Commission determined that the proposal was not an allowable use under Section 30233 because the purpose of the project was not to maintain existing capacity but rather to expand the capacity of the light rail service by extending it to a new area. The Commission's analysis in CC-64-99 supports the proposition that the above identified interpretation of section 30233(a)(5) may be applied to forms of public transportation other than roads. Airfield safety projects are a public transportation project very similar in nature to road or bridge construction projects.

The terminal project will be constructed by a public agency, in order to provide transportation services to the public, and the new terminal is necessary to meet FAA and TSA standards in order to continue to operate the airport in compliance with federal standards. Therefore, the terminal replacement project meets the second test above that any "fill" is being undertaken by a public agency in pursuit of its public mission: commercial passenger service for Del Norte County.

(2) Alternatives Test

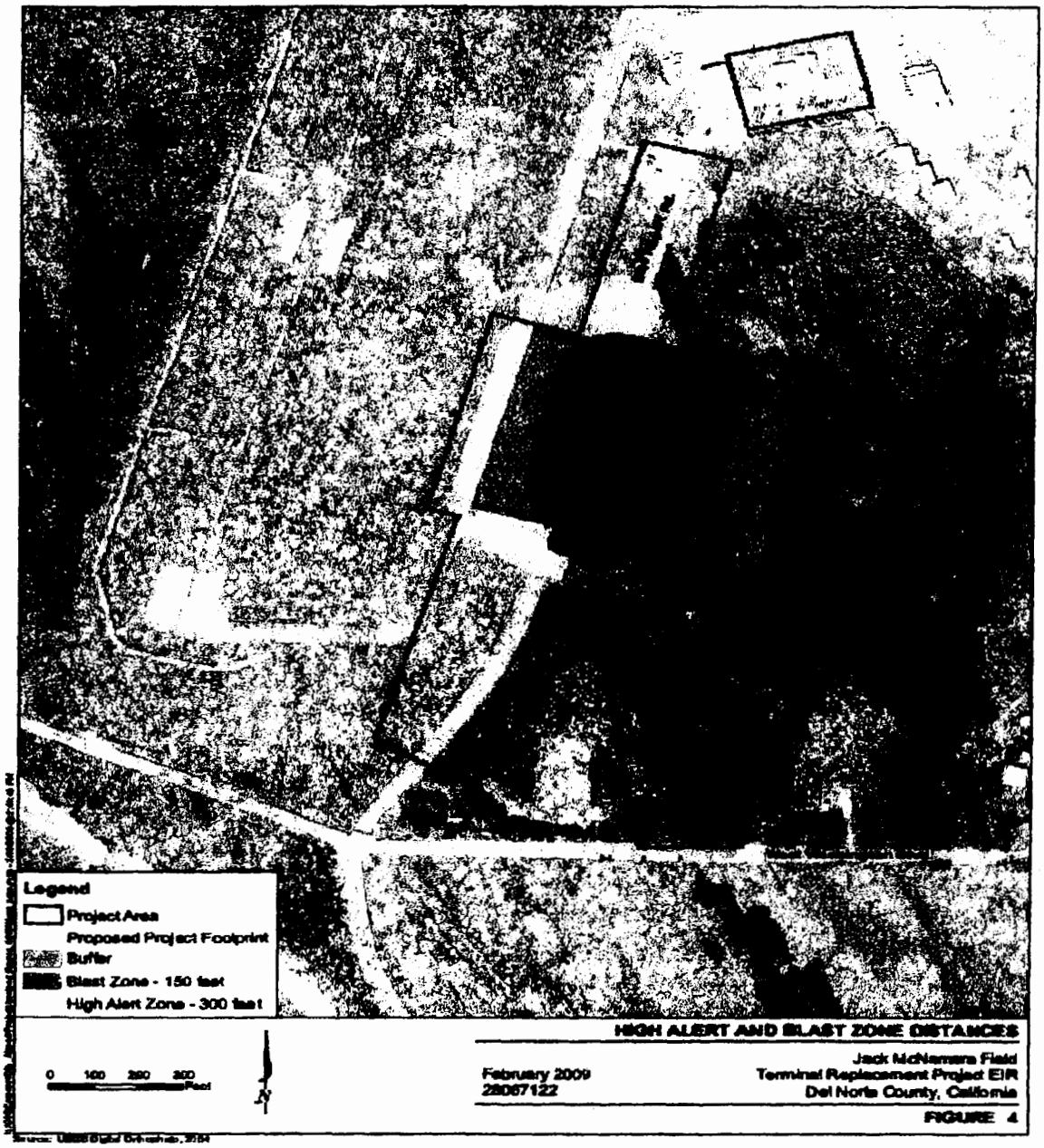
The FEIR addressed several sites in its alternative analysis. Sites west of runways 17/35 and 11/29 as well as areas generally east of the same two runways were eliminated from consideration early in the process as these areas have extensive wetlands and other physical constraints. These areas also posed more potential conflicts when evaluated to FAA and TSA standards of operation. Therefore, the area that was considered for alternative terminal locations was within the triangle of land formed by Washington Boulevard and the existing runways and in the general location of existing structures at the airport.

As indicated above, several alternative sites were not feasible because they conflicted with FAA and TSA standards for operation of CEC, or had the potential for greater environmental impacts, which limited the number of options that could be further considered. **Exhibit 3** (Executive Summary FEIS ES-3) shows the locations of Alternative Terminal Locations and summary of wetland impacts that were considered in the FEIR. The alternatives were studied in more detail, but rejected due to the potential for greater wetland impacts. All of these alternatives would have larger potential impacts to wetlands and waters of the U.S. when compared to the Proposed Project Alternative as indicated in **Table 3.** Under a No Project Alternative, the existing terminal facility would continue to be used. The No Project Alternative would not accommodate existing passenger demand. The airport's existing terminal does not comply with the ADA, FAA, and TSA standards. The FAA has taken the firm position that it will not invest any FAA funds in the existing building to bring it into compliance due to its age and configuration. The No Project Alternative does not address the existing problem of compliance with current standards of access and security. The No Project Alternative could result in the County's only commercial airport and the only airport available for all weather landings to violate the FAA standards for Certification and Operations. The Airport could lose its permit to operate resulting in the loss of commercial and emergency service to the community. Loss of the airport and/or its permit to operate would have a severe social and economic impact upon the area.

The proposed project submitted by the Airport Authority would potentially impact approximately 1.7 acres of wetlands under the criteria established by the Coastal Commission. The actual terminal building and aircraft apron have little direct impact on wetlands. Only about 1500 square feet of drainage ditches classified as wetlands are directly affected by the new terminal building and the aircraft apron. In the Airport Authority's proposed project, placement of the parking lot and the access road to the new terminal

consume the bulk of the affected wetlands. The proposed parking lot and access road occupy or cross approximately 1.7 acres of wetland. The parking lot must have no public parking space no closer than 150 feet (blast zone) of the terminal building and the access road must be outside of a 300 high alert zone, although the design of the applicants consultant has public parking spaces within 150 feet of the terminal building and the access road within 120 to 200 feet of the terminal building and therefore does not comply with the 300 setback provision for approximately 475 lineal feet. **Figure 6** from the applicants submittal illustrates (CDP Application Figure 7) the area affected by the blast zone and the high alert zones.

Figure 6



CDD staff has reviewed the proposed project as submitted by the Airport Authority in order to determine if any other alternatives exist to reduce impacts to wetlands. As part of the examination of the proposed project layout, staff divided the project physically into separate elements and looked at different arrangements of those elements. Key issues to be addressed in addition to wetland impacts are maintaining the required 150 feet setback for user parking from the terminal building and the 300 setback for the access road. Regarding the high alert zone setback, by shifting the terminal building southward into the area occupied by the existing Quonset hut hanger, the access road is significantly removed from being located within wetlands however a portion of the access road (approximately 200 feet) is 260+ feet from the terminal building. With these and other factors in mind and after an extensive analysis of different layout arrangements, CDD staff have determined that there are three additional different layouts of the terminal project within and/or adjacent to the proposed project site approved by the Airport Authority that can be considered in the County's review of the Use Permit process. (CDD staff does agree that the bulk of the airport lands not presently occupied by runway facilities in general are not suitable for terminal facilities construction and would, in fact, generate more impacts than the proposed site.) The aircraft apron size and the terminal building footprint are not changed in these three additional alternatives from the apron and terminal building footprint in the applicant's proposed project.

These staff prepared three additional alternative layouts are within the general area of the applicant's proposed project, but avoid or lessen impacts directly upon wetlands. Other alternative layouts were considered but they failed to either lessen or avoid impacts to wetlands and/or they failed to comply with FAA and TSA standards. The additional alternative layouts are labeled Alternative A, Alternative B and Alternative C.

Staff Recommendation Alternative A (Exhibit 5)
Alternative A was developed by looking for options to reduce the stated wetland fill of the applicant's proposal and to comply with the FAA/TSA setbacks for public parking and the access road. This alternative shifts the terminal building slightly southward which provides more non-wetland area to be considered for parking and the access road. Additionally, this alternative allows placement of the OWTS away from wetlands and in compliance with adopted County standards. Alternative A includes three parking areas. One is for employee parking to the south of the new terminal building. Employees will have security clearance and therefore their parking areas can be within the 150 feet setback. The second lot is located east of the terminal building within the looped access road and adjacent to the passenger drop off and pick up area. This parking lot is insufficient to provide all of the needed public parking; therefore a second public parking area with expansion capabilities is located north of the new terminal building. (See **Exhibit 5**) to allow the public parking lot to be located just northerly of the proposed terminal building and aircraft apron. Alternative B complies with this setback requirement and allows sufficient area between the parking lot and the airfield for the OWTS, placing the disposal fields within the fenced area of the airport taxiway.

Shifting the parking lot to this area required the aircraft apron to be shifted slightly southward in order to provide area for the parking lot and the OWTS. This shift results in requiring the aircraft apron to occupy the area already improved with the Quonset hut style aircraft hangar. This hangar would be moved to the General Aviation (GA) side of the airport as part of this project. Moving the hangar to the GA side of the airport complies with the concept of separating commercial from non-commercial aircraft and their support and operations. Additionally, relocation of the hangar to the GA side will also improve the view of the airport terminal and remove the hangar as a visual obstruction from the new building toward Castle Rock.

The staff parking lot contains 20 parking spaces as compared to the proposed project, which includes 25 staff parking spaces. The location of the staff parking lot also serves as a commercial delivery area. This allows the consideration of using porous asphalt in the public parking lot as one method to accomplish achieving a design to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event.

Alternative A includes (as does the proposed project) a new access road to the airport operations. The road location in staff Alternative A does, however, avoid the wetlands as opposed to the proposed project which locates the access road in a manner where the road bisects one large wetland and crosses through three additional wetland locations.

Alternative A includes approximately 200 feet of the access road within the 300 foot high alert zone setback. Locating this section of the access road in compliance with the 300 foot set back would require placement of the 200 foot section within the edge of a mapped wetland. This would displace another 6,000 square feet of wetland. The proposed alignment of the access road in Alternative A does not include road alignment within the subject wetland. The proposed road alignment has the subject 200 feet section at about 260+ feet from the terminal building, thereby requiring a subsequent review by the FAA. The proposed alignment in the applicant's submittal has approximately 450 of the access road within the 300 feet setback and the distance from the terminal building is as little as 120 feet. The staff proposed alignment is a substantial step toward compliance when compared to the application submittal. (The alignment for Alternatives A, B, and C should be favorably received by the FAA when compared to the application alignment.)

Within all three staff alternatives, the pedestrian access from the drop off/ pick up area in front of the terminal requires crossing the existing man-made ditch which is classified as a wetland. The ditch in general varies from 12 to 15 feet in width from top of bank cut on each side. Staff is recommending that the pedestrian crossing be a footbridge style with no pilings within the drainage ditch. This reduces impacts on the drainage channel and will also be more aesthetically pleasing to users of the passenger terminal. Though this crossing will be a clear span of the drainage channel, it is being included in the calculations of the impacted wetlands.

Wetland impacts of staff Alternative A are as follows:

Aircraft Apron (existing ditches)	=	1075 square feet
Terminal Bldg (pedestrian bridge)	=	622 square feet
Washington Boulevard side ditch crossing	=	676 square feet
Access Road (ditch crossing)	=	1071 square feet
Parking lot (existing ditch)	=	136 square feet
Total		3580 square feet

Staff Recommendation Alternative B (Exhibit 6)

This alternative also shifts the terminal building slightly southward to allow the public parking lot to be located just northerly of the proposed terminal building and aircraft apron. Alternative B utilizes only one public parking lot and reserves the area within the access loop road in the non-wetland areas for future parking when needed. (A separate permit would be required for development of these two areas.) Alternative B elongates the one public parking lot to allow the OWTS disposal fields to be placed outside of the fenced taxiway areas. An updated preliminary layout for the OWTS has been submitted by the applicants engineer **(Exhibit 7)**. The remainder of Alternative B is the basically the same as Alternative A.

Wetland impacts of staff Alternative B are as follows:

Aircraft Apron (existing ditches)	=	1075 square feet
Terminal Bldg (pedestrian bridge)	=	622 square feet
Washington Boulevard side ditch crossing	=	676 square feet
Access Road (ditch crossing)	=	1071 square feet
Parking lot (existing ditch)	=	136 square feet
Total		3580 square feet

Staff Recommendation Alternative C (Exhibit 8)
Alternative C is similar to Alternative B; however, Alternative C shifts the terminal building less southward than Alternative B. (The aircraft apron remains in the same location as Alternative B.) The layout of Alternative C allows the consideration of utilizing the entrance portion of the existing alignment of Dale Rupert Road from its intersection with Washington Boulevard to the terminal building setbacks. This layout would not require the new access road connection to Washington Boulevard, thereby eliminating approximate 400 feet of road construction. However, the connection from the existing Dale Rupert Road to the realigned airport access road does require additional wetland impacts beyond those listed in staff Alternative B. Secondly, the far northeast section of the airport access road would have approximately 20 more lineal feet of the access road within the 300 feet setback from the new terminal. The parking lot is slightly reconfigured and stretched along the existing alignment of Dale Rupert Road. Alternative C complies with setback requirements and allows sufficient area between the parking lot and the airfield for the OWTS. The parking lot layout also limits its proximity to the aircraft apron.

The existing Quonset hut style hangar would be relocated as in staff Alternative B, moving the hangar to the GA side of the airport. The staff parking lot is also shifted along with the building. The consideration of using porous asphalt in the public parking lot as one method to accomplish achieving a design to treat, infiltrate or filter the amount of storm water runoff produced by all storms, up to and including the 85th percentile 24-hour storm event, remains.

The access road in Alternative B, at its intersection with Washington Boulevard, is eliminated in this Alternative.

Wetland impacts of staff Alternative C are as follows:

Aircraft Apron (existing ditches)	=	1075 square feet
Terminal Bldg (pedestrian bridge)	=	622 square feet
Access Road (ditch crossing, north)	=	1071 square feet
Parking lot (existing ditch)	=	136 square feet
Access Road (DRR connection)	=	2500 square feet
Total		5404 square feet

Staff Alternative C adds approximately 1824 square feet of wetland impacts over staff Alternative B.

Staff Alternatives Road Improvement Design
The proposed width improvement for the new access road in the applicants submittal is a 44-foot design standard (see **Figure 7**). Within this 44 feet are two 12 foot traffic lanes, two 10 foot parking lanes, and five feet of curb and sidewalk on each side of the access road. The applicant's submittal conforms to the County's standards for an urban area collector road. The existing Dale Rupert Road is presently approximately 35 feet wide consisting of two 11.5 feet lanes and a six foot partially paved shoulder on

each side (see **Figure 8**). While this road is classified as an urban area collector road, the subject road only serves the airport property. The potential to extend the road beyond the airport is severely limited due to physical constraints and the airport runways themselves.

Figure 7

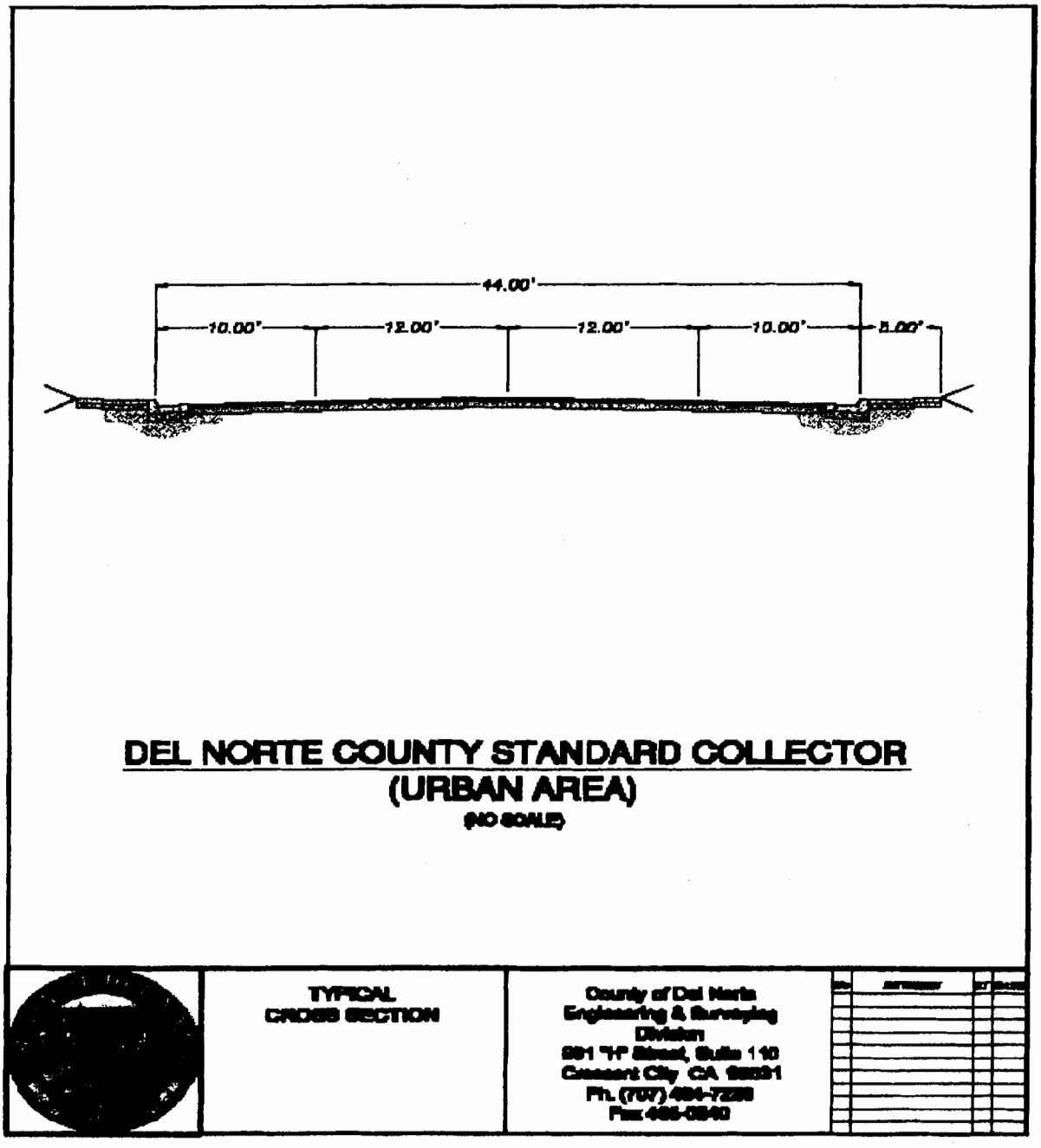
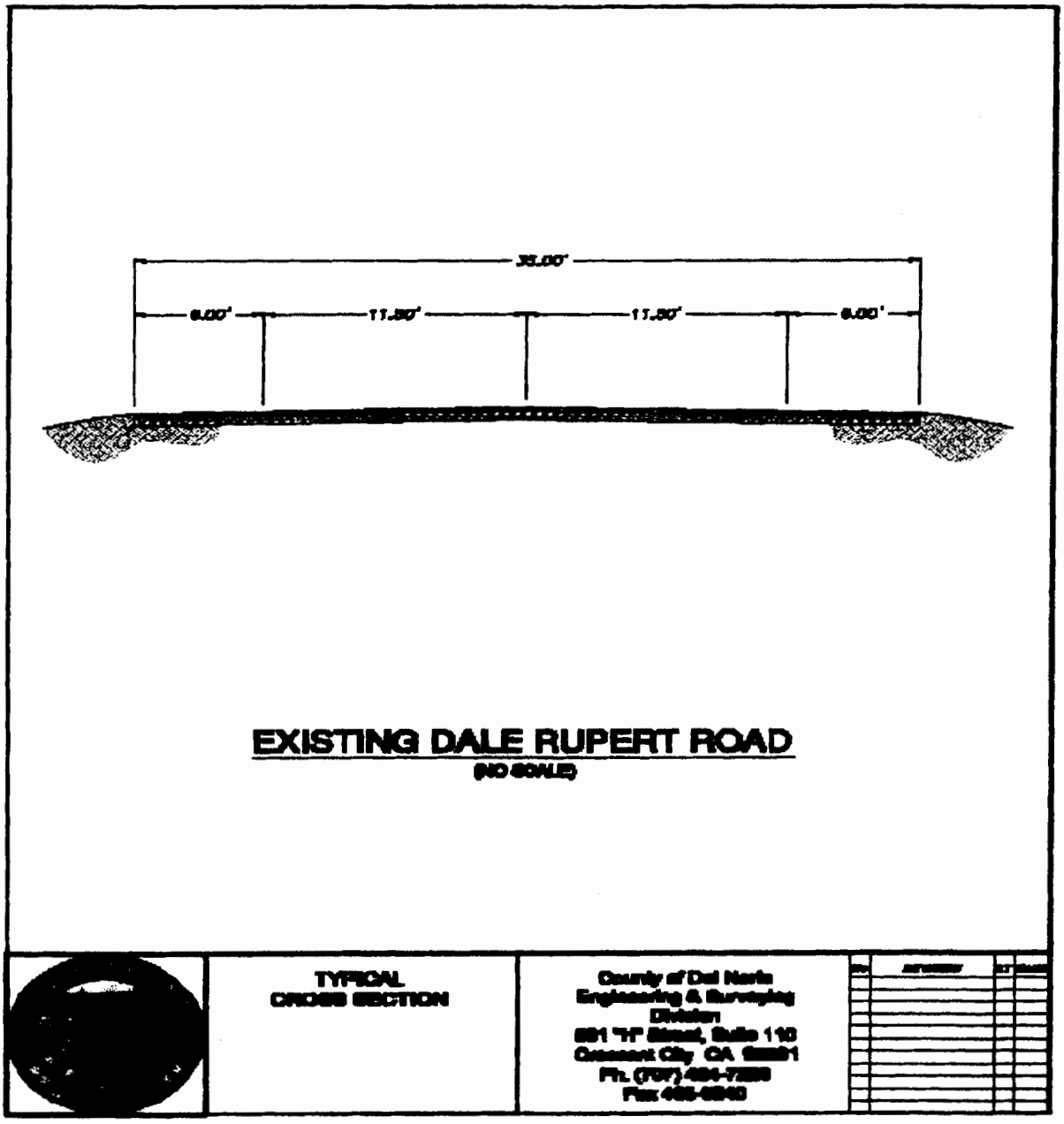


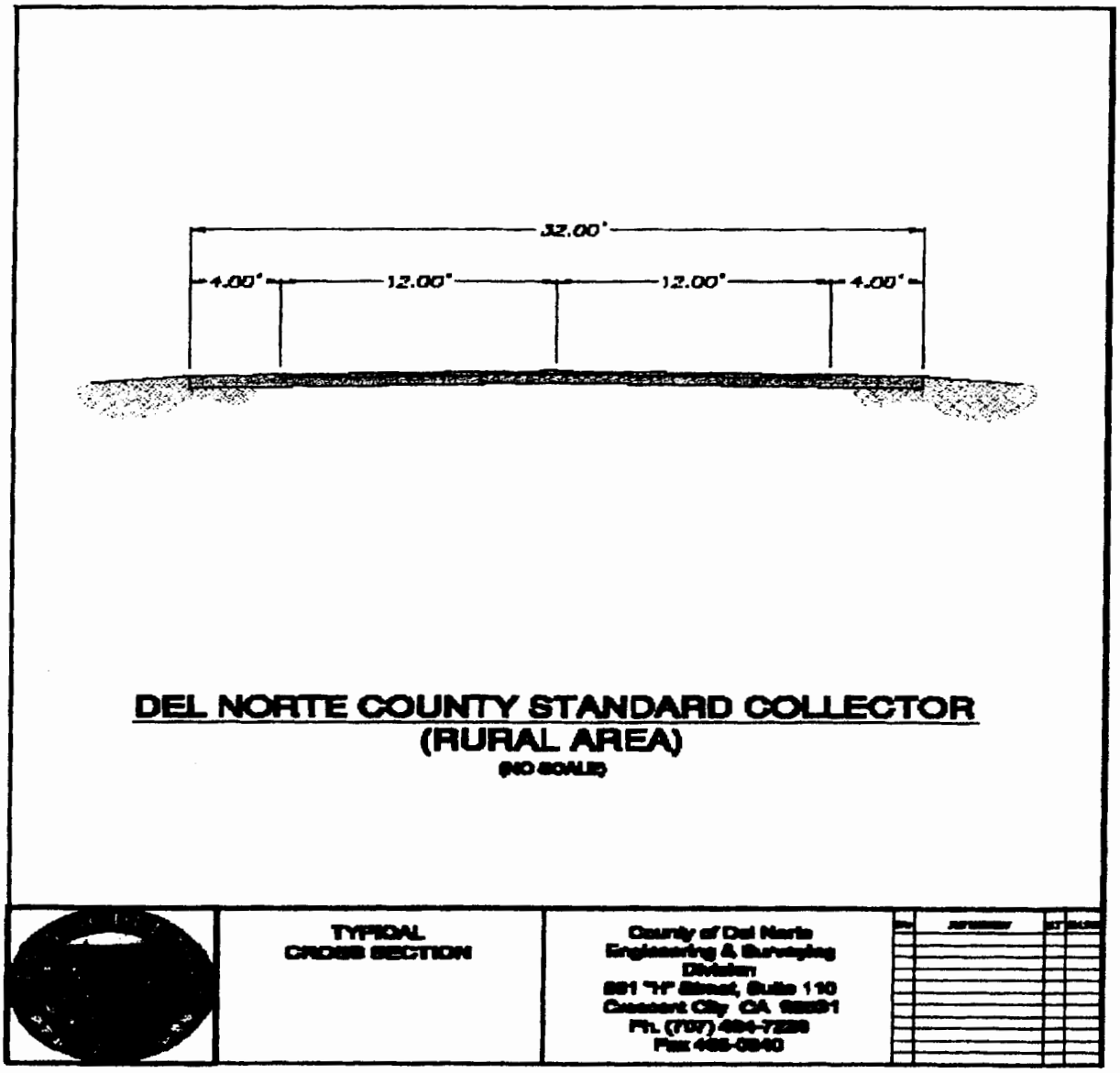
Figure 8



Section 12.04.110 allows an applicant to submit a request to the Board of Supervisors to modify the road improvement standards imposed on a given project. In this instance a reduction in the improved road width would allow the applicant to accommodate the geographical terrain features within the project area (i.e. wetlands and other physical areas) and to allow more flexibility in placement of the road to avoid sensitive areas while still complying with FAA standards. Engineering and Planning staff can support a road waiver by the Board for this project.

Since the road only serves the airport property and is not intended for residential or commercial development that would generate significant foot traffic along the road, Engineering staff recommends that the Board could consider a road waiver to reduce the road improvements to those required for a standard collector road in a rural area. This standard is shown in **Figure 9** and consists of two 12 foot lanes and a 4 foot shoulder on each side. This design allows consideration of road slope and crown to be varied depending upon the immediate area. Where the access road is within 25 feet of a wetland, the final road design will include features to redirect the sheet flow from the road away from the wetland areas. The road crown can be sloped away from the adjacent wetland. Pretreatment of the redirected flow will be incorporated into the final design of the road. The road shoulders can be planted with grass to allow the shoulders to function as part of the pretreatment for the road surface.

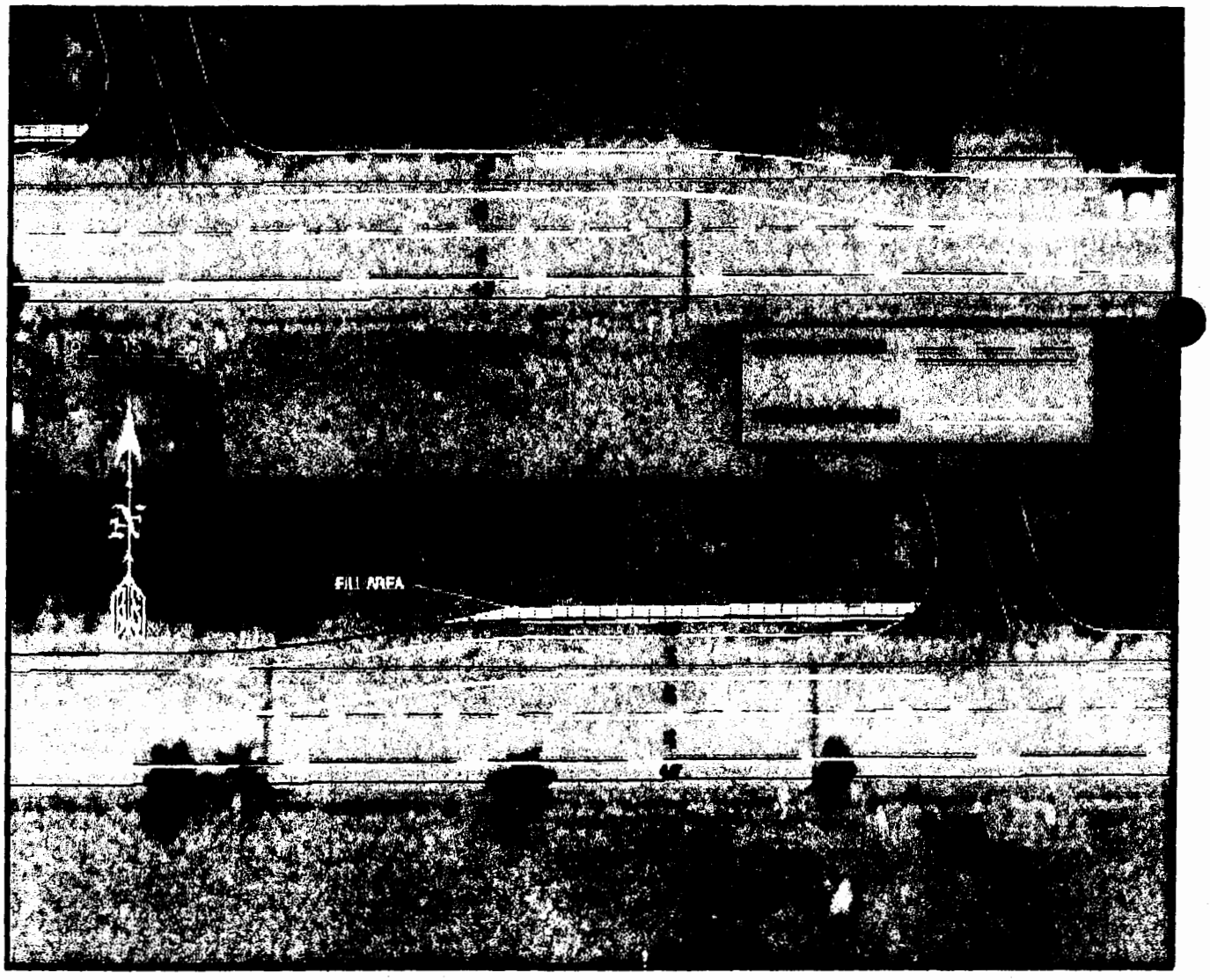
Figure 9



The road width at the drop off area in front of the terminal will include a parking lane and curb and sidewalk on the terminal side of the road. The staff recommendation will cross the existing drainage ditch (wetland) at one location in Alternative A and Alternative B. The existing drainage ditch is crossed at two locations in Alternative C however the ditch crossing at the new entrance on Washington Boulevard in Alternative A and B is eliminated in Alternative C.

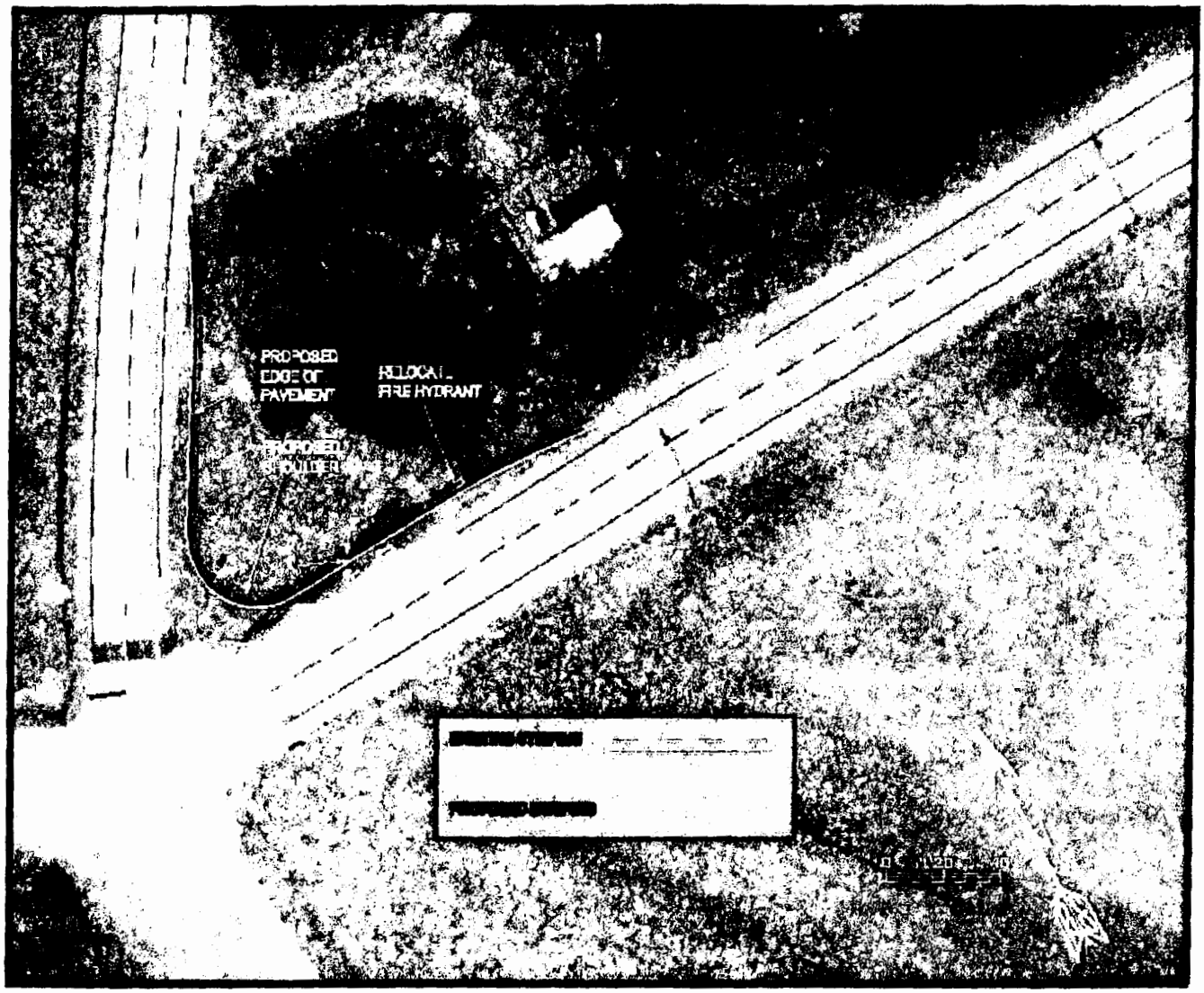
The access road in Alternatives A and B, at its intersection with Washington Boulevard, will require the placement of a culvert to handle the intermittent flow along the side of Washington Boulevard. This new intersection will require the installation of a left turn lane. **Figure 10** demonstrates that there is sufficient room to install the left turn lane without further impacting wetland areas.

Figure 10



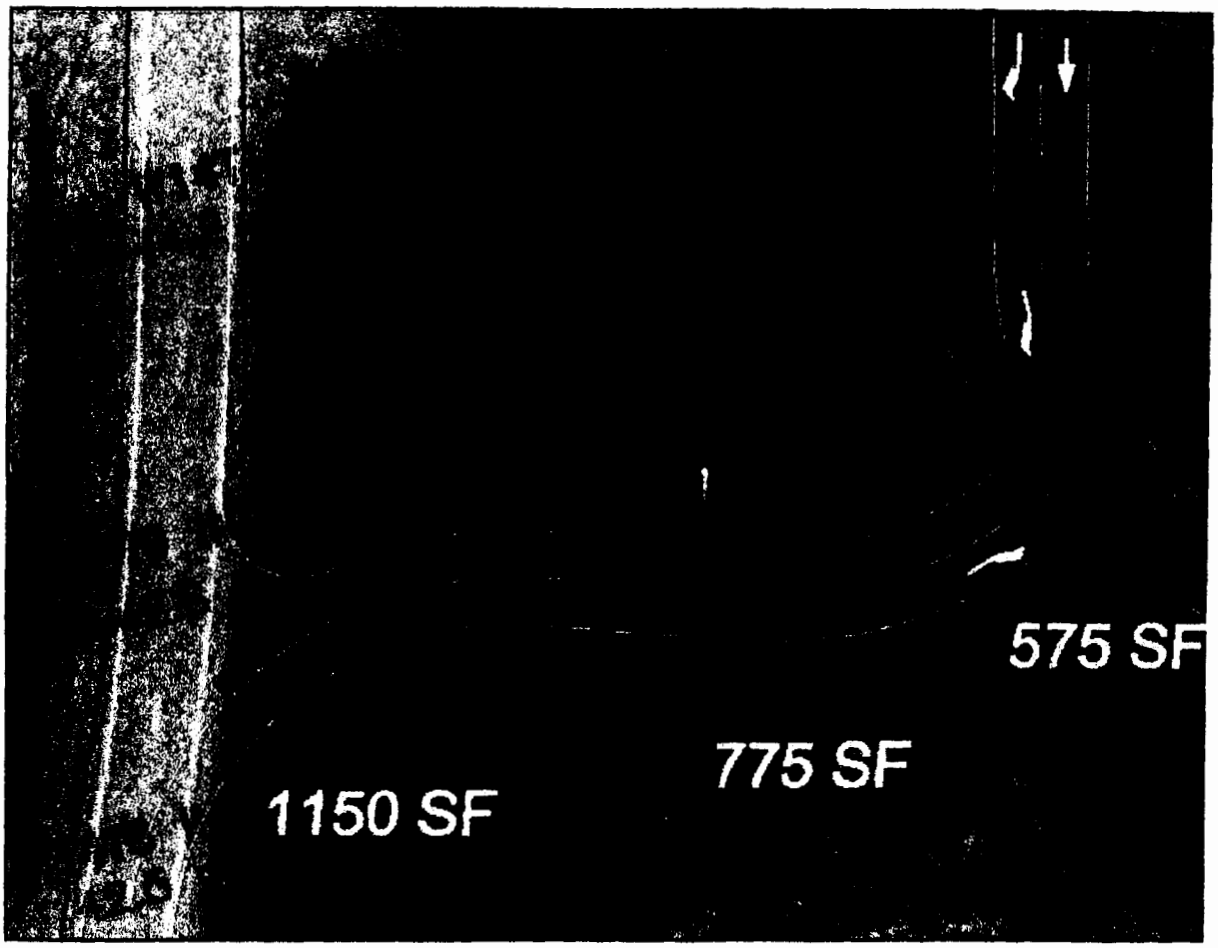
Alternative C utilizes the existing Dale Rupert Road intersection with Washington Boulevard. This area previously had a much wider entrance when both a gate was located at the intersection and a cattle guard. This entrance has adequate room to improve the new entrance with both a left turn lane for Dale Rupert Road and a right turn lane for Washington Boulevard (see **Figure 11**) without impacting wetland areas; however, relocation of an existing fire hydrant would be required. This site also has the added benefit of having sufficient room to place a future entrance sign for the airport (a separate permit would be required for any sign proposal larger than a simple road directional sign.)

Figure 11



Alternative C impacts approximately 2500 square feet of wetland area where the connection between the existing Dale Rupert Road alignment and the new airport road east of the new terminal building would be located (see **Figure 12**). This impact are can be reduced by approximately 775 square feet if the FAA will allow a 30 feet shift of the road toward the airport terminal building. This would be 10% reduction in the 300 feet setback and would be a minor adjustment in cost.

Figure 12



Other Common Attributes of the Staff Alternatives

Each staff alternative involves shifting the proposed new terminal building 100 feet or less southerly. This shifting southerly requires relocation (or removal) of the existing Quonset hut style hangar to the General Aviation side of the airport. There are several feasible locations for relocation of the Quonset hut hanger within the existing General Aviation area. One feasible alternative location is to remove an existing old hangar, presently owned by the Airport Authority, and locate the Quonset hut hangar at that location. (Hangars 7, 8, and 9 are presently owned by the Airport Authority.) The second feasible alternative is to place the Quonset hut hangar within the General Aviation area on existing graded and site prepared ground, these areas are flat and graded and mowed on a regular basis. A third option is to consider locating the Quonset Hanger where a permit was issued for the Stryker Hanger (which has not been built). This site is an improved location within the existing hangar area. All of these alternative locations would have no direct impact on wetlands. A separate coastal development permit will be required for the relocation of the subject hangar.

Shifting the new terminal building the 100 feet or less southerly would have a less than noticeable change in the visual discussion above. From the headland at Pt. St. George the new terminal building

would be approximately one mile away. The visual representation in **Figure 5** would have an imperceptible change in the shift southward. The visibility of the new terminal from the Radio Road/Pebble Beach Drive at the end of runway 35 area would be slightly increased due to the building move approximately 100 feet or less closer to the road over a distance of 850 to 1000 feet depending upon one's location on Radio Road, however the existing Quonset Hanger would be removed which would improve the aesthetic quality of the general area. Construction of the new terminal building at Alternatives A, B, or C would have limited visual effects to the visual areas of Pebble Beach Drive and Pt. St. George. The westerly views of the shoreline and offshore rocks as well as the open ocean would be unaffected. The project as proposed is consistent with the visual policies of the LCP.

As part of the initial review of the applicant's submittal, County staff began examining the possibility of reconfiguring the layout of the terminal and its ancillary facilities. A key component is the OWTS for the new terminal building. In August the applicant's local engineer, Stover Engineering, was requested to examine the potential relocation of the OWTS to the north side of the proposed terminal building. Attached **(Exhibit 7)** is a letter and a layout design that confirms that the OWTS can be located on the north side of the terminal building and be incompliance with the standards of the North Coast Regional Water Quality Control Board and Chapter 14.12 of Del Norte County Code. This design places the disposal field and the reserve area between the proposed parking lot and the existing security fence and places the treatment tanks between the terminal building and the new parking lot. Staff Alternatives B and C comply with the letter of Stover Engineering, Alternative A would still be in compliance but would require placement of the primary and reserve disposal fields between the existing security fence and the taxiway.

County staff has conducted an extensive examination of the physical constraints and the FAA/TSA standards for placement of the new terminal building. CDD staff has concluded that there are layout configurations within the area for the proposed project and that these staff alternatives are feasible and do lessen the impacts to wetlands as compared to the proposed project submitted by the applicant. Other than the staff alternatives discussed above, CDD staff could not identify other less environmentally damaging alternatives. The Commission can therefore conclude that it has sufficient information to enable it to find that the project as recommended in the staff alternatives is consistent with the alternatives test in that a less damaging feasible alternative has been identified.

Wetland Mitigation

The Airport Authority has delineated wetlands based on the Coastal Commission criteria and the U.S. Army Corps of Engineers criteria. The Coastal Commission criteria is more inclusive than that used by the Army Corps for this location. The Proposed Project Alternative would potentially directly impact approximately 1.0 acre within the footprint, and an additional 0.7 acre located within a general 25-foot perimeter buffer from the footprint may also be temporarily affected indirectly by construction. As explained previously, the 25-foot buffer represents an area that may be impacted during construction and would be maintained in nearly all areas to avoid impacts to jurisdictional wetlands during operation. **Table 4** presents the acreages of potential impact the Proposed Project Alternative would have on wetlands and waters, including a 25-foot buffer that may be impacted during construction and would be maintained as an avoidance buffer area during operations.

Within the project submittal by the Airport Authority, the applicants propose to mitigate through off-site mitigation at the Del Norte County Landfill, Crescent City Marsh, or at an off-site wetland mitigation bank, to be determined by oversight agencies, at a 1:1 ratio or another ratio as agreed upon by the oversight agencies (i.e., California Coastal Commission, Army Corps of Engineers, and North Coast Regional Water

Quality Control Board). Other than the closed Del Norte County Landfill site, no other specific replacement site for the filled wetlands is identified.

The FEIR prepared by the Airport Authority states that the project site for the proposed new terminal building project is isolated from known wildlife habitats and wildlife corridors. The FEIR concluded that although certain isolated forest communities exist in the project area, including those dominated by a canopy of beach pine and Sitka spruce, these communities are abundant in the immediate project region and on the state owned lands immediately adjacent to the airport as well as other airport lands. Historical photos demonstrate that the forested area under discussion was devoid of trees in the 1960's. A record search was conducted of the California Natural Diversity Database using 6 surrounding 7.5 minute quadrangles. Fifteen of sixteen special status species identified by the USFWS and CDFG CNNDB records search were determined not to exist in the forested area due to lack of suitable habitat present or because the species was not identified during prior surveys conducted between 2002 and 2009. Only the western lily (Lilium occidentale) was identified which is listed as endangered under the Federal and California Endangered Species Act. Surveys within the forested areas did not identify any western lily plants. USFWS has consulted with the applicant and determined that Mitigation Measure B-A provides adequate protection for the western lily. The Sitka spruce is not included in the Plant Inventory of the California Native Plant Society (Online search engine for rare and endangered plants – www.cnps.org – 8/25/09).

Species concerns in the FEIR identified western lily habitat, northern red-legged frog and migratory and nesting birds as items requiring mitigation. The northern red legged frog is proposed to be protected by the 25 foot buffer from wetlands and implementation of water quality measures. Migratory and nesting birds are to be mitigated by avoiding and minimizing clearing activities during the construction season. Potential western lily habitat is to be mitigated by the applicant and USFWS identifying jointly a 1 to 3 acre area of suitable, but overgrown habitat to be restored at an area just east of the project site (that) has been identified by the USFWS as an appropriate candidate site. (pers. Comm. D. Imper 2007)

The Del Norte County LCP encourages avoidance of wetlands over fill of wetlands. Guidance is provided in Section 21.11A.070 which states in part that "...equivalent areas of equal or greater biological productivity..." as replacement for fill development. The remaining sections of the LCP mirror the discussion above regarding Section 30233 of the Coastal Act. Mitigation ratios for wetland fill have not previously been an issue in Del Norte County, since avoidance is widely exercised. While the LCP includes the wording discussed previously about a ratio of 1:1, actions by the Coastal Commission indicate that a greater ratio is required. A 3:1 ratio is common for the Coastal Commission to impose on Environmentally Sensitive Habitat Areas (ESHA) and a 4:1 ratio has been used by the Coastal Commission on open water wetlands. In this instance, the subject wetlands are not open water wetlands. Staff is therefore recommending that the ratio for any wetland mitigation be 3:1.

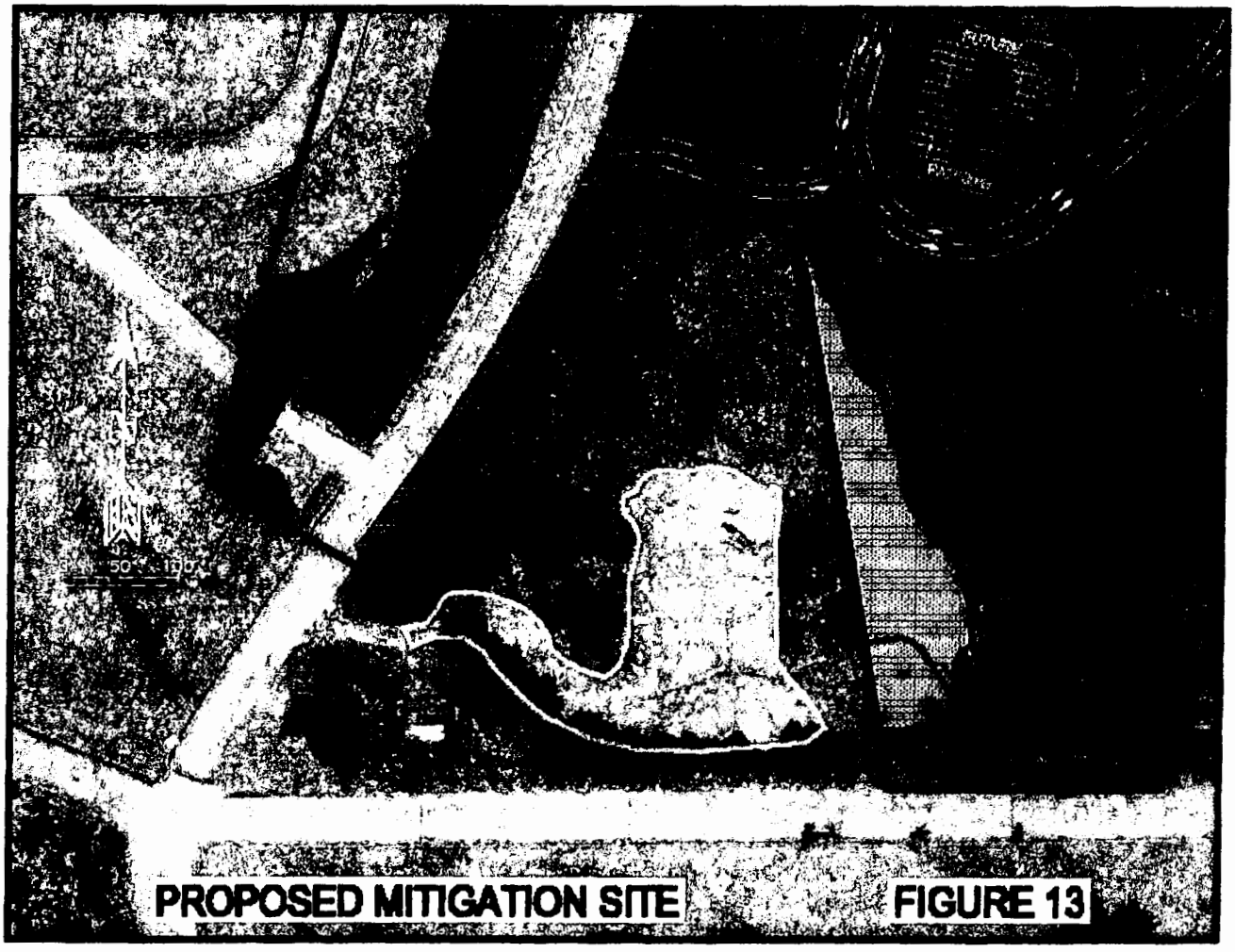
The area necessary for mitigation under the three alternatives is as follows for each alternative:

Proposed Project	1.17 acres (74,052 sq ft) of wetland impact X 3 = 3.51 acres
Staff Alternative A & B	3580 sq ft of wetland impact X 3 = 0.246 acres
Staff Alternative C	5404 sq ft of wetland impact X 3 = 0.37 acres

The above does not include the previously negotiated agreement between the applicant and the USFWS on the western lily habitat mitigation. That acreage (1 to 3 acres) is in addition to this mitigation in all three alternatives.

The County LCP and the Coastal Commission prefer wetland mitigation take place on-site. The airport property consists of several hundred acres; however, there is an area to consider for wetland restoration and thereby mitigation for the proposed wetland fill. The area is immediately adjacent to the proposed new access off of Dale Rupert Road in Alternative C. The site (**see Figure 13**) is used by the County Road Division as a materials storage area. The land area used by the Road Division is approximately 1 acre in area and, therefore, could be considered as mitigation for both Alternative B and Alternative C. Stored materials could be removed and the area excavated and replanted with willows and other plants to expand the adjoining wetland into this area. The Road Division could continue to use the remaining area along with its other storage area off of Riverside Street. Wetland mitigation for the Proposed Project is identified in the FEIR to take place off-site at the former location of the Del Norte County landfill. This site contains a closed and sealed former landfill, but also includes areas that were previously disturbed as part of the landfill operation. Sufficient area does exist to create a wetland area to mitigate for the impacted wetlands in any of the three alternatives under consideration.

Figure 13



Staff recommends that the wetland mitigation take place on-site unless the FAA specifically rules that the wetland mitigation must take place off-site (at the landfill). Staff believes that by planting the expanded willow thicket, no open water would be created that would attract large water fowl and that only small birds would inhabit the eventual thicket that would be established over time. A condition is being recommended that requires the preparation of a wetland mitigation plan with a mitigation ratio of 3:1 of new wetlands replacing the wetland areas impacted. Staff is also recommending that the wetland mitigation take place on-site unless the FAA specifically rules that the wetland mitigation must take place off-site (at the landfill). The wetland mitigation plan must include target hydrologic objectives, the establishment and maintenance of native wetland plants, and the reduction and/or elimination of any non-native plant species on the mitigation site. The mitigation plan must also include a maintenance and monitoring program.

Archeology

There are no historical, architectural, archaeological, or cultural resources contained within the Area of Potential Effect (APE); therefore, FAA has determined that there would be no effect on these resources under either the No-Action or Proposed Project Alternatives. The State Historic Preservation Officer concurred with the FAA's determination by letter dated August 6, 2008. The results of the records searches did not reveal the presence any recorded historic, archaeological, or paleontological resources on the project site, nor were any identified during the field survey. However, subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered historic, archaeological or paleontological resources. Conditions 20 and 21 mitigate the potential for impacts to any unknown resources.

Staff Recommendation

Staff recommends that the Planning Commission open the public hearing and allow public comment. After consideration of any public comment, staff recommends that the Commission select an alternative (staff recommends Alternative C), adopt the findings, adopt Resolution 2009-01 (Attachment A) determining the Final Environmental Impact Report applies (SCH# 2006112120), and approve the Use Permit and Coastal Development Permit with the conditions listed below:

5. FINDINGS:

A. The proposed replacement terminal will not preclude access to the immediate shoreline or inland of the mean high tide line to the first line of vegetation. Existing public access to and from the headlands at Pt. St. George from the improved parking lots and along Radio Road will be unaffected. Construction of a new terminal building at the region's only commercial airport will significantly improve public access to the County from outside of the area to those visitors to Del Norte County's extensive coastal shoreline under public ownership;
B. Construction of the new terminal building would have limited visual effects to the visual areas of Pebble Beach Drive and Pt. St. George. There will be limited alteration of the natural landform. Existing utility service lines at the proposed site are underground and the new connections to these utilities will also be underground. The westerly views of the shoreline and offshore rocks as well as the open ocean would be unaffected. The project as proposed is consistent with the visual policies of the LCP;
C. The terminal project will be constructed by a public agency, in order to provide transportation services to the public, and the new terminal is necessary to meet FAA and TSA standards in order to continue to operate the airport in compliance with federal standards. The terminal replacement project is being undertaken by a public agency (the Border Coast Regional Airport Authority) in pursuit of its public mission: commercial passenger service for Del Norte County;

D. The transportation service is the Del Norte County Airport, which is the only commercial airport in the County and between Arcata, California and North Bend, Oregon;
E. The project is consistent with the allowable use test of Section 30233 (a) (5) of the Coastal Act which authorizes the fill of wetland for incidental public service purposes;
F. The County, by imposing the mitigation measures, conditions of approval, and the alternative layout recommended, has minimized the impacts to wetlands and significantly reduced wetland fill as compared to the applicant's submittal. The alignment proposed specifically avoids endangered species and endangered species habitat as mapped by qualified professionals. Wetland replacement area has been located on-site (off-site at the landfill is also available) and is sufficient in size to meet the ratio of replacement stated in the staff report. The project as recommended should not generate any off-site impacts such as sedimentation or turbidity as no streams or water bodies are impacted by this alignment. Therefore, the project as conditioned should not significantly impact environmental resources of hazardous or critical concern;
G. The Commission finds that the alternatives presented by staff involve a reduced wetland buffer in some areas to 25 feet or less at some locations where the project facilities are contiguous to a mapped wetland; however, the Commission finds that a reduced wetland buffer is less environmentally damaging than placing the improvements within wetlands;
H. The project as approved by the Commission represents the least environmentally damaging alternative;
I. The project, as conditioned, is consistent with the policies and standards of the Local Coastal Plan Title 21 Zoning (Public Facility) which permits airports and their operation and maintenance;
J. The project is consistent with the Del Norte County Certified Local Coastal Plan and, therefore, consistent with the California Coastal Act;
K. The Commission finds that although certain isolated forest communities exist in the project area, including those dominated by a canopy of beach pine and Sitka spruce, these communities are abundant in the immediate project region and on the state owned lands immediately adjacent to the airport as well as other airport lands;
L. The Commission finds that the Sitka spruce area was devoid of trees in the 1960's, based upon aerial photographs. Furthermore, a records search of the California Natural Diversity Database reveals that fifteen of sixteen special status species identified by the USFWS and CDFG were determined not to exist in the forested area due to lack of suitable habitat present or because the species was not identified during prior surveys conducted between 2002 and 2009. Only the western lily (Lilium occidentale) was identified which is listed as endangered under the Federal and California Endangered Species Act. Surveys within the forested areas did not identify any western lily plants;
M. The Commission finds that the Sitka spruce area is not an area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem;
N. Consultation with the CDFG occurred on-site on August 19, 2009, by County staff and Airport staff meeting with Gary Stacey, Regional Manager for the Northern Region of the CDFG. Furthermore, a copy of this staff report has been provided directly to Fish and Game staff in Eureka by direct delivery prior to the Public Hearing on this project;
O. The Commission finds that the primary transportation facility at the airport is the runway and the construction of a new terminal to replace the outdated and non-conforming existing terminal is incidental to the primary transportation facility, the runway, and the existing runway length, width, and capacity will not change. The Proposed Project is an upgrade to an existing critical public use facility, not intended to increase capacity, but to allow the region's only commercial Airport and its terminal to function more effectively to meet existing projected demand; and

P. The findings and determinations listed in the Border Coast Regional Airport Authority Resolution No. 2009-02 certifying the Final Environmental Impact Report (SCH #2006112120) are incorporated by reference as part of this staff report.

6. CONDITIONS:

1) The project shall be developed in substantial accord with the layout design as approved by the Planning Commission as shown in **Exhibit 8** (Staff Alternative C);
2) Prior to issuance of a grading and/or building permit, the applicant shall submit final grading and construction plans for review and approval by the Community Development Department. The plans shall be consistent with terms and conditions of approval of Coastal Development Permit No. UP0736C. The actual construction plans may occupy and be less than that delineated on the **Exhibit 8** (Staff Alternative C), but any reduction in building area does not alleviate the applicant from complying with the terms and conditions of this permit;
3) This permit is issued for three years, during which time the applicant may initiate the permit by submitting plan(s) as provided below;
4) Prior to issuance of a grading and/or building permit, the applicant shall submit a final construction/development phasing plan for review and approval by the Community Development Department, which shall conform to the following:
    a. All roads and infrastructure needed to serve all of the project and how each phase leads to eventual completion of the total project with all phases completed prior to occupancy of the new terminal building;
    b. All stormwater runoff treatment facilities needed to serve all of the roads, improvements, and adjacent areas within a particular phase of the overall project shall be completed prior to or otherwise guaranteed prior to initiation of any subsequent phase;
    c. A parking area sufficient to accommodate the terminal design capacity shall be completed and open for public use prior to occupancy of each phase of the new terminal building;
    d. Erosion control measures and any measures to protect immediately adjacent wetlands during construction shall either be completed in its entirety prior to issuance of any grading or building permit or completed in phases integrated into the phasing of the total project;
5) Construction within the wetland areas shall be limited to the summer/fall months or when these areas are devoid of standing water (confirmed by County staff prior to any activities within these wetland areas). Diversion of any flowing water within the ditch areas may be considered; however, a plan for any diversion shall be approved by the County Engineer prior to issuance of a grading permit;
6) Prior to issuance of a grading and/or building permit, the applicant shall submit for review and written approval of the County Engineer, a stormwater management plan that includes at a minimum the following:
    a. All stormwater runoff from streets, buildings and any other hard surface areas shall be directed to a bio-filtration swale and ultimately into a de-siltation basin before being released into any wetland areas of the site;
    b. The bio-filtration swales shall be planted with native vegetation;
    c. The stormwater runoff facilities shall be designed to treat, infiltrate or filter the amount of storm water runoff produced by all storms up to and including the 85th percentile, 24-hour storm event;

d. A detailed site plan of the development site showing the exact location of all stormwater runoff facilities;
e. Sections and detail exhibits of the proposed bio-filtration swales, de-siltation basins, and appurtenant drainage facilities; and
f. A final grading and drainage plan showing the topography of the site as graded and the direction of flow of stormwater runoff from all new surfaces or disturbed surfaces;

7) Prior to issuance of a grading and/or building permit, the applicant shall submit for review and written approval of the County Engineer, an erosion control plan. The plan shall include site plans and written descriptions sufficient to describe both non-structural and structural erosion, sediment generation, and polluted runoff controls to be used during project construction consistent with this permit approval. The plan shall include the following:
   a. The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags;
   b. The plan shall specify that should grading take place during the rainy season (October 16 - April 15) the permittee shall install or construct temporary sediment basins (including debris basins, de-siltation basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. Major structural erosion measures such as basin traps or swales shall be required on the project site prior to or concurrent with the initial grading operations (or, if grading begins during the dry season, prior to the onset of the rainy season) and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. Smaller temporary erosion controls, such as sand bag barriers, silt fencing and geofabric covers shall be stockpiled for the duration of the rainy season and these erosion control measures shall be in place any time the probability of rain in the five day forecast is 40% or greater. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill;
   c. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days during the dry season, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume. If grading or site preparation ceases during the rainy season, the project site must be maintained until the project is completed or the site restored to original conditions;
   d. A schedule shall be prepared for removal of any temporary erosion control measures;
   e. If any permanent erosion control measures are installed, a site plan shall be prepared for them and a schedule of maintenance and inspection shall also be prepared and provided to the Airport Maintenance personnel;

8) Prior to issuance of a grading and/or building permit, the applicant shall submit for review and written approval of the Community Development Department, a construction staging plan which indicates that the construction in the construction zone, construction staging area(s) and

construction corridor(s) which avoid impacts to all wetlands areas and other areas not proposed for disturbance at this time. The plan shall include the following requirements and elements:

a. Prior to commencement of construction, temporary barriers shall be placed at the limits of grading within 25 feet of a wetland. All wetland areas are to be verified by a qualified biologist in the field prior to actual construction. Solid physical barriers shall be used at the limits of grading immediately adjacent to all wetlands. Barriers and other work area demarcations shall be inspected by a qualified biologist to assure that such barriers and/or demarcations are installed consistent with the requirements of this permit. All temporary barriers, staking and fencing shall be removed upon completion of construction;
b. No grading, stockpiling or earth moving with heavy equipment shall occur within wetlands or immediately adjacent to any wetlands;
c. No construction equipment shall be stored within or immediately adjacent to any wetlands;
d. The plan shall demonstrate that:
    1. Construction equipment, materials or activity shall not occur outside the staging area and construction zone and corridors identified on the site plan required by this condition; and
    2. Construction equipment, materials, or activity shall not be placed in any location that would result in impacts to wetlands;
e. The plan shall include, at a minimum, a site plan that depicts:
    1. limits of the staging area(s);
    2. construction corridor(s);
    3. construction site; and
    4. the location of construction fencing and temporary job trailers with respect to existing wetlands and any designated sensitive habitat;

9) Any grading that disturbs more than 1 acre of land is required to obtain a State Water Resources Control Board Construction Storm Water Permit and develop a Storm Water Pollution Prevention Plan (SWPPP). Disturbed land includes new access roads, soil stockpiling, staging areas and off-site disposal of soils;

10) All areas disturbed and/or denuded by the development, other than areas approved for hardscape or other development that is incompatible with re-vegetation, shall be re-vegetated and maintained to protect habitat and to prevent erosion into habitat areas, wetlands, and coastal waters. All required plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials that conform to the requirements of condition #11 of this permit;

11) All landscaping within the project area covered by this permit shall be of plants native to the North Coast of California and appropriate to the natural habitat type or non-native plants that are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society, California Exotic Pest Plant Council, or as may be identified from time to time by the State of California, or any plant species listed as a `noxious weed' by the State of California or the U.S. Federal Government shall be utilized anywhere within the proposed development area;

12) A wetland mitigation plan shall be prepared for the alternative selected. Wetland mitigation shall be at a 3:1 ratio of new wetlands replacing the wetland areas impacted. The wetland mitigation shall take place on-site unless the FAA rules that the wetland mitigation must take place off-site (at the landfill). The wetland mitigation plan must include target hydrologic objectives, the establishment and maintenance of native wetland plants, and the reduction and/or elimination of any non-native plant species on the mitigation site. The mitigation plan must include a maintenance and monitoring program that will provide for:

a. A 2-year plant maintenance period and a 5 year monitoring period;
b. A provision to include an additional 3-year monitoring period after the end of any active management (such as irrigation, replanting, or substantial weed removal) to ensure that new habitat is self-sustaining;
c. A provision to extend the 7 year maintenance and monitoring period should the performance goals (target wetland vegetation goals) not be met by year 5;
d. The airport will manage non-native weeding at the restoration site(s) on an on-going basis should non-native plants attempt to establish themselves during the monitoring period;

13) Prior to issuance of the building permit for the terminal building, soils analysis shall be completed in conformance with Chapter 14.12 Del Norte County Code and a Waste Discharge Report, or waiver there from, shall be obtained from the Regional Water Quality Control Board and a copy provided to the County;
14) All exterior lights, including any lights attached to the outside of the terminal building, shall be the minimum necessary for the safe ingress, egress, use of the structures, and that necessary to comply with FAA/TSA standards and shall be low-wattage, non-reflective, shielded, and have a directional cast downward;
15) An Encroachment Permit shall be obtained from the Community Development Department, Engineering and Surveying Division, for any work, including construction of driveways, landscaping, or utility connections, within any portion of Dale Rupert Road including any relocation of, or the demolition of, any portion of Dale Rupert Road;
16) Road improvements:

For Alternatives A and B:

A) An Encroachment Permit shall be obtained from the Community Development Department, Engineering and Surveying Division, for any work, including construction of driveways, landscaping, or utility connections, within any portion of Dale Rupert Road including any relocation of, or the demolition of, any portion of Dale Rupert Road and improvements at the intersection of Washington Boulevard and Dale Rupert Road;
B) Prior to Certification of Occupancy, the relocated Dale Rupert Road shall be improved to urban road standards for a County maintained road collector. Those requirements are Cal-Trans Type A2-6 curb, gutter, 5-foot sidewalk, storm drain where necessary, and forty-four feet of pavement. The pavement structural section shall be a minimum of .25 feet of compacted asphalt concrete pavement over an engineered base. All work shall be completed in compliance with Title 12 of the Del Norte County Code, which requires an engineered grading and drainage plan with calculations showing all improvements. The plan shall be prepared by a California Registered Civil Engineer and submitted to the County Engineer for review and approval prior to construction (the applicant can request the Board of Supervisors to allow the road to be constructed to rural public road standards for collector roads, which is a twenty-four foot paved surface with four-foot shoulders);
C) Prior to Certification of Occupancy, the new Washington Boulevard and Dale Rupert Road intersection shall be improved to include a left hand turn lane on east bound Washington Boulevard, and a left hand turn lane at Dale Rupert Road. All work shall be completed in compliance with Title 12 of the Del Norte County Code, which requires an engineered grading and drainage plan with calculations showing all improvements. The plan shall be prepared by a California Registered Civil Engineer and submitted to the County Engineer for review and approval prior to construction;

For Alternative C:

A) An Encroachment Permit shall be obtained from the Community Development

Department, Engineering and Surveying Division, for any work, including construction of driveways, landscaping, or utility connections, within any portion of Dale Rupert Road and improvements at the intersection of Washington Boulevard;

B) Prior to Certification of Occupancy, Washington Boulevard and Dale Rupert Road intersection shall be improved to include a right hand turn lane on west bound Washington Boulevard, and a left hand turn lane at Dale Rupert Road. All work shall be completed in compliance with Title 12 of the Del Norte County Code, which requires an engineered grading and drainage plan with calculations showing all improvements. The plan shall be prepared by a California Registered Civil Engineer and submitted to the County Engineer for review and approval prior to construction;

C) Prior to issuance of a Certification of Occupancy for the terminal building, the existing Dale Rupert Road surface shall be rehabilitated with a minimum of a 0.15' thick overlay with Type A concrete asphalt for the full width of the existing asphalt surface (roadway and shoulders). Prior to the application of the overlay, any repair work within the roadway shall be completed and the responsibility of the applicant. The rehabilitation of Dale Rupert Road shall begin at the intersection of Washington Boulevard and end at the new airport terminal building.

D) Prior to Certification of Occupancy, the new (realigned) portion of Dale Rupert Road shall be improved to urban road standards for a County maintained road collector. Those requirements are Cal-Trans Type A2-6 curb, gutter, 5-foot sidewalk, storm drain where necessary, and forty-four feet of pavement. The pavement structural section shall be a minimum of .25 feet of compacted asphalt concrete pavement over an engineered base. All work shall be completed in compliance with Title 12 of the Del Norte County Code, which requires an engineered grading and drainage plan with calculations showing all improvements. The plan shall be prepared by a California Registered Civil Engineer and submitted to the County Engineer for review and approval prior to construction (the applicant can request the Board of Supervisors to allow the road to be constructed to rural public road standards for collector roads, which is a twenty-four foot paved surface with four-foot shoulders);

17) The Commission supports shifting the connection road in Alternative C (between the existing Dale Rupert Road alignment and the new airport road east of the new terminal building) 30 feet toward the airport terminal building to further avoid wetlands and thereby reducing the impacted wetland by approximately 775 square feet and thereby reducing the amount of wetland mitigation proportionately. Should this shift not be approved by the FAA, the existing alignment in Alternative C is approved as part of this action and the mitigation would remain unchanged;

18) A final parking plan shall be submitted for the project as part of the building permit application. The parking plan shall provide for a minimum of 152 off-street public parking spaces and 25 employee spaces, of which a minimum of 7 parking spaces (6 of the public spaces and 1 of the employee spaces) shall ADA accessible and at a minimum 2 (two) parking spaces (one in each lot) shall be ADA van-accessible. All parking spaces and aisles shall be clearly delineated by striping and finished in an all-weather surface consisting of asphalt concrete or concrete;

19) The project shall comply with the requirements of the California Fire Code applicable at the time of complete application (08/09) including the placement of any required fire hydrants as specified by the Crescent Fire Protection District;

20) All utilities serving the proposed project shall be placed underground as proposed by the applicant;

21) For all earthwork activities occurring at depths of 3 feet or more, a qualified archaeologist or a representative of the local Rancheria shall be present onsite to monitor such activities. If a

potentially significant cultural resource is encountered during subsurface earthwork activities for the project, all construction activities within a 100-foot radius of the find shall cease until a qualified archaeologist determines whether the resource requires further study. The County of Del Norte shall require the project applicant to include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Potentially significant cultural resources consist of, but are not limited to, stone, bone, glass, ceramic, wood, or shell artifacts; fossils; or features including hearths, structural remains, or historic dumpsites. If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analyses, prepare a comprehensive report and file it with the appropriate Information Center, and provide for the permanent curation of the recovered materials;

22) It is the policy of the County of Del Norte that should any archaeological resources be found during the project construction, construction activities shall be halted at the site until an evaluation of the find is made either by a qualified archaeologist or a representative of a local Rancheria or Rancherias. If human remains are encountered during earth-disturbing activities for the project, all work in the adjacent area shall stop immediately and the Del Norte County Coroner's office shall be notified. If the remains are determined to be Native American in origin, the Native American Heritage Commission shall be notified and will identify the Most Likely Descendent, who will be consulted for recommendations for treatment of the discovered remains;

23) The permittee shall undertake development in accordance with all of the approved final plans. Any proposed changes to the approved final plans shall be reported to the Community Development Director. No significant changes to the approved final plans shall occur without a Planning Commission amendment to this coastal development permit unless the Director determines that the change is insignificant and consistent with the approval of the Commission and therefore no amendment is required;

24) The Mitigation and Monitoring Plan (MMP) of the FEIR remains the applicant's responsibility. If there are any conflicts between these conditions and the MMP, these conditions shall prevail;

25) Prior to commencement of construction activities, where construction activities will take place within 25 feet of a wetland, the construction contractor shall install silt fencing around the perimeter of the construction activity footprint of the project site to prevent Northern California red-legged frogs from entering the construction site;

26) As provided in the FEIR, a qualified biologist will conduct preconstruction surveys within 2 weeks prior to the start of construction for all areas to be subject to ground disturbance to determine if migratory or protected birds are nesting in the construction area. If nesting migratory or protected birds are found in the project area during the preconstruction surveys, a 50-feet buffer around the tree will maintained until the chicks have fledged;

27) Prior to issuance of a demolition permit for the existing terminal, the applicant must submit for approval by the Community Development Department a demolition plan which includes the following items:

    a. An asbestos removal and disposal plan prepared by a California licensed Asbestos Removal Contractor;
    b. A disposal/reuse plan for the building materials;
    c. Any necessary permits for the removal of asbestos materials shall be obtained from the North Coast Unified Air Quality Management District;

28) Pursuant to legislative action effective January 01, 2007, this project is subject to Section 711.4 of the California Fish and Game Code. This section requires that a filing fee is due and payable to the Department of Fish and Game. For projects having a Negative Declaration, a fee of $1,850 is due and for projects having an Environmental Impact Report, a fee of $2,550 is due. A project proponent who believes their project will have no effect on fish and wildlife must contact the Department of Fish and Game to obtain a form signed by a representative of the Department of Fish and Game officially exempting the specific project from this fee requirement (see Section 711.4 of the Fish and Game Code). Proof of prior payment must be provided if applicable;

29) This entitlement is specifically conditioned on the applicant agreeing to indemnify and hold harmless the County of Del Norte, the Planning Commission of the County of Del Norte, the Board of Supervisors of the County of Del Norte, their officers, employees and agents against any and all claims arising out of the issuance of the entitlement and specifically against any expense arising from defending any legal action challenging the issuance of the entitlement, including but not limited to the value of time devoted to such defense by County officers, employees and agents, and the amount of any judgment, including costs of suit and attorney fees, recovered against the County or any of its officers, employees or agent in such legal action. The County of Del Norte reserves the option to either undertake the defense of any such legal action or to tender such defense to the applicant. Should the County tender such defense to the applicant and the applicant fail or neglect to diligently defend such legal action, the County may consider such failure or neglect to be a material breach of this condition and forthwith revoke this entitlement.

Attachments

Attachment A – Planning Commission Resolution No. 2009-01
Attachment B – Coastal Resources Technical Report to Support the Coastal Development Application Jack McNamara Field Terminal Replacement Project – June 2009

Exhibits List

Exhibit 1 - New Terminal Facility Schematic Design Report Drawing Attachments July 31, 2006
Exhibit 2 - Resolution 2009-02 Boarder Coast Regional Airport Authority Certifying FEIR
Exhibit 3 - Executive Summary FEIR Terminal Replacement Project
Exhibit 4 - Final Environmental Impact Report (FEIR)
CD provided to each Planning Commission Member
Hard Copy available at CDD counter and Airport for public
Exhibit 5 - Airport Passenger Terminal Staff Alternative A
Exhibit 6 - Airport Passenger Terminal Staff Alternative B
Exhibit 7 - OWTS Letter from Stover Engineering Dated August 4, 2009
Exhibit 8 - Airport Passenger Terminal Staff Alternative C

ATTACHMENT A

PLANNING COMMISSION
COUNTY OF DEL NORTE
STATE OF CALIFORNIA
RESOLUTION NO.2009-01

A RESOLUTION OF TILE PLANNING COMMISSION OF THE COUNTY OF DEL NORTE ADOPTING FINDINGS FOR PURPOSES OF AND PURSUANT TO THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT RELATED TO AIRPORT TERMINAL REPLACEMENT PROJECT

WHEREAS, the Boarder Coast Regional Airport Authority (BCRAA), acting as lead agency for the Airport Terminal Replacement Project, located at Jack McNamara Field north of the City of Crescent City, has conducted the following environmental review for the proposed project:

1. A Notice of Preparation of a Draft Environmental Impact Report (DEIR) was circulated for review and comment on during December of 2006, which included a 30-day public review period.
2. Circulation of the Notice of Preparation through the State Clearinghouse assigned the clearinghouse number SCH# 2006112120.
3. A notice of completion (Notice of Availability) of a DEIR was posted in the local newspaper and circulated for review and comment on September 1, 2008.
4. The public review and comment period commenced on September 1, 2008 and closed as of October 17, 2008 with comments received from the public and through the state agency review period set by the State Clearinghouse which ended on October 16, 2008.
5. After closure of the public comment period, all comments received were summarized and responded to in a written form including responses to comments of public agencies.
6. After consideration at a public meeting, on May 7, 2009, the BCRAA adopted Resolution 2009-02 certifying the Final EIR for the Airport Terminal Replacement Project.
7. Written comments received and the responses prepared have been included in the Final EIR (FEIR) and have been presented to the Planning Commission.

WHEREAS, the DEIR did not identify any significant impacts that cannot be mitigated to a level of less than significant; and

WHEREAS, the DEIR identified mitigation measures that have been included in a mitigation monitoring and reporting program which has been incorporated into the FEIR for implementation as part of issuance of the building permit; and

WHEREAS, comments received during the review process did not produce any evidence that the project will result in significant impacts to the environment; and

WHEREAS, the Planning Commission acting as a Responsible Agency intends to consider the Final EIR prepared for the Airport Terminal Replacement Project in the Commission's consideration to issue a Coastal Development Permit for this project by the County.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the County of Del Norte makes the following findings and determinations:

1. The Commission, acting as a Responsible Agency, has reviewed and considered the information contained in the Final EIR prepared by Border Coast Regional Airport Authority including the Mitigation and Monitoring Plan, and as determined herein, has been prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines.
2. The Commission has reviewed the information contained in the Final EIR and finds that the Final EIR is adequate for the Commission's use as a responsible agency decision-making body for the Commission consideration of the issuance of a Coastal Development Permit for the Airport Terminal Replacement Project.
3. Since the Final EIR was completed, there have been no substantial changes to the Project and no substantial changes in Project circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.
4. No substantial changes are proposed in the action of the Commission that will require major revisions to the previous Final EIR because there are no new significant environmental effects or a substantial increase in the severity of previously identified effects.
5. No substantial changes have occurred with respect to the circumstances under which the project undertaken that will require major revision of the previous Final EIR.
6. The action of the Planning Commission will not cause the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects.
7. No new information of substantial importance has been presented that was not known or could not have been known without the exercise of reasonable diligence at the time of the previous EIR.
8. A public hearing was held which did not present any evidence to change conditions in the FEIR.
9. The Planning Commission has exercised its independent judgment in evaluating the FEIR and has considered the comments received during the public review of the DEIR.
10. A Mitigation Monitoring and Reporting Program has been prepared to ensure implementation of and compliance with the measures specified in

the FEIR to mitigate significant impacts to a less-than-significant level.

BE IT **FURTHER** RESOLVED that the Planning Commission of the County of Del Norte, based upon substantial evidence in the administrative record and the FEIR prepared for the Terminal Replacement Project, hereby:

A. Approves the findings and determinations listed above.
B. Certifies the FEIR as complete and adequate to address potential environmental impacts associated with the issuance of Coastal Development Permit UP0736C.
C. Authorizes County staff, on behalf of the Commission, to file with the County Clerk of the County of Del Norte a Notice of Determination pursuant to Section 21152 of the Public Resources Code and Section 15094 of the CEQA Guidelines.

PASSED AND ADOPTED this 14th day of October, 2009, by the following polled vote of the Planning Commission of the County of Del Norte:

AYES:
NOES:
ABSENT:

Chris Howard, Chairman
Del Norte County Planning Commission

COASTAL RESOURCES TECHNICAL REPORT TO SUPPORT THE

COASTAL DEVELOPMENT PERMIT APPLICATION

JACK MCNAMARA FIELD TERMINAL REPLACEMENT PROJECT

JUNE 2009

ATTACHMENT B

TABLE OF CONTENTS

TABLES

FIGURES

COASTAL RESOURCES IMPACT EVALUATION

1.0 SUMMARY

This technical report assesses potential impacts to coastal resources in connection with the proposed Terminal Replacement Project at Jack McNamara Field (CEC) (Proposed Project).

Coastal resources are managed in California by federal, state, and local plans and regulations. The coastal resources analysis examines the coastal resources in the area of the Terminal Replacement Project at CEC and determines whether the Proposed Project is consistent with the policies set forth in the Coastal Zone Management Act (CZMA) (16 USC 1451, et seq.) as implemented through the California Coastal Act (CCA) (PRC 30000, et seq.), and the Del Norte County Local Coastal Program (LCP).

Implementation of the Terminal Replacement Project may result in impacts to coastal resources. Specifically, development of the Proposed Project has the potential to impact upland habitat and natural drainage systems, affecting coastal water quality and habitat areas. However, the potential impacts to marine environment and land resources can be addressed through design in the form of Best Management Practices (BMPs) and through the implementation of mitigation measures. The Proposed Project is anticipated to directly impact 1.0 acre of CCC jurisdictional wetlands within the footprint and an additional 0.7 acre of CCC wetlands within a general 25 foot perimeter buffer from the footprint may also be temporarily affected indirectly by construction. The Proposed Project does not have a significant impact on public access and coastal recreational uses in the area and would not have long-term cumulative affects on the coastal resources of Del Norte County.

The Proposed Project location is based upon FAA siting criteria as well as the planning analysis, which was used to determine the placement within the ALP with least environmental impact. Much of the CEC was disturbed and cleared by construction activities when the Airport was originally developed at the beginning of World War II in the early 1940s. Several alternatives were evaluated for the Proposed Project. The alterative evaluation considered the ability of the Proposed Project to meet FAA and TSA design criteria, maintain the operational capabilities of CEC and limit environmental impacts. Potential environmental impacts were considered and it was determined that rejected alternatives A-1, A-2, B-1, and B-2 would have greater impacts than the Proposed Project. The impacts included Clean Water Act jurisdictional wetlands species habitat along with aviation related operational issues. The Proposed Project area represents the maximum area of disturbance. Future design refinements in the next phase of design will take into consideration the potential wetlands that could be disturbed. Additional details on the design, analysis of the alternatives and avoidance measures taken are described below.

Several alternative locations for the Terminal Replacement Project were studied at CEC. Del Norte County LCP Specific Wetland Policy 4a states that where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, impacts to wetlands shall only be permitted for specific uses as specified with Section 30233 of the Coastal Act. CEC is a critical public use facility. The construction of the Proposed Project Alternative is consistent with this policy because the project would be considered an incidental public service, per the Coastal Act, Section 3023. The Proposed Project would be an upgrade to an existing critical public use facility, not intended to increase capacity, but to allow the commercial Airport and its terminal to function more effectively to meet existing projected demand.

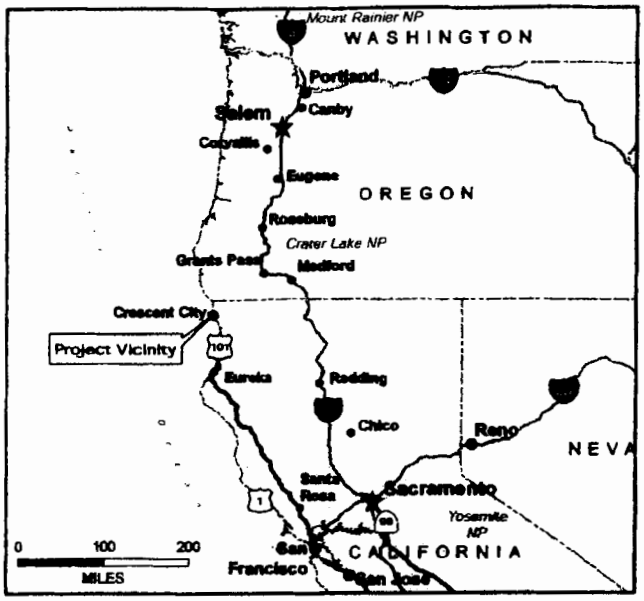
2.0 PROJECT DESCRIPTION

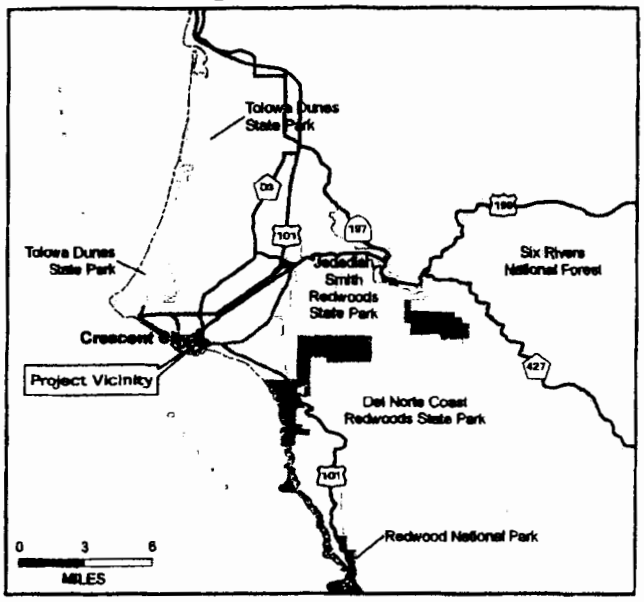
Jack McNamara Field (CEC) is located approximately 3 miles northwest of downtown Crescent City, and adjacent to the Pacific Ocean. Crescent City is located in Del Norte County, about 20 miles south of the California/Oregon border. The project vicinity and location of CEC are depicted in **Figure 1**. The Airport is owned by Del Norte County and managed by the Border Coast Regional Airport Authority (BCRAA), the project Sponsor, through a Joint Powers Agreement (JPA) effective as of October 4, 2007, consisting of Del Norte County, CA, the City of Crescent City, CA, the City of Brookings, OR, and the Elk Valley Rancheria. CEC is a commercial service airport that provides airfield, terminal, and support facilities for scheduled commercial airlines, air charter/taxi, military, and general aviation (GA) operations. CEC participates in the Federal Essential Air Service Program to ensure scheduled commercial flights to the Crescent City area. CEC is an essential public facility, as it is the only commercial airport currently serving Del Norte County, as well as Curry County, Oregon to the north.

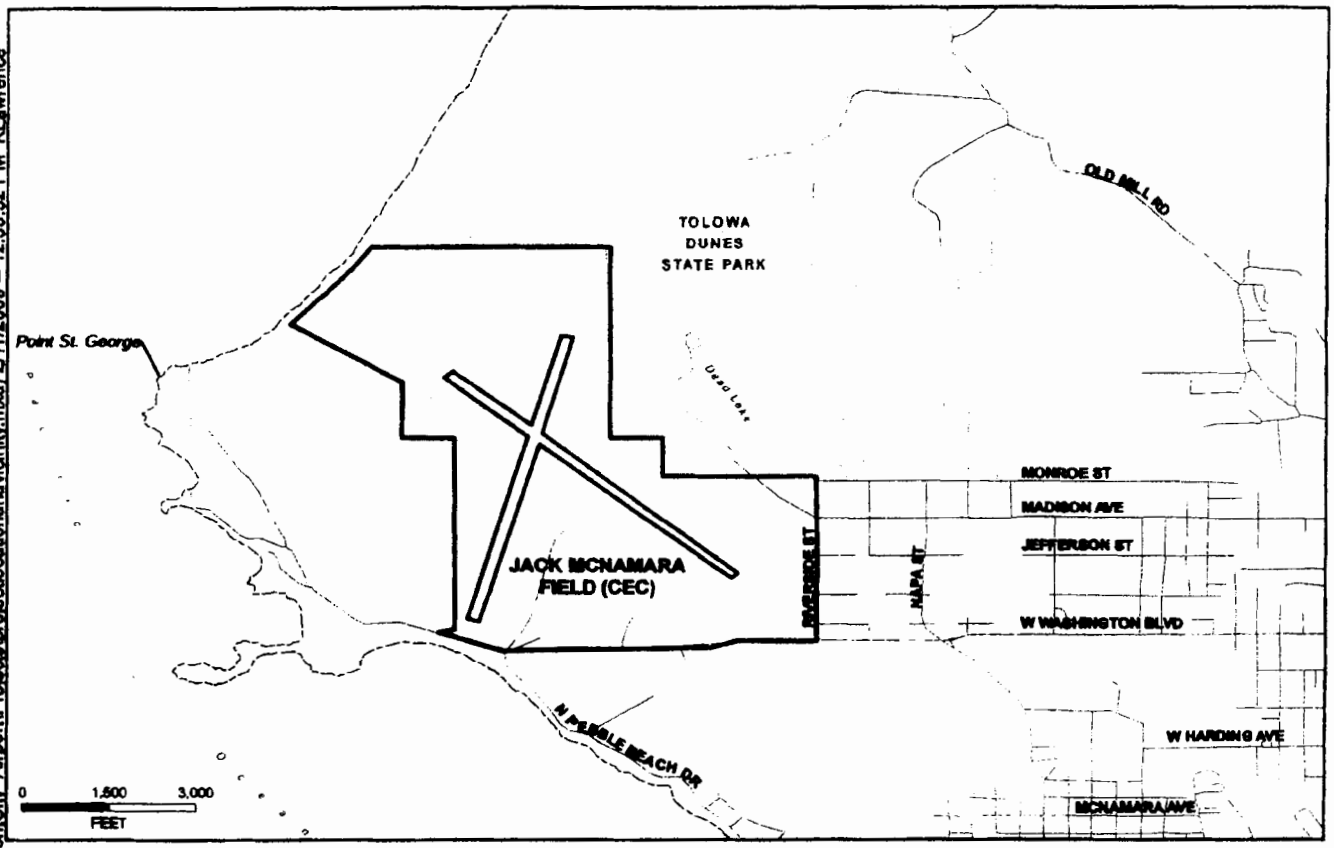
CEC participates in the Federal Essential Air Service (EAS) Program to ensure scheduled commercial airline service to the Crescent City area. The EAS program was put into place to guarantee that small communities that were served by certificated air carriers before the Airline Deregulation Act of 1978_ maintain a minimal level of scheduled air service. The United States Department of Transportation (DOT) currently subsidizes commuter airlines to serve approximately 140 rural communities across the country that otherwise would not likely receive any scheduled air service. CEC is an essential critical use public facility, as it is the only commercial airport currently serving Del Norte County, as well as Curry County, Oregon to the north.

CEC is a certified Federal Aviation Regulation Part 139 commercial service airport that is part of the National Integrated Airport Systems (NPIAS). Additionally, as part of the California Aviation System Plan (CASP), CEC is one of only two designated primary commercial non-hub airports in the North Coast Region that have scheduled airline passenger service. CEC is an important connection in the region's air transport network and provides access to national and international air service. CEC also plays a crucial role in providing emergency services and staging area for disaster relief, firefighting operations, and search and rescue activities for the region and state. During emergency events, firefighting and search and rescue aircraft use CEC as a staging location.

Del Norte County has identified improvements needed at CEC to accommodate existing aviation activity and future demand. The Terminal Replacement Project evaluated in this report consists of the construction of a new terminal building and related facilities (i.e., parking lot, access road, aircraft apron, infrastructure/utilities) at CEC. The size of the new terminal building is based upon projected enplanements for year 2016. Development of the Proposed Project would commence after funds have been secured from the FAA. It is anticipated that construction would occur between 2010 and 2011 with the new terminal building being in operation by 2011. The components of the Proposed Project are shown in **Figure 2** and **Figure 3** and listed in **Table 1**.







LEGEND

Detailed Study Area - CEC

PROJECT LOCATION AND VICINITY

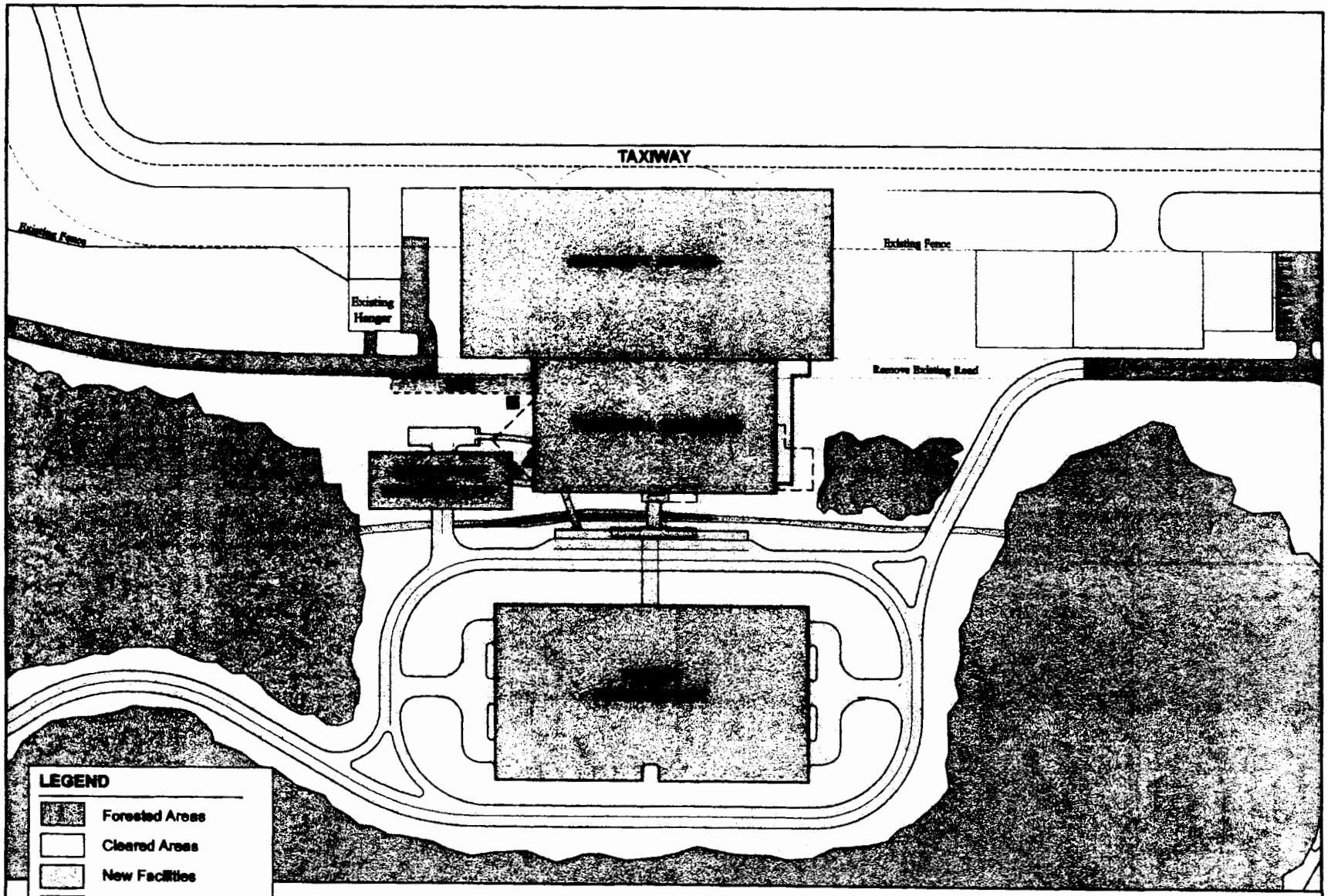
February 2009
2806712

Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California

FIGURE 1

Map Document: (F:\GIS\Crescent\City_Airport\Projects\projectlocationandvicinity.mxd) 2/11/2009 – 12:55:32 PM KLawrence

Source: City and County Boundaries, Local Roads, Lake Earl, Airport Runways and State Park Boundaries, California Spatial Information Library, 1993-2007; Other Roads, ESRI, 1999; Redwood National Park Boundary, National Park Service, 1990; Other Park Boundaries, State Boundaries and Major Roads, ESRI streetmap, 1992-2004.



Note: Conceptual Representation

PRIMARY PROJECT COMPONENTS

Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California

February 2009
28067122

FIGURE 2

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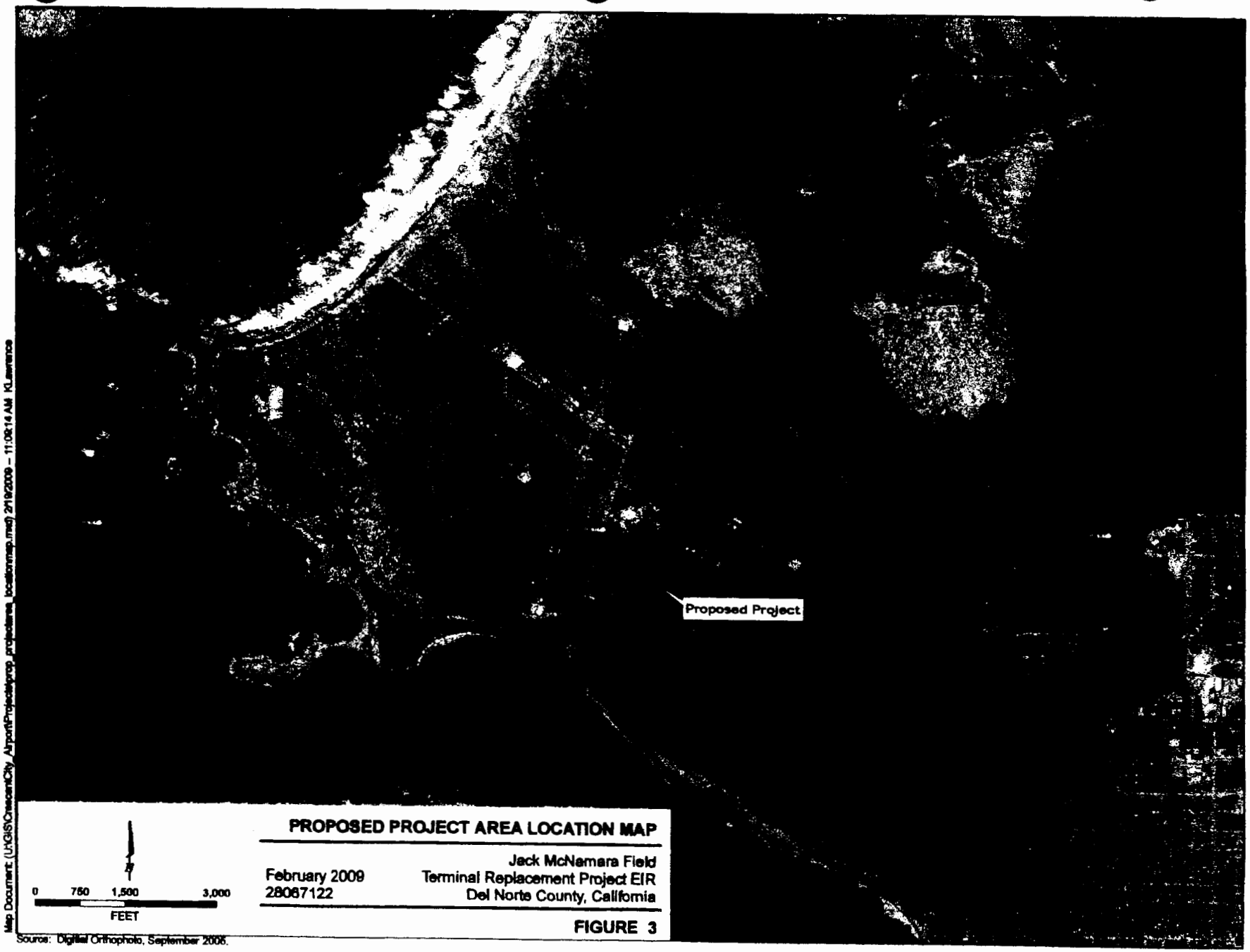

Proposed Project
0 750 1,500 3,000
FEET
PROPOSED PROJECT AREA LOCATION MAP
February 2009
28067122
Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California
FIGURE 3
Source: Digital Orthophoto, September 2006.
Map Document: (J:\GIS\Crescent City Airport\Projects\prop projections_locationmap.mxd) 2/19/2009 -- 11:08:14 AM KLawrence

Table 1
Terminal Replacement Project Components

- Construct new terminal building (20,800 square feet);
- Construct new aircraft apron area (350 feet by 190 feet);
- Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres);
- Realign Dale Rupert Road and construct circulation road; and
- Implement infrastructure and utilities improvements (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, parking meters/machines, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area.

A Draft Environmental Assessment (EA) and an Environmental Impact Report (EIR) was prepared to address the potential environmental impacts associated with the Terminal Replacement Project to satisfy the requirement of the National Environmental Policy Act and California Environmental Quality Act respectively. The Draft EA/EIR was released on September 2, 2008 for a 45-day review period. A public hearing was held on October 2, 2008. All comments received concerning the Draft EIR have been addressed in the Final EIR and are included in Appendix L, Comments and Responses from that document.

Resolution 2009-02 was passed and adopted on May 7, 2009 and encompassed several actions, including (1) certification of the Final Environmental Impact Report ("Final EIR" or "FEIR"); (2) the application for and issuance of a Coastal Development Permit ("CDP") by the County of Del Norte pursuant to the County's approved Local Coastal Plan; and (3) related discretionary approvals, including those from federal, state and other local agencies; and

For additional analysis please refer to the Final EIR which is located at the county website at http://www.co.del-norte.ca.us.

2.1 EXISTING FACILITIES

CEC has two intersecting runways, both with full-length parallel taxiways. Runway 11/29 and Runway 17/35 are both 5,002 feet in length and 150 feet wide, and constructed of asphalt. Runway 11 is considered to be the primary runway with precision instrument approach capability (Instrument Landing System/Distance Measuring Equipment [ILS/DME]) and three non-precision instrument approach procedures. The ARC classification for Runway 11/29 is C-III. Runway 17/35 is considered to be the secondary crosswind runway with two non-precision instrument approach procedures. The ARC classification for Runway 17/35 is B-II. The runways pavement strengths were designed to accommodate a 43,000-pound, dual-wheel aircraft. Taxiways A and B are parallel taxiways. They are 50 feet wide and marked with standard yellow, centerline striping. CEC does not have an FAA Airport Traffic Control Tower.

Thirty-six general aviation aircraft are currently based at the Airport. These aircraft are stored in hangars provided by the fixed-base operator, on private leaseholds, or in hangars managed by the Sponsor. There are 7 individual T-hangars, 17 small box hangars, and 3 large box hangars. Transient aircraft parking is also available. Currently, CEC is served by only one commercial passenger carrier, United Express (operated by SkyWest Airlines), which operates six flights daily using an Embraer EMB-120 Brasilia. Air cargo, air taxi, commuter, and emergency service operators also use CEC facilities.

The existing terminal building is a single-story facility, which was constructed in 1950 and is 2,020 square feet in size. Only minimal renovation has occurred since its original construction. A separate double-wide, modular building of approximately 980 square feet was added adjacent to the terminal building in 2002 to accommodate new U.S. Department of Homeland Security – Transportation Security Administration (TSA) screening procedures and a small secure hold room. Terminal area parking facilities include short-term and long-term parking for passengers; employee, staff and visitor parking; and car rental spaces (85 total spaces and a small gravel overflow lot with approximately 25 spaces).

2.2 AVIATION FORECAST

The historical aviation activity and forecast summary provides a basis for describing the need for the Proposed Project Alternative. Aviation demand forecasts provide a basis for determining the type, size, and timing of future facility development at CEC, including terminal facilities, apron areas, airside/landside access, and parking facilities. Consequently, the forecasts influence nearly all phases of the future development. Forecasting the number of passenger carrier operations at CEC helped with Airport facility planning. An aircraft operation is defined as a take-off or a landing; thus, each flight consists of two operations. A direct relationship exists between the number of passenger carrier operations, the level of passenger enplanements and the facility space requirements. The FAA reviewed the historical Air Carrier Activity Information System (ACAIS) information to verify the enplaned passenger numbers. The ACAIS records indicated that 13,694 enplaned passengers were recorded in 2007. A conservative growth rate of 2 percent was used to determine enplaned passenger estimates in the future resulting in 14,822 in 2011 and 16,116 in 2016.

2.3 PURPOSE AND OBJECTIVES FOR THE PROPOSED PROJECT

The purpose of the Proposed Project is to ensure that CEC can accommodate existing commercial aviation passenger needs and future demand as projected by the TAF, and provide an acceptable level of customer service. The efficiency of passenger handling facilities involves a number of factors, including adequate terminal space for Airport patrons, ticketing operations, security screening, concessions, and baggage handling. A lack of adequate space for these functions can affect the safe and efficient movement of people through an airport. A secondary goal of the Proposed Project is to minimize environmental impacts given CEC's location within Del Norte County's Coastal Zone. Several alternative locations were considered and the location for the Proposed Project was selected based upon the ability to minimize impacts, while adhering to FAA and TSA design standards.

Because the location of the Proposed Project would be different from that of the existing terminal facilities, a new aircraft apron area, parking facilities, access road, and associated infrastructure/utilities need to be developed taking into account FAA and TSA guidelines. To maximize the new aircraft apron's utility, it would need to be sized to accommodate the range and number of aircraft that could potentially use CEC, with direct access to existing taxiways. Adequate vehicle parking is essential to the air transportation system as convenient, efficient, secure, and appropriately sized and located parking facilitates are needed for an airport to be successful. Surface transportation circulation is a critical component of a successful airport. To accommodate this requirement, a new access road is proposed to provide adequate Airport access and efficient circulation for passengers and Airport tenants. This road is designed to provide the required 300-foot restriction from the terminal during high TSA alert conditions. The existing entrance portion of Dale Rupert Road would be maintained for secondary access to the terminal and emergency access to Runway 17/35. Utility connections are necessary to support construction and/or operation of the new terminal building, parking facility, and aircraft apron

area. The selection process for the Proposed Project location also considered the proximity to utility tie-in locations to minimize new infrastructure.

The overall goal of CEC is to promote the maintenance and improvement of general and commercial aviation facilities. In addition to this goal, the Sponsor has established five principal policies for future facilities at CEC:

1. To continue to pursue opportunities for the economic development and modernization of CEC which is the only critical use aviation transportation and service facility in the region;

2. Determine the projected needs of all Airport users for both airside and landside facilities;

3. Create a customer friendly, easily accessible facility that provides opportunities for additional passenger amenities and improve passenger connectivity between secure and non-secure areas;

4. Provide adequate capacity to serve travel demand; and

5. Minimize environmental impact within Del Norte County's Coastal Zone.

2.4 NEED FOR THE PROPOSED PROJECT

The objectives/purposes identified are based on several needs. The following is a summary of the specific needs.

2.4.1 Construct a New Terminal Building

The existing terminal is a single-story building, which was constructed in 1950 and is only 2,020 square feet in size. A separate double-wide, modular building of approximately 980 square feet was added adjacent to the existing terminal building in 2002 to accommodate TSA screening procedures, including a small secure passenger holding room which is used just prior to boarding an aircraft.

The terminal was not designed for commercial passengers. It has become outdated and is in poor condition, having had only minimal renovation since its original construction. It had previously been determined by Del Norte County and the FAA that the existing terminal building is not functional and, due to its age and layout, cannot be modified to provide the required space in a cost-effective manner. The existing terminal building does not have adequate space to provide all the typical functions required to accommodate commercial passenger operations. The meet/greet areas are combined together with the ticketing, baggage claim, and the passenger waiting area, which is not in compliance with current TSA regulations (TSA, 2006). More importantly, the existing terminal building can barely accommodate one flight at a time because the arriving and departing passengers waiting to board aircraft share the same space. When a flight is delayed or a flight is diverted to CEC, which happens frequently due to coastal weather conditions, the existing terminal building cannot handle the additional capacity of arriving and departing passengers.

The existing terminal building is not compliant with current seismic codes and the requirements of the Americans with Disabilities Act (ADA). Furthermore, the design standards of 1950, when the existing terminal building was constructed, do not adequately address or meet the demands and expectations of today's airline operators and the traveling public. TSA security screening has also

evolved considerably since the events of September 11, 2001 (9/11) and requires additional terminal space in order to function properly.

The existing aircraft parking apron area in front of the terminal is not adequate to accommodate aircraft plane loads. Recent safety inspections indicate there is ramp congestion which limits aircraft movement. To allocate more space, in the existing configuration, the terminal building would have to be moved farther back into the parking lot to the southeast. Based on blast protection guidance (which will be determined in the next phase of design), normal exterior TSA design standards typically recommend an average 150-foot setback distance from the terminal building for parking areas. A distance of 300 feet from the terminal building is required by TSA regulations during elevated threat level conditions as depicted in **Figure 4**. The main Airport access road must be clear of this 300-foot restricted distance from the passenger terminal during elevated threat levels in order to maintain tenant and emergency vehicle access to the non-terminal related Airport facilities. The Airport is currently non-compliant with these regulations and recommendations and in order to comply would need to move and expand the current parking area into the area directly behind the existing parking lots. This move would result in greater potential impacts to jurisdictional wetlands than the proposed alternative. Consequently due to current design standards it is necessary to construct an entirely new terminal building with designated areas and adequate space for each of the Airport functions required to process tenants, customers, employees, and passengers in order to maintain the efficiency and security of the Airport, and provide an acceptable level of customer service.

2.4.2 Construct a New Aircraft Apron Area

Because the new terminal building is proposed to be constructed at a new location, and the existing apron is undersized a new aircraft apron area is necessary to provide an area adjacent to the new terminal building. The apron would be designed to allow for two aircraft to be parked adjacent to the terminal so passengers could easily and efficiently board and disembark from aircraft.

It is projected that the critical aircraft at CEC will likely continue to be the Embraer Brasilia, E-120. It is reasonable to plan for future passenger growth, which may require a larger aircraft sometime within the life span of this facility. The next step up in aircraft seating capacity would be comparable to the de Havilland Dash 8 turbo-prop Q400 and/or the Bombardier Regional Jet CRJ-200. These aircraft could operate under the current classification approved in the ALP, C-III. The wingspans for this future critical aircraft size range from 69.6 feet (CRJ-200) to 93.3 feet (Q400), while their lengths range from 87.8 feet (CRJ 200) to 107.8 feet (Q400) (URS, 2006). The new aircraft apron would be designed to accommodate two aircraft of this size range, which can operate consistent with the existing CEC runway category. Direct connection to the taxiway would be provided to allow for efficient taxiing to and from the runway system.

2.4.3 Construct New Surface Parking Lot

The terminal building is proposed to be constructed in a new location and the current parking lot and is therefore not sufficient, the surface parking lot also needs to be relocated. Vehicle parking facilities are necessary to provide an area adjacent to the new terminal building where Airport patrons can have easy access to Airport facilities.

CEC operations generate a demand for both public and employee parking. In addition to parking needs driven by increased activity at CEC, post-9/11 security requirements have increased the number of security employees working at the Airport. Currently, CEC has 85 paved parking spaces on an existing surface lot for short-term parking and an additional overflow gravel lot with 25 spaces for long-term parking. The short-term lot is shared with Airport employees. Neither parking lot is

compliant with current TSA regulations and recommended blast protection and high alert zones due to their proximity to the existing terminal building. A parking survey at CEC indicated that during the peak holiday season the short-term parking lot was at capacity and the long-term overflow lot was at 65 percent capacity (CEC, 2007). The new parking facilities consist of 152 public spaces and 25 employee spaces to accommodate existing aviation activity and forecast future demand.

Adequate parking is essential to the safe and efficient flow of landside traffic at a well-designed terminal facility providing for customer, tenant, and employee access to terminals and other Airport facilities. The peak holiday season capacity issues at CEC create an inconvenient and inefficient parking condition, which is noncompliant with FAA and TSA guidelines and hinders customer, tenant, and employee access to Airport facilities. Construction of larger parking facilities at CEC in a new location would address existing demand and reduce peak holiday season parking issues. More importantly, the construction of a new parking facility would bring CEC into compliance with TSA regulations regarding Airport security.

2.4.4 Realign and Construct Airport Access Road

Because the new terminal building and parking lot is proposed to be constructed in a new location, and the existing Dale Rupert Road does not meet TSA security guidelines and Del Norte County road standards the Airport access road needs to be realigned (Stover Engineering, 2005). Access to CEC would need to be realigned to allow for TSA security guidelines and adequate circulation to and from the relocated terminal building and parking facilities. Dale Rupert road currently does not meet Del Norte County road standards for collector roads serving urban areas. A Ground Access Plan (Stover Engineering, 2005) was completed and determined that the four-way intersection currently existing at Dale Rupert Road, Washington Boulevard, and Pebble Beach Drive was a traffic hazard. This intersection has skewed angles and curves on Washington Boulevard that are difficult for vehicles to negotiate at the intersection. Currently, there is no left-turn lane, which causes traffic to be impeded when turning vehicles have to stop for oncoming traffic. This has led to confusion and accidents in the past. The new road would be classified as a collector road serving urban areas, with a 44-foot design standard.

The realigned road would connect into a loop bypass road around the terminal parking lots with a road segment in front of the terminal building for drop-off or pick-up. This new access road and more effective traffic flow design will allow for TSA security checks of vehicles before entering the parking area and during high alert conditions maintaining recommended blast protection zones and allowing for a 300-foot restricted zone from the terminal without closing Airport access to other facilities. At the same time, a loop road limits circulation through the parking lot, which is compliant with current TSA guidelines for adequate maneuvering space in the case of an emergency. This design layout is recommended in the FAA and TSA design guidelines. The existing Dale Rupert Road would then become dedicated access for ongoing secondary, emergency response to the Airport as recommended in the 2005 Ground Access Plan, compatible with other aviation-related uses at CEC.

2.4.5 Implement Associated Infrastructure and Utilities

Because the new terminal building is proposed to be constructed in a new location, infrastructure and utility connections (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, parking meters/machines, etc.) are necessary to support construction and/or operation of the new terminal building, parking facility, and aircraft apron area and would be implemented as needed.

Electrical supply is available to the proposed site. A power increase of 10 percent is projected over the existing capacity. This would be accommodated with installation of a new transformer and back-up generator with tie-in connections into the existing system.

The potable water demand for the proposed terminal location can be supplied adequately from the existing pressures and distribution system with improvements to the potable water 4-inch distribution main. This potable water distribution piping is supplied from a connection to an 8-inch supply main located at the Washington Boulevard/Airport Dale Rupert Road intersection. This main would have sufficient pressure for a fire suppression system that would be needed to service the new terminal. A small pumping station and pump rated at 1,500 gallons per minute would be needed near the existing 50,000-gallon reservoir. The station would be located on the 8-inch main, between the tank and the proposed facility.

All wastewater (e.g., sewage) would be discharged to a new onsite septic system that would be sized accordingly for the new terminal building, requiring approximately 3,000 gallons to support the terminal. A new 1,500-gallon septic system currently exists. The permitted on-site sewage disposal treatment system (SDS), would be placed in the currently disturbed area along Dale Rupert Road. The conceptual drawings indicating proposed utilities are included at the end of this report as **Attachment 1.**

HIGH ALERT AND BLAST ZONE DISTANCES

February 2009
28067122

Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California

FIGURE 4

Source: USGS Digital Orthophoto, 2004.

3.0

DESIGN BASIS

The terminal programming was based upon review of several guidelines. The next phase of design will include refinements based on additional guidelines for terminal planning and considering TSA and FAA regulations.

FAA advisory circulars, and applicable standards were used as the general basis for programming and design the concept of the proposed Terminal Project and would be followed for implementation including the following.

- FAA Advisory Circular 150/5300-13, Airport Design
- FAA Advisory Circular 150/5320-6D, Airport Pavement Design and Evaluation
- FAA Advisory Circular 150/5340-1H, Standards for Airport Markings
- FAA Advisory Circular 150/5370-10A, Standards for Specifying Construction of Airports
- FAA Advisory Circular 150/5370-2D, Operational Safety on Airports During Construction
- Code of Federal Regulations 14 - Aeronautics and Space, Part 77 - Objects Affecting Navigable Airspace
- National Fire Protection Association (NFPA) 415, Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways
- The Airports Council International (ACI) Apron Markings & Signs Handbook
- International Air Transport Association (IATA) Airport Development Reference Manual
- FAA Advisory Circular 150/5340-18C, Standards for Airport Sign Systems
- IES RP-14-87, Recommended Practice for Airport Service Area Lighting

Airfield Standards

The horizontal geometry of taxiways and taxilanes is dictated by FAA separation and dimensional standards as described in FAA AC 150/5300-13 Airport Design. Apron layout is dependent on the aircraft being served and criteria derived from Airport adopted standards, IATA recommended criteria, and generally accepted airport engineering practices.

Apron

The new Passenger Terminal will require a new aircraft parking apron designed to accommodate the projected aircraft fleet mix with power-in/power-out aircraft operations. The aircraft parking apron will be constructed of Portland cement concrete and connected to the

existing adjacent parallel taxiway with a section of asphalt concrete pavement. Minor demolition of existing pavements and utilities will be required as well as grading and excavation of the existing site terrain. The apron area will be provided with drainage facilities, apron floodlighting, fire hydrants, pavement markings, and security fencing.

Airside pavement design was based on the aircraft fleet forecast and a 2/17/06 site geotechnical investigation report by URS. As stated previously it is projected that the critical aircraft at CEC will likely continue to be the Embraer Brasilia, E-120. The apron will be sized to accommodate potential future aircraft including the de Havilland Dash 8 turbo-prop Q400 and/or the Bombardier Regional Jet CRJ-200. The new aircraft apron would be designed to accommodate at least two aircraft.

Standard FAA and Cal Trans specification pavement materials in general are readily and cost-effectively available for the proposed design. Cost comparisons of pavement design sections reflect approximate costs based on similar work at other California airports. In general, equivalent Caltrans specification materials are less expensive than the FAA specification materials and were chosen where allowed by the FAA (apron shoulder pavement and light apron base).

Pavement designs were completed for the following pavement areas and their respective design loads:

- Heavy Aircraft Apron/Taxilane(Forecast Aircraft)
- Paved Airfield Shoulders(Airport Service Vehicles/Occasional Aircraft)
- Light Vehicle Apron(Airport Baggage/Service/ARFF Vehicles)
- Raised Sidewalk Pavement (Pedestrians)

Four major variable factors are incorporated into the pavement design, assuming a constant pavement design life and concrete mix design:

- traffic fleet mix
- traffic volume
- aircraft weight
- subgrade support

Airside Utilities

Drainage facilities for the apron area will consist of a concrete swale and catch basin with all storm water directed to landside conveyances. Rain water leaders from the terminal roof will be connected to collector pipes and likewise routed to landside drainage conveyances.

Two fire hydrants will be provided adjacent to the terminal building on the airside in accordance with FAA ARFF requirements. These hydrants will be supplied with fire water from the landside water distribution system.

The fire sprinkler and flow demands for the proposed terminal cannot be supplied adequately from the existing fire suppression line and pressures. In addition, the existing 8-inch fire suppression system supply main located on the east side of Dale Rupert Road is adjacent to the proposed facility on its west side and small portions of the main are shown underneath the building footprint. Provision of fire sprinkler and flow demands to the proposed terminal will require the following improvements:

- Re-routing portions of the line where the building is located over the existing main
- Install a small pumping station and pump rated at 1500 gpm near the existing 50,000 gallon reservoir, on the 8-inch main, between the tank and the proposed facility.
- Sprinkler system, 8" x 8" x 6" tee connection into the existing 8-inch main northwest of the proposed terminal footprint, installation of +/- 20 lf, C-900 pipe, to get within 10 feet of the proposed building footprint and capping
- Reinstall an existing hydrant on the southwest side of the proposed footprint closer to the south side of the proposed terminal
- Install a new hydrant for the northwest side of the terminal

On-Site Disposal System

The design was based upon information and results obtained from a site evaluation that was conducted on April 27, 2006, during the wet-weather season and from a historical soil evaluation that was conducted by Michael Young and Associates in February 1998.

Ten test holes (TH) were excavated by a backhoe to the depths where groundwater was observed or to a maximum eight foot depth below ground surface (bgs) if groundwater wasn't encountered.

Results of the investigation are as follow:

- Generally ground water was observed between 4 feet and 5 feet bgs in nine of the ten holes with the tenth hole being 8 feet bgs.
- Soils were sandy loam or sand
- Sand content and dampness increased with depth
- In some of the excavations, a random 6 to 12-inch thick organic clay and sand layer was encountered
- Percolation test results were between 5 to 7 minutes per inch

Mound design is based upon Del Norte County Ordinance, Chapter 14.12; California Basin Plan, Chapter 4; Wisconsin Mound Soil Absorption System, 2000; and Uniform Plumbing Code.

Given the soil types observed in Test Holes 6 & 7, it would be advisable to evaluate the land in the general vicinity southeast of the proposed facility for potential on-site SDS areas. It is opined that this general area would be better suited for SDS treatment areas versus the areas described above and as indicated in Exhibit CL2-1 because of the location and the observed soil conditions. In order to ascertain the suitability of the soils in this area to support on-site sewage disposal, additional site and soil investigations are required.

Per the results of the site evaluation, textural analysis and percolation test results, a primary mound system and a reserve area can be supported on the soils where indicated per Exhibit CL-2.

<u>Tributary West of Dale Rupert Road</u>

For the on-site sewage disposal treatment system (SDS), the following improvements are recommended:

- 2,750 gallon septic tank
- 20' x 210' primary mound system placed in the area where THs 6 and 7 are located with a pressurized distribution system and pump
- 16' x 150' reserve area placed where THs 2 & 3 are located and a 16' x 200' reserve area placed where TH 1 is located
- Relocate the existing hydrant in close proximity to primary field to the north, closer to the proposed terminal facility.

Increased surface water run-off due to the development of the proposed terminal facility will require the following improvements to be installed or maintenance be performed. Refer to the map in the Appendices for the exact location of each item:

- Remove an existing 12-inch HDPE culvert and fill in channel at location.
- Up-size an existing 15-inch dia., HDPE culvert, slope = .003 ft/ft, L=28 ft, to a 24-inch dia., HDPE culvert at the same slope and length.
- Upsize an existing 15-inch dia., HDPE culvert, slope = .005 ft/ft, L=44 ft, to an 18-inch dia., HDPE culvert at the same slope and length.
- Reinstall an existing 24-inch dia., HDPE culvert at a slope = .002 ft/ft.
- Perform maintenance on the open earth channel to reestablish the flow lines where the channel has silted in.

Construct a surface concrete swale or slotted drain between the apron's drainage collection point and the existing drainage connection point, near Del Norte Ambulance hanger, west side of Dale Rupert Road and tie-in to a new catch basin that will be installed at the existing open channel and culvert location.

Tributary East of Dale Rupert Road

Increased surface water run-off due to the development of the proposed terminal facility will require that the following improvement be installed:

- At the W.B. SE-ly Drainage Structure, install a 30-inch dia., HDPE culvert at a minimum slope = .002 ft/ft.
- Install a new 18" HDPE culvert under the access road at the Washington Blvd. intersection.
- Install storm water treatment units (based upon the patented technology from CDS) with drainage inlet interfaces, at each drainage inlet that discharges directly into the existing open channel. This would treat all the flow generated from the proposed developed areas.

Apron Floodlights

Apron flood lighting shall be accomplished in accordance with IES RP-14-87, Recommended Practices for Airport Service Area Lighting. For the aircraft parking apron, the illumination level shall average 2 to 5 foot-candles on horizontal surfaces and 2 foot-candles (average) on vertical surfaces. Flood lighting will be pole-mounted with the height of floodlights and poles kept below FAR Part 77 surfaces. All fixtures shall be the metal halide type, nominal 1,000 watts.

Access and road Improvements

The access road alignments were based upon the Del Norte Airport Dale Rupert Road Ground Access Plan that was prepared by Stover Engineering, dated June 2005, and accepted by the Board of Supervisors. Additional clearing and topographical information will be required to complete the street and parking design and thereby to determine final fill and cut quantities.

The parking lot and access road alignments and layouts were based upon exhibits prepared by URS: Exhibit CA-2.2, Airside Grading, Drainage and Utility Plan, Exhibit; Exhibit CA-1.0, Airside Demolition Plan; and Exhibit B-4.2, Site Plan.

Pavement design is based upon the geotechnical report, dated 2/17/2006, prepared by URS and site evaluation information obtained by Stover Engineering on April 27, 2006.

Site drainage is based upon topography information from Stover Engineering survey and Crescent City GIS digital survey information.

Street, curb and gutter and sidewalk sizes is based upon Del Norte County standards.

Street, sidewalk, street lights and standards, parking lot and curb and gutter construction materials specified are based upon Caltrans Standard Specifications, 2002.

Street and parking lot improvements include the following:

- 30 foot street travel width with A2-6 curb and gutters which adds an additional 5' to the road section. With the curb and gutter, the total street width from back of curb to back of curb, is 35 feet.
- 5' wide x 4" thick sidewalks placed as indicated in Exhibit CL2-0. (At the sidewalk locations the road width increases to 40' or 45', dependent upon whether the sidewalk is on one or both sides of the road.)
- 5' wide Class I bike lanes.
- Street and parking lot structural sections are the same: .3' AC, .8' AB. This may be revised after detailed R-value testing is performed.
- Eleven drainage inlets placed in locations such that the amount of runoff generated from a 100-year rain event is limited to a drainage cross-sectional area formed between the face of curb and an 8' width into the traveled way.
- Two open channel street crossings located at the vendor parking lot and located just past and north of the general parking lot. The cost estimate was predicated upon a culvert length = 40', span = 10' +/- , rise between 3' to 5' and headwalls, etc. specified per Caltrans specifications referenced above.
- Eleven street lights with 17' standards, Caltrans pole type 18-1-129.

Terminal Program

The square footage calculation for the terminal assumes 150 square feet per passenger for the circulation and holding area of terminal per FAA design criteria (AC 150-5360-13). This results in the need for a minimum of 13,500 square feet.

In addition to the 13,500 square feet of space needed for passenger movement, an additional 7,300 square feet is necessary for components such as ticketing/check-In, security/passenger screening, baggage claim, concessions/retail, rental car counter, Airport administration, public services, support areas, mechanical/electrical, communications, and storage. The proposed terminal size is based upon several design criteria for airports, including the need for adequate space for functions such as ticketing/check-In, security/passenger screening, passenger hold rooms, baggage claim, concessions/retail, rental car counter, Airport administration, public services, support areas, mechanical/electrical /communications, circulation, and storage. The design estimate of the Terminal Replacement Project includes adequate space to allow for these conditions within a 20,800-square-foot facility.

A breakdown of the estimated square feet per terminal function is identified in **Table 2**, below.

Table 2

CEC Proposed Terminal Space Program

Primary Function	Square Feet
Ticketing – Check-In	
Counter Positions/Area, Ticket Office, Baggage Screening, Baggage Make-up Area, Check-in Queue Area	4,880
Security-Passenger Screening	
Security Check Point, Passenger Queue Area, Search Room, TSA Office, Security Staff Breakroom, File Room, Communication Room, Secured Storage, Supply/Equipment Storage, Multi-purpose Training Room	2,500
Hold Room Area	
Departure Hold Room, Podium/Gate Check-In, Hold Room Restrooms, Vending Machine Alcove, Circulation	2,100
Baggage Claim	
Baggage Claim Area, Baggage Claim Area, Greeter Area, Tourist/Information, Community Cultural Display Area	4,000
Rental Car	
Office and Counter Area	400
Concessions/Retail	
Secure Side, Public Side, Lease Space, Storage, Office	1,450
Airport Administration	
Airport Management, Security Operation Center, Custodial & Maintenance	1,400
Public Services	
Secure Restroom, Public Restroom	600
Subtotal Square Feet	**17,330**

Circulation 20%	3,470
Total	**20,800**

4.0 EVALUATION OF COASTAL RESOURCE MANAGEMENT ISSUES

4.1.1 Coastal Zone Management Act of 1972

The CZMA created a voluntary federal-state partnership program designed to:

- Preserve, protect, develop, and, where possible, restore and enhance the resources of the nation's coastal zone for this and succeeding generations;
- Encourage and assist the states to exercise effectively their responsibilities in the coastal zone and achieve wise use of land and water resources, giving full consideration to ecological, cultural, historic, and aesthetic values, as well as the need for compatible economic development;
- Encourage the preparation of special area management plans to provide increased specificity in protecting significant natural resources, reasonable coastal-dependent economic growth, improved protection of life and property in hazardous areas, and improved predictability in governmental decision-making; and
- Encourage the participation, cooperation, and coordination of the public, federal, state, local, interstate and regional agencies, and governments affecting the coastal zone.

States electing to join this partnership develop programs to meet these goals that are approved by the National Oceanic and Atmospheric Administration (NOAA). California's coastal management program was certified by NOAA in 1978. Upon certification of the state's coastal management program, the state is then given the authority, through federal consistency (CZMA Section 307), to regulate federal actions to ensure that they are consistent with the state's coastal management policies as stated:

> A federal agency carrying out an activity that affects the coastal zone must provide a consistency determination to the relevant state agency before final approval of the federal activity (16 USC 1456 (c)(1)(C)).
>
> Any applicant for a required federal license or permit to conduct an activity, within or outside of the coastal zone, that affects any land or water use or natural resource of the coastal zone is required to furnish a certificate that its proposed activity is consistent with the state's coastal management program to the maximum extent practicable (16 USC 1456(c)(3)(A)).

The California Coastal Commission's Federal Consistency Unit administers the state's authority to determine whether federal projects are consistent with the state's coastal zone management program.

4.1.2 State and Local Coastal Resource Management

The California Coastal Act of 1976 establishes the procedures and policies that govern development in the coastal zone of California. Like the federal program, the California Coastal Act creates a partnership between state and local governments to regulate land and water uses in the coastal zone. The "heart" of the Coastal Act is the policies set forth in the articles of Chapter 3 that address the protection and enhancement of public access, recreation, the marine environment (including water quality and wetlands), environmentally sensitive habitat, agricultural and archaeological resources, and coastal development issues such as coastal views, limitation on landform alteration, and geologic hazards. The Act also addresses coastal industrial energy development.

Cities and Counties can develop Local Coastal Plans consistent with Chapter 3 and, once certified, authority is delegated to that local government to issue most Coastal Development Permits (CDPs) for activities within the coastal zone (with exception of activities covered under Sections 30519(b) and 30601 of the Act). The California Coastal Commission reviews LCPs, appeals, federal consistency certification, and CDPs for actions described in Section 30519(b) and 30601 of the Act.

The Proposed Project is a federal project, federal consistency also applies, which requires the Coastal Commission to issue a certification that the project is consistent with the Coastal Act. However, the locally issued CDP for the project can be used as evidence that the federal project is consistent with the policies of the Coastal Act, with California Coastal Commission Federal Consistency Unit concurrence.

Del Norte's LCP was certified by the Coastal Commission in 1983. The County uses this Plan as a guide to protect the County's coastal resources in the issuance of Coastal Development Permits. The County updated its General Plan and coastal policies in 2003. However, the new plan has not yet been approved by the California Coastal Commission and the policies contained in the 1983 Plan still apply.

Applicable policies of both the California Coastal Act and the Del Norte County LCP and how the Proposed Project conforms with these polices is presented below. The coastal resources analysis considered coastal resources in the vicinity of Airport property and the effects of the Proposed Project on those resources. This analysis focuses on those resources that the California Coastal Commission and Del Norte County consider important to assess as a part of the coastal development permit process. These coastal resource areas and issues of concern involve coastal zone access, recreation, marine environment, land resources, and effects of development. Potential direct and indirect effects of the alternatives were evaluated. A direct effect occurs when a coastal resource is permanently physically altered by the Proposed Project. An indirect effect occurs when the physical change onsite affects a coastal resource offsite.

The coastal resources analysis considers consistency with the Del Norte County LCP that was approved by the California Coastal Commission on June 3, 1981.

4.1.2.1 Public Access and Recreation

California Coastal Act Policies

Section 30211 Development not to interfere with access. 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 (a) – New development projects. Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects

Section 30221 Oceanfront land; protection for recreational use and development. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Del Norte County Policies

Public Access 1: The County shall work actively towards the attainment of maximum coastal access for the public, where it is consistent with public safety, property owner rights and the protection of fragile resources.

Terminal Replacement Project Conformity

CEC is located within the California Coastal Zone in Del Norte County (see **Figure 5**). The California coastline in this area is characterized by coastal strand (open sandy beaches and grass covered dunes) to the north and by grassy marine terrace with bluffs, sandy/rocky beaches, rock outcroppings and some coastal dunes to the west and south. To the north, west, and east of the Airport property, access to the shoreline and recreational opportunities for the public are provided at both Point St. George and Tolowa Dunes State Park. Point St. George is a popular public access site in the area, offering visitors scenic views of the Pacific Ocean and the rock outcropping just offshore. North Pebble Beach Drive is used as the primary access to Point St. George. Tolowa Dunes State Park provides offers a variety of opportunities for recreation and public access, including trails and boat ramps. Downtown Crescent City is 3 miles to the southeast of the Airport and has a harbor several other public access and coastal recreation points, including the Battery Point Lighthouse.

A portion of the Airport's property stretches to the Pacific coast shoreline on the northwest corner of the property, along one of these low bluffs. This portion of the Airport's property is dedicated to navigational aids for the runway. Due to FAA regulations, for safety and security, neither lateral nor vertical access is provided for the general public within the airfield operating area.

The Proposed Project involves construction of new facilities on an existing airport site. The construction of the Proposed Project does not affect the access currently provided to the shoreline on the project site. For safety and security reasons, per FAA regulations, only a small portion of the Airport property is accessible by the general public. Access to all areas beyond the parking lots and public terminal areas is prohibited on the property. The areas that are accessible to the public are located approximately 1 mile from the shoreline on CEC property. The property boundary does not include the narrow sandy beach next to the Pacific Ocean.

Access to this area would need to be through the Point St. George area, approximately 1/2 mile to the southwest. CEC does not provide a feasible location to extend access or provide opportunities for public recreation.

In addition, Point St. George, Tolowa Dunes State Park, and the City of Crescent City border the property to the north, west, and south and provide significant access and recreational facilities for the public. Construction of the new terminal facilities may result in temporary increases in traffic on surrounding roads, but would not result in a significant or permanent increase in roadway traffic that could affect the public's access to Point St. George. Therefore, the adjacent public access facilities would not be impacted by the Proposed Project.

4.1.2.2 Marine Environment

California Coastal Act Policies

Section 30231 Biological productivity; water quality. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30232 Oil and hazardous substance spills. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Del Norte County Policies

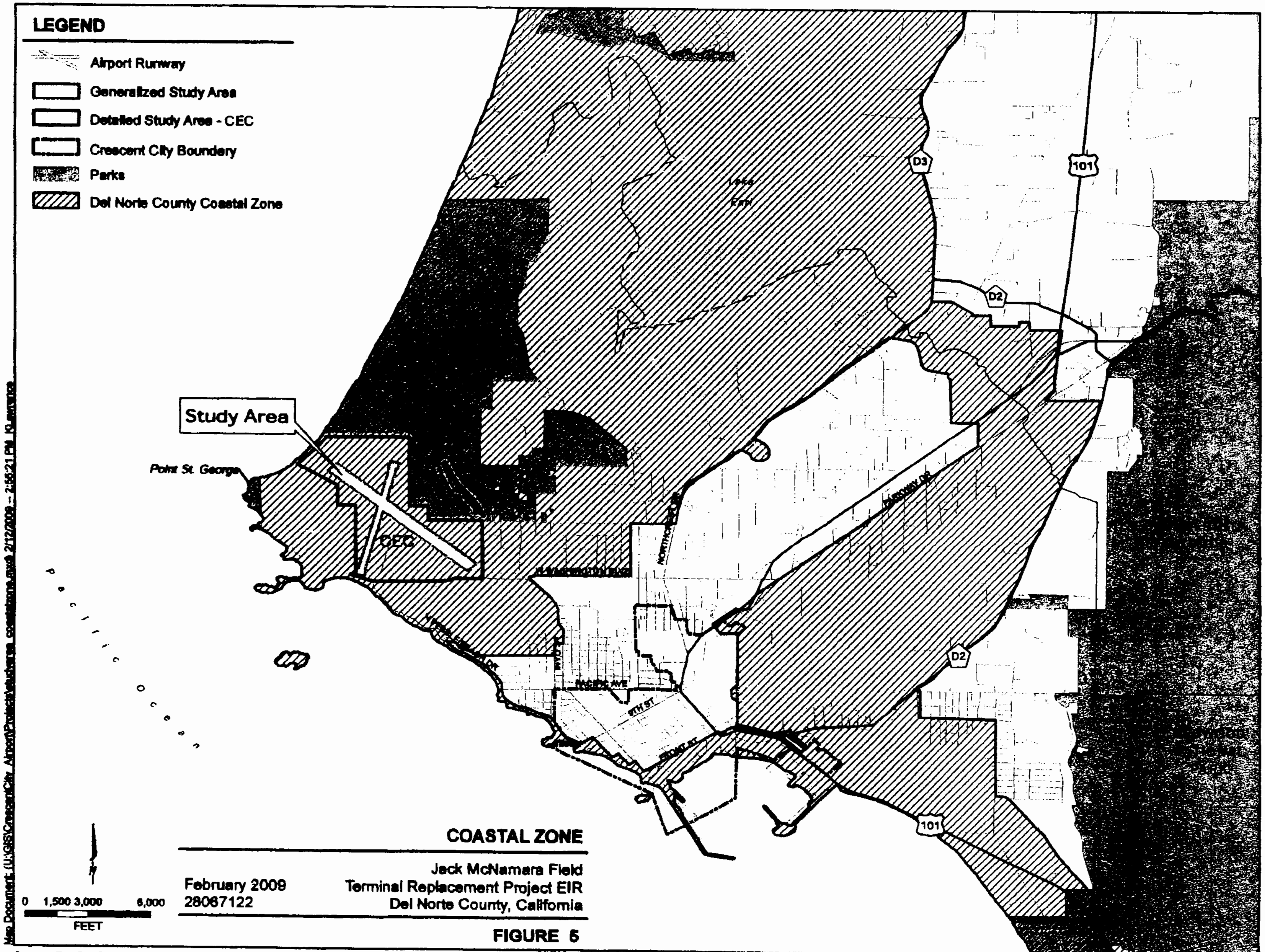
Marine and Water Resources LCP Policy 3: All surface and subsurface waters shall be maintained at the highest level of quality to insure the safety of public health and the biological productivity of coastal waters.

Marine and Water Resources LCP Policy 5: Water conservation measures should be required in new development to lessen cumulative impacts on existing water system sand supplies.

Terminal Replacement Project Conformity

The ocean waters off the coast of Del Norte County are rich in plant and animal resources. The upwelling created by currents off the California coast bring nutrient-rich waters to the surface, supporting vast quantities of plankton and attracting heavy concentrations of fish. This has created a strong sport fishing economy in the area, supported in the Generalized Study Area by the Crescent City Harbor.

In addition, the coastline adjacent to the Airport has several rock outcroppings that function as vitally important rookeries and roosting sites for both resident and migratory birds. These outcroppings are also often used as resting or haul-out sites by migratory marine mammals such as the California and Steller Sea Lion.



COASTAL ZONE

February 2009
28067122

Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California

FIGURE 5

Source: Detailed Sudy Area Boundary, Stover Engineering, January 2008; Generalized Study Area Boundary, derived from 2000 Census Tracts, URS, May 2007; City Boundarly, Local Roads Lake Earl, Airport Runways and State Park Boundaries, California Spatial Information Library, 1993-2007; Other Roads, ESRI, 1999; Coastal Zone Boundaries, California Coastal Commission, 2003; Point St. George Management Plan Boundary, URS, April 2008; Redwood National and State Parks Boundary, National Park Service, 1990 - 2008.

Map Document: (U:\GIS\CrescentCity_Airport\Projects\studyarea_coastalzone.mxd) 2/12/2009 -- 2:56:21 PM lO_.ramirez

The Terminal Replacement Project site is located at an active airfield. The vicinity of the Terminal Replacement Project site consists of partial open ground and disturbed areas (11 acres) in the vicinity of existing roads and taxiway, as well as a partially vegetated area (14 acres) composed of an isolated forest stand with coastal shrub and limited wetland communities. The partial open ground area has been previously disturbed due to development and ongoing Airport maintenance, meaning little wildlife habitat exists in this area. The vicinity of the Terminal Replacement Project site encompasses six vegetation types in addition to ruderal/disturbed areas: Sitka Spruce Series, Beach Pine Series, Red Alder Series, Pacific Reedgrass-Tufted Hairgrass Series, Cascara-Waxmyrtle Series, and Coyote Brush Series (Sawyer and Keeler-Wolf, 1995). CEC currently complies with all federal, state, and local policies and ordinances protecting common biological resources.

The Airport property does not encompass any marine areas or rock outcroppings offshore. However, upland water resources (wetlands, streams, and natural drainage basins) are linked ecologically to the marine environment. The Airport encompasses 574 acres of upland area adjacent to the shoreline. The general vicinity of the project area is primarily open space, excluding CEC's terminal facilities, and contains a partially vegetated area with thick trees/ bushes and wetlands.

CEC and the immediate surrounding area are relatively flat, but gently slope towards the Pacific Ocean. Much of the Airport drains into areas of undefined man-made drainage channels. Existing draining is poor in several areas around the Airport, where there is significant standing water, and surface conditions are wet and marshy during the rainy season (usually from October through April). Contributing to the poor drainage is the fact that the groundwater table is high and groundwater infiltration of soil depressions and unlined drainage channels occur. A system of drop inlets, culverts, and open drainage channels between the runways and taxiways helps drain the majority of the Airport area, generally in a southerly direction, which eventually drains into Marhoffer Creek drainage, located approximately 1½ miles south of Washington Boulevard. Marhoffer Creek Drainage drains to the Pacific Ocean.

The Proposed Project includes modifying the existing stormwater drainage patterns at the Terminal Replacement Project site and could therefore have an impact on stormwater water quality and quantity on the site. Currently, CEC has approximately 66 acres of impervious surface. The Terminal Replacement Project would add an additional 6.87 acres of impervious surface (2.0 acres for the airside projects and 4.87 acres for the landside projects) increasing total percentage on the property from 11.5 percent to approximately 12.6 percent. However, sufficient capacity exists in stormwater tributaries to accommodate the associated increases in stormwater runoff, and no additional stormwater detention is required.

Implementation of the Terminal Replacement Project would slightly alter an existing open earth channel to accommodate the new parking lot, but would not divert, impound, or drain the channel and therefore would not be significantly altered. The project area is relatively flat, meaning that earthwork would be expected to be minimal and limited to prepare the site for development. Erosion or siltation during earthwork activities would not be significant and would not alter existing drainage patterns. Stormwater drainage systems would be designed to preserve existing drainage patterns. The Proposed Project would not significantly alter the existing drainage patterns, nor would it hydrologically interrupt or alter riparian habitat. Therefore, no significant impacts are anticipated.

Construction activities could temporarily impact water quality onsite. Land clearing/grading activities at the construction site would disturb ground surface, decrease vegetative cover, and

temporarily increase the potential for soil erosion. However, implementation of **Mitigation Measure G-A: Comply with Del Norte County ordinances for all grading, drainage, and construction of improvements** and **Mitigation Measure G-B: Prepare and implement a grading/erosion control plan** would reduce potential impacts due to erosion to a non-significant level. In addition to impacts from erosion, impacts to runoff water quality during construction could potentially result from leaks or spills of fuel or hydraulic fluid used in construction equipment; outdoor storage of construction materials; or spills of paints, solvents, or other potentially hazardous materials commonly used in construction. Implementation of **Mitigation Measure H-A: Prepare and implement a SWPPP for construction activities** would reduce potential impacts due to construction activities to a non-significant level.

Construction and operation of the Terminal Replacement Project would not involve significant quantities of hazardous substances. All spill prevention procedures currently in place for existing Airport operations would be implemented at the Terminal Replacement Project site for aircraft and motorized equipment, to ensure that no hazardous material spills or releases occur.

4.1.2.3 Land Resources

California Coastal Act Policies

Section 30233 Diking, filling or dredging; continued movement of sediment and nutrients.

> (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:.
>
> > (l) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
> >
> > (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
> >
> > (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
> >
> > (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
> >
> > (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
> >
> > (6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource dependent activities.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified, but not limited to coastal wetlands shall be limited to minor incidental public facilities, restorative measures, nature study, and development in already developed parts.....

(d) Diking, filling or dredging; continued movement of sediment and nutrients. Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline In accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area

Section 30240 (a) Environmentally sensitive habitat areas; adjacent developments. 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.

Section 30240 (b) Environmentally sensitive habitat areas; adjacent developments. 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.

Section 30253 Minimization of adverse impacts. New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

(4) Minimize energy consumption and vehicle miles traveled.

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Del Norte County Policies

Marine and Water Resources LCP Policy 6: Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed in such areas. Development in areas adjacent to environmentally

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

Specific Area Wetland Policy 4a: The diking, filling, or dredging of wetlands shall be permitted in accordance with other applicable provisions of this program, where no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects. Such projects shall be limited to those identified in Section 30233 of the Coastal Act.

Specific Area Wetland Policy 4f: Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which could significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. The primarily tool to reduce the above impacts around wetlands between the development and the edge of the wetland shall be a buffer of 100 feet in width. A buffer of less than 100 feet shall be done in cooperation with the California Department of Fish and game and the County's determination shall be based upon specific findings as to the adequacy of the proposed buffer to protect the identified resource.

Airport LCP Policy 4: Areas be reserved for airfield dependent development

Terminal Replacement Project Conformity

The area in the vicinity of the Airport includes large areas of open space and agricultural lands, including the protected areas of Tolowa Dunes State Park, Point St. George, and portions of Jedediah Smith Redwoods State Park. These areas are rich in natural beauty and contain sensitive habitat features, including beaches, dunes, wetlands, and forests (including redwoods). Crescent City, population approximately 4,000, is 3 miles to the south of the Airport property and contains residential, commercial, and industrial developed areas.

The Airport property is approximately 574 acres and, to serve the Airport facilities (terminal, maintenance buildings, hangars, runways, taxiways, aircraft aprons, vehicle parking, and rental car facilities), is mostly clear of vegetation. Therefore, little wildlife habitat exists in the area. The partially open ground has been previously disturbed due to development and ongoing Airport maintenance. A portion of the project area includes wetlands and waters of the United States (approximately 5.2 acres under the jurisdiction of the California Coastal Commission and 2.49 acres under the jurisdiction of the U.S. Army Corps of Engineers [USACE] in vicinity of the Terminal Replacement Project area) and other upland habitat features that would be considered environmentally sensitive habitats, including potential habitat for the federally endangered western lily (Lilium occidentale).

Table 3 presents the habitat acreages within the surveyed action area for the proposed Terminal Replacement Project. Of special concern are areas covered with Sitka spruce, beach pine, red alder/cascara, and cascara/waxmyrtle scrub, which have the potential to support the western lily when stands are not too densely populated.

Table 3
Acreages of Potential Impact to Vegetation Communities at CEC

Vegetation Community	Vegetation in Project Area (acre)	Area of Potential Impact in the Project Footprint (acre)	25-Foot Buffer Around Project Footprint (acre)
Cascara-Waxmyrtle Series	1.59	0.97	0.62
Beach Pine Series	2.78	0.70	0.62
Coyote Brush Series	0.87	0.31	0.13
Sitka Spruce Series	7.93	2.45	2.59
Red Alder-Cascara Series	1.38	0	0
Pacific Reedgrass-Tufted Hairgrass Series	6.77	2.37	0.30
Developed/Disturbed	4.25	0.14	0.33
Total	**25.57**	**6.94**	**4.59**

Currently, there is no significant landscaping at the Terminal Replacement Project site. What landscaping that exists has no uncommon scenic qualities. Landscaping associated with the Proposed Project Alternative would be in accordance with FAA and Del Norte County standards. Therefore, implementation of the Proposed Project Alternative would not conflict with any local policies protecting biological resources and would have no impacts conflicting with these policies.

Wetlands

Crescent City averages over 85 inches of precipitation a year. The heavy precipitation results in a high (shallow) water table occurring during the winter months. Water features delineated at the Proposed Project site were analyzed to determine their status as potential United States Army Corps of Engineers (USACE) jurisdictional wetlands or waters of the United States, as well as California Coastal Commission (CCC) wetlands (**see Figures 6 and 7**). Five types of wetlands were mapped using the Sawyer and Keeler-Wolf vegetation classification, while other waters of the United States identified within the Proposed Project area investigated include a drainage ditch, and culverted waters of the United States. The ditch is classified as unconsolidated bottom riverine wetlands. Approximately 5.2 acres under the jurisdiction of the CCC and 2.49 acres under the jurisdiction of the USACE were identified in the Proposed Project area investigated. The five types of wetlands meeting either USACE or CCC definitions were identified in the following vegetation types: Sitka Spruce Series, Beach Pine Series, Red Alder/Cascara Series, Cascara-Waxmyrtle Series, and Pacific Reedgrass -Tufted Hairgrass Series. The first three types are considered to be forested palustrine wetlands, while the later two are considered to be palustrine emergent wetlands. Additional jurisdictional features include drainage ditches, which are considered other waters of the U.S. by USACE, and wetlands by CCC.

POTENTIAL IMPACTS TO UNITED STATES ARMY CORPS OF ENGINEERS WETLANDS AND OTHER WATERS OF THE U.S. IN THE PROPOSED PROJECT AREA

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FIGURE 6

Source: USGS Digital Orthophoto, 2004.

Maintenance of runway safety on the Airport property includes mowing vegetation and/or the application of herbicide to keep vegetation in check. A portion of the project area is heavily managed due to its use as an airfield, and the need to maintain operational safety. **Table 4** presents the acreages of potential impact the Proposed Project Alternative would have on wetlands and waters of the United States including a 25-foot buffer that may be impacted during construction and would be maintained as an avoidance buffer area during operations. Typically, 100 feet is considered by CCC as an adequate buffer but can be smaller dependent on the particulars of environmental constraints from project design and other relevant factors that affect functional capacity. The Proposed Project is a critical public use facility that provides Incidental Public Service, per Coastal Act Section 30233.

Table 4
USACE and CCC Wetlands and Other Waters of the U.S. Impacts in the Proposed Project Area

Cowardin Classification System	Sawyer/Keeler-Wolf Wetland Vegetation Types	USACE Jurisdictional Acreage	USACE Area of Potential Impact[1] (acre)	CCC Jurisdictional Acreage	CCC Area of Potential Impact[1] (acre)
Forested Palustrine Wetlands	Sitka Spruce Series; Red Alder/Cascara Series; Cascara/Waxmyrtle Series; Beach Pine Series	1.35	0.03	3.8	1.62
Palustrine Emergent Wetlands	Pacific Reedgrass Series/Tufted Hairgrass Series	0.89	—	1.16	—
Total Jurisdictional Wetlands		**2.24**	**0.03**	**4.96**	**1.62**
Other Waters of the United States[2]		0.24	0.09	0.24	0.09
Culverted Waters of the United States		0.01	—	0.01	—
Total Jurisdictional Waters		**2.49**	**0.12**	**5.21**	**1.71**

Notes:
[1] Includes 25-foot buffer area around project footprint
[2] For USACE jurisdiction, this includes drainage ditches. For the Coastal Commission, these drainage ditches are considered bottom riverine wetlands.

As indicated above, of the 2.49 acres of USACE jurisdictional wetlands and waters of the United States located within the Proposed Project Alternative area, only 0.12 acre would be impacted by construction as Wetlands and waters of the United States (i.e., collectively Waters of the Unites States) under the jurisdiction of the U.S. Army Corps of Engineers (USACE) and California Coastal Commission (CCC), are present in the vicinity of the Proposed Project Alternative site. Construction of the Proposed Project Alternative would impact 0.12 acre of USACE wetlands, and therefore would be covered under Nationwide Permit #39, Commercial and Institutional Development. Implementation of the Proposed Project Alternative would potentially directly impact approximately 1.0 acre of CCC jurisdictional wetlands within the footprint and an additional 0.7 acre of CCC wetlands located within a general 25-foot perimeter buffer from the footprint may also be temporarily indirectly affected by construction. The 0.12 acre of USACE wetlands are located within the 1.7 CCC wetlands.

In accordance with Nationwide Permit #39, wetlands impacts would be mitigated through implementation of Mitigation Measure W-A. Wetland mitigation would occur consistent with the requirements of 40 CFR 230. Since wetlands can attract wildlife that is hazardous to aviation operations the FAA highly recommends that mitigation occur offsite, such as at the Del Norte County Landfill, Crescent City Marsh, or wetland mitigation banks to be determined by oversight agencies. Siting criteria consistent with FAA Advisory Circular 150/5200-33, Hazardous Wildlife Attractants on or Near Airports are required.

Federal Register, Part II, Department of Defense, USACE 33 CFR Parts 325 and 332, USEPA 40 CFR Part 230, Compensatory Mitigation for Losses of Aquatic Resources; Final Rule, April 10, 2008 includes the issuance of revised regulations for mitigation. This regulation establishes equivalent and effective standards for the preferred treatment of wetland mitigation with mitigation banks as the top preference. Mitigation banks involve off-site compensation activities, when mitigation is solved through a bank sponsor or in-lieu fee program, responsibility for ensuring required mitigation is satisfied.

Of the 5.21 acres of CCC jurisdictional wetlands, the Proposed Project Alternative would potentially directly impact approximately 1.0 acre within the footprint and an additional 0.7 acre located within a general 25-foot perimeter buffer from the footprint may also be temporarily affected indirectly by construction, see **Figure 7**. As explained previously, the 25-foot buffer represents an area that may be impacted during construction and would be maintained in nearly all areas to avoid impacts to jurisdictional wetlands during operation. This impact would be considered in the issuance of the Coastal Development Permit, which would also include off-site wetland mitigation as described in Mitigation Measure W-A. **Section 5.13** of the EIR contains more information on coastal resources and consistency with local coastal development policies. Implementation of Mitigation Measure, W-A, below, would reduce potentially significant impacts to wetland resources to a less-than-significant level.

Implementation of **Mitigation Measure W-A: Undertake wetland mitigation,** would reduce wetland impacts during construction of the Proposed Project Alternative.

To the extent feasible, CEC would avoid filling delineated wetlands by redesigning the project to promote environmentally sensitive siting and design for projects that involve the fill of jurisdictional wetlands or waters of the State or U.S. If avoidance is not feasible, CEC shall minimize the fill acreage. If neither of these options is feasible, the functions and values that would be equal to or greater than the function and value of the waters of the U.S. (wetlands and other waters of the U.S.) impacted by the project would be provided through off-site mitigation at the Del Norte County Landfill, Crescent City Marsh, or at an off-site wetland mitigation bank, to be determined by oversight agencies, at a 1:1 ratio or another ratio as agreed upon by the oversight agencies (i.e., California Coastal Commission, Army Corps of Engineers, and North Coast Regional Water Quality Control Board). Since all USACE jurisdictional wetlands also meet the CCC jurisdictional wetland definition, these acres will only be mitigated for once. CEC shall also obtain the necessary Del Norte County/California Coastal Commission, USACE and North Coast Regional Water Quality Control Board permits prior to filling or other adverse modifications of any verified jurisdictional wetland water of the U.S.

Section 30233 of the Coastal Act states that where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, impacts to wetlands shall only be permitted for specific uses as specified with Section 30233(a) of the Coastal Act.

POTENTIAL IMPACTS TO CALIFORNIA COASTAL COMMISSION JURISDICTIONAL WETLANDS AND OTHER WATERS OF THE U.S. IN THE PROPOSED PROJECT AREA

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Jack McNamara Field
Terminal Replacement Project EIR
Del Norte County, California

FIGURE 7

Del Norte County LCP Specific Wetland Policy 4a states that where there is no feasible, less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, impacts to wetlands shall only be permitted for specific uses as specified with Section 30233 of the Coastal Act. The construction of the Proposed Project Alternative is consistent with this policy because the project would be considered an incidental public service (Coastal Act Section 30233(a)(4)), an upgrade to an existing public facility, not intended to increase capacity, but to allow the aviation operations and the passenger terminal to function more effectively to meet existing demand projected to the year 2016, and meet current federal TSA requirements. The Del Norte County LCP states that the Airport should remain as a functioning airport and that space onsite be reserved for future development of Airport-related facilities. The proposed Terminal Replacement Project was selected as the least environmentally damaging alternative that could meet the FAA design standards and the infrastructure needs of CEC. In addition, the Terminal Replacement Project has been designed to avoid impacts to coastal resources, and many of the potential impacts to wetlands would be temporary construction impacts; the final design would incorporate measures to retain wetlands and culverted waters as feasible. Finally, feasible mitigation measures exist to replace the value and function of the wetlands impacted by the Proposed Project. As described in Mitigation Measure W-A, with the concurrence of oversight agencies, an offsite location will be selected to mitigate wetland impacts.

Del Norte County LCP Specific Wetland Policy 4f also states that development adjacent to wetlands should be designed to prevent impacts which could significantly degrade the wetland area. The policy suggests that a 100-foot buffer be included in the development design to achieve this protection of adjacent areas but does state that a buffer of less than 100 feet could be adequate depending on the particulars of project design and other relevant factors that affect functional capacity of the adjacent wetland (e.g., sensitivity of species to disturbance, susceptibility of the site to erosion etc.). Appropriate buffer width should be determined in consultation with the County and CDFG. The buffer itself is not considered the environmentally sensitive area but intended to protect the adjacent environmentally sensitive area, in this case, wetlands.

The width of the buffer between the Proposed Project Alternative perimeter footprint and the wetland areas onsite varies as shown on **Figure 7** with a minimum of 25 feet generally provided. Portions of the proposed terminal access road and northern end of the parking area would be constructed adjacent to CCC jurisdictional wetlands. Implementation of Mitigation Measures G-A, G-B, and H-A would ensure that erosion and stormwater runoff during construction would be minimized, and the wetlands affected by construction activities would be minimal. The project site is generally flat and, therefore, the Proposed Project would not significantly alter the existing drainage patterns, nor would it hydrologically interrupt or alter riparian habitat. The erosion susceptibility of the site is considered low and would not change substantially. In addition, final project design would incorporate drainage design that directs stormwater runoff from the adjacent wetlands, and vegetation restoration between the road and adjacent wetlands, reestablishing a general perimeter buffer of at least 25 feet, that would be maintained in nearly all areas during operations. In addition, the areas adjacent to the wetland areas (i.e., access road and parking area) are not expected to be high-use areas, and public access would be strictly controlled due to site security concerns. It is expected that activities associated with terminal operation would be strictly limited to the project footprint area and would not overflow into the adjacent areas and further impact the adjacent wetlands. Due to the proposed uses adjacent to the wetlands, and with implementation of the mitigation measures described above, the functional capacity of the adjacent wetlands would be maintained, and impacts would be less than significant.

No construction activities would take place outside of the Detailed Study Area; therefore, no impacts to Land Resources in the Generalized Study Area are anticipated from the Proposed Project Alternative.

Least Environmentally Damaging Alternative – The Proposed Project

The proposed location, facility layout, and conceptual design of the Terminal Replacement Project was based on the operational requirements and environmental constraints of the Airport. Several alternative configurations and locations were analyzed during the planning process. The Proposed Project Alternative would accommodate existing passenger demand by providing a new terminal building that would significantly improve the function of CEC with larger, modern facilities having dedicated areas for each Airport function (i.e., ticketing, baggage claim, waiting areas, security screening, car rental car counters, etc.). The new terminal building would be designed to meet Del Norte County building codes. Providing a modern terminal building at CEC would allow for more efficient terminal operations. If the new terminal building is not constructed, current Airport users would continue to experience crowded and inadequate terminal facility conditions, which would not meet the purpose and need and objectives of this project, thus increasing customer dissatisfaction with the level of service at CEC.

The proposed terminal location is based upon FAA siting criteria as well as the planning analysis, which was used to determine the placement within the ALP with least environmental impact. The extent of this development footprint was established to allow for flexibility in placement of the final terminal design. The Proposed Project footprint represents the maximum extent of project-related disturbance. If the Proposed Project Alternative is selected for implementation, the Sponsor would consider project size, cost and phasing during future design refinements. This Proposed Project Alternative is considered to be constructible due to the level of potential direct impacts on existing infrastructure as well as environmental impacts, consisting of 1.0 acre of wetlands with potential to impact 0.7 acre within a general 25-foot perimeter buffer

Industry guidelines for terminal space planning were used to demonstrate the need for additional terminal space at CEC, as discussed under Design Basis above. The site and layout selected for the Terminal Replacement Project is the LEDPA that is the best solution for the Airport.

4.1.3 No-Action Alternative

CEQA regulations include specific directions in the consideration of alternatives. Section 15126.6 (e) states: "The specific alternative of "no project" shall also be evaluated along with its impact." Under the No-Action Alternative, the existing terminal facility would continue to be used without the much needed capacity increase or the funding necessary to complete the ADA and TSA renovations to the required current standards. Also, the new aircraft apron area, new parking lot, and realignment of Dale Rupert Road would not be implemented.

The No-Action Alternative would not accommodate existing passenger demand, nor would it improve the function of CEC with new facilities that have dedicated areas for each valuable Airport service. Current Airport users would continue to experience crowded conditions, thus increasing dissatisfaction with the level of service at CEC. While the No-Action Alternative does not meet the purpose and need and objectives for the Proposed Project Alternative, it was retained for detailed analysis in this EIR for baseline comparative purposes and to disclose any potential environmental impacts without implementation of the Proposed Project Alternative in accordance

with FAA Order 5050.4B Section 706d and FAA Order 1050.1E, Change 1, Section 404. Therefore, the No-Action Alternative was retained for further consideration.

4.2 ALTERNATIVES CONSIDERED BUT REJECTED

Several alternative configurations were analyzed during the Master Plan process (Mead & Hunt, 2005)[1] that were used as the basis to study alternatives during the conceptual planning and programming of the Terminal Replacement Project. Many of these alternatives were not feasible because they conflicted with FAA and TSA standards for operation of CEC, or had the potential for greater environmental impacts, which limited the number of options that could be further considered. **Figure 8** shows the locations of Alternative Terminal Locations and summary of wetland impacts that were considered in the EIR. The alternatives were studied in more detail, but have been rejected due to the potential for greater wetland impacts. All of these alternatives would have larger potential impacts to wetlands and waters of the U.S. when compared to the Proposed Project Alternative as indicated in **Table 5**.

Table 5

Summary of CEC On-Airport Alternatives Considered

Proposed Project Alternative	• Phased construction of new terminal building (not to exceed 20,800 square feet) 550 feet southwest of the existing terminal facility; • Construction new aircraft apron area (350 feet by 190 feet); • Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres); • Realign Dale Rupert Road and construct circulation road; • Implement infrastructure and utilities (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area as needed or required; and • Potentially directly impact 1.0 acre of wetlands, including 0.7 acre wetland indirect impacts within a 25-foot general perimeter buffer.
No-Action Alternative	No Change
Alternative A-1	• Renovate and expand existing terminal from 2,020 to 20,800 SF; • Increase aircraft apron area to (350 feet by 190 feet); • Expand and reconfigure existing paved short-term parking lot to accommodate both short-term and long-term parking needs (152 public spaces, 25 employee spaces, 1.44 acres); • Realign connection from Dale Rupert Road to circulation road; • Removal of T-hangars; and • Potentially impact 2.5 acres of wetlands including 25-foot general perimeter buffer.
Alternative A-2	• Construct new terminal building (20,800 square feet) adjacent to the existing terminal facility; • Construction new area for aircraft apron area (350 feet by 190 feet); • Expand existing paved short-term parking lot to accommodate both short-term and long-term parking needs (152 public spaces, 25 employee spaces, 1.44 acres); • Realign connection from Dale Rupert Road to circulation road; • Removal of T-hangars; and

[1] The CEC Draft Master Plan was not adopted by the County of Del-Norte or BCRAA.

	• Potentially impact 4.0 acres of wetlands, including 25-foot general perimeter buffer
Alternative B-1	• Construct new terminal building (20,800 square feet) 550 feet southwest of the existing terminal facility but 300 feet closer to Runway 17/35; • Relocate of approximately 1,800 feet of existing Taxiway B to the west; • Construction new aircraft apron area (350 feet by 190 feet); • Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres); • Realign Dale Rupert Road and construct circulation road; • Implement infrastructure and utilities (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area as needed or required; and • Potentially impact 4.5 acres of wetlands, including 25-foot general perimeter buffer
Alternative B-2	• Construct new terminal building (20,800 square feet) 1,800 feet southeast of the existing terminal facility; • Construct 600-foot extension of Taxiway A; • Construction new aircraft apron area (350 feet by 190 feet); • Construct new parking facilities (152 public spaces, 25 employee spaces, 1.44 acres); • Build new road including circulation road; • Implement infrastructure and utilities (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, etc.) necessary to support construction and operation of the terminal building, parking lot, and aircraft apron area as needed or required; • Potentially impact 6.5 acres of wetlands including 25-foot general perimeter buffer; and • Potentially disturb an EPA toxic waste Superfund site

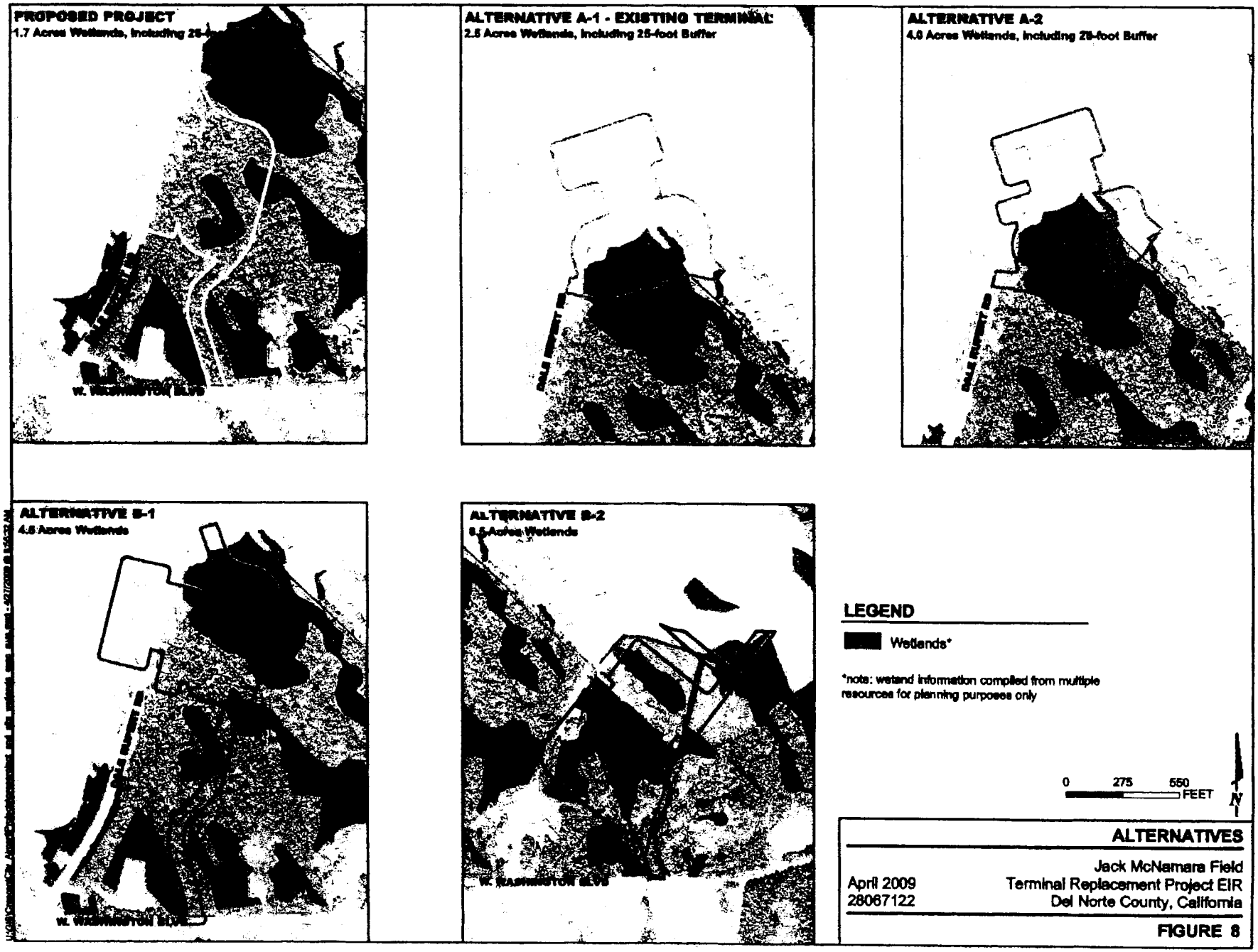
PROPOSED PROJECT
1.7 Acres Wetlands, Including 25-
W. WASHINGTON BLVD
ALTERNATIVE A-1 - EXISTING TERMINAL
2.5 Acres Wetlands, Including 25-foot Buffer
ALTERNATIVE A-2
4.0 Acres Wetlands, Including 25-foot Buffer
ALTERNATIVE B-1
4.6 Acres Wetlands
W. WASHINGTON BLVD
ALTERNATIVE B-2
8.5 Acres Wetlands
W. WASHINGTON BLVD
LEGEND
Wetlands*
*note: wetland information compiled from multiple resources for planning purposes only
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FIGURE 8

4.2.1 Alternative A-1

Alternative A-1 would involve rehabilitating the existing terminal building and would require expansion to increase the size to accommodate space requirements. The existing short-term and long-term parking lots and portions of the access road would also need to be modified to meet TSA and FAA setback guidelines, resulting in greater wetland impacts than the proposed alternative. These set-back requirements are based upon blast protection calculations, typically requiring a distance of 150 feet from the terminal under normal operating conditions. During high TSA security alert periods a 300-foot restricted area setback distance is required from a passenger terminal facility. The aircraft apron area would also have to be expanded and moved to the south in order to create a safe aircraft movement area and accommodate two aircraft in front of the terminal for passenger loading. Complete realignment of Alternative A-1

Dale Rupert Road would not be required under this alternative; however, road connections to other Airport facilities at CEC would need to be realigned. Additionally, the need to have a secondary emergency access road would not be accomplished by this alternative.

The existing terminal building is in substandard condition and contains asbestos and lead based paint and therefore renovation would not be practical from a function, material and cost standpoint. The terminal building would need to be increased in size from 2,020 square feet to 13,500 square feet to meet the minimal per passenger space requirements plus additional square footage for related service facilities. The layout of the existing terminal building would make it difficult to design, rehabilitate and fit an addition at the current location in a cost-effective manner.

The site of the existing terminal facility is not viable because it has limited space to accommodate ADA, FAA, and TSA design standards. To construct a functional terminal building, much of the existing structure would have to be demolished and altered. This approach is often less cost effective and efficient than constructing a new building. The Sponsor must be able to maintain CEC operations during terminal construction and/or renovation, which is not possible given the dimensions and configuration of the existing terminal building and trailer that houses the TSA screening function. The Sponsor identified the Proposed Project as its preferred alternative since it allows operations to continue during construction, standards can be achieved, and it has the least potential environmental impact. The terminal would have to be moved and expanded to the south into the existing parking lot to allow for adequate apron area to maintain a safe aircraft movement area and accommodate two aircraft directly in front of the terminal for passenger loading. This would displace the parking and require relocation and expansion in the forested area impacting 2.5 acres of wetlands.

For these reasons, Alternative A-1, rehabilitation and expansion of the existing passenger terminal building would result in more significant impacts compared to the Proposed Project Alternative and was not retained for further consideration.

4.2.2 Alternative A-2

Alternative A-2 would involve the construction of a new terminal building adjacent to the existing terminal facility and the expansion of the existing paved short-term parking lot to accommodate both short-term and long-term parking needs. Expansion of the aircraft apron area to

accommodate two aircraft, of appropriate size, in the front of the terminal would be required for passenger loading and creation of a safe aircraft movement area. The overall realignment of Dale Rupert Road would not be required; however, road connections to other parts of the CEC would be needed under this alternative.

It would be difficult to situate a new terminal building adjacent to the existing terminal due to limited space to fit terminal functions including an adequately sized ramp and apron area, set back from the taxiway. It would also have to be set back far enough to be compliant with current FAA and TSA standards. This would require shifting the new terminal building to the south toward the current parking, which would impact a larger wetland area.

Depending upon the configuration of Alternative A-2, a new terminal building in this area would remove several T-hangars and also require replacement of the Airport's only water tanks and relocation of the Airport emergency generator. During construction, most of the existing short-term parking lot would be rendered unusable, requiring temporary automobile parking to be found elsewhere on site or off site. The existing parking lot does not comply with TSA security standards. If the existing terminal was to be utilized in any manner, the parking lot would also have to be relocated further south into wetland areas.

Alternative A-2 would accommodate existing passenger demand, significantly improve the function of CEC, and increase the Airport's opportunity for providing quality service. However, this alternative would have significant environmental impacts due to the displacement of 4.0 acres of wetlands south of the existing parking area.

Alternative A-2, construction of a new terminal building, would result in more significant impacts compared to the Proposed Project Alternative and was therefore dropped from further consideration.

4.2.3 Alternative B-1

Alternative B-1 would involve the construction of a new terminal building and related actions, including new aircraft apron area, new parking lot, and realigned Dale Rupert Road along with a new circulation road, utilities, and infrastructure. This location is similar to that of Proposed Project Alternative but 300 feet closer to Runway 17/35 on the southwest side of the Airport. The location of new terminal building under Alternative B-1 would require relocation of approximately 1,800 feet of existing Taxiway B to the west, which would be an additional design feature requiring a much larger investment. This would also create a non-standard design of the unlit parallel taxiway that could create a safety issue for taxiing aircraft and lead to excursions from the pavement resulting in possible injuries and substantial damage to aircraft. All other components of this alternative regarding the projects would be similar as those of the Proposed Project Alternative.

While Alternative B-1 would accommodate existing passenger demand, significantly improve the function of CEC, as well as increase the Airport's opportunity for providing quality service, the impacts on the environmental setting and on existing infrastructure would be greater than the Proposed Project Alternative and would impact 4.5 acres of wetlands. Additionally, the relocation of existing Taxiway B to accommodate Alternative B-1 would require the construction of a new segment of non-standard taxiway, which would change the configuration of the airfield and significantly increase overall project costs and create a potential safety concern for taxiing aircraft.

Alternative B-1 would result in more significant impacts compared to the Proposed Project Alternative and was therefore dropped from further consideration.

4.2.4 Alternative B-2

Alternative B-2 would involve the construction of a new terminal building and related actions including a new aircraft apron area, new parking lot, new access road, circulation road, utilities and infrastructure on the southeastern side of the Airport adjacent to Runway 11/29, approximately 1,800 feet from the existing terminal facility. Alternative B-2 would also involve a 600-foot extension of Taxiway A to connect to the apron area, which is an additional design feature that would require a much larger investment. All other components of this alternative regarding the design would be similar to those of the Proposed Project Alternative.

While Alternative B-2 would accommodate existing passenger demand, significantly improve the function of CEC, and increase the Airport's opportunity for providing quality service, the impacts on existing infrastructure and the environmental setting would be greater than the Proposed Project Alternative. The extension of existing Taxiway A to accommodate Alternative B-2 would require the construction of a new segment of taxiway, which would change the configuration of the airfield and significantly increase overall project costs. The configuration of this alternative had to take into consideration existing facilities including, T-hangars, to limit cost implications. The existing road between these T-hangars could not be used for general Airport circulation due to its alignment with the apron area and TSA requirements for maintaining distance from the terminal and airfield, therefore, circulation would be limited. Constructing in this area would affect more wetlands and cause disturbance of an EPA Superfund toxic waste site. The footprint would therefore result in potential impacts to 6.5 acres or more of wetlands (wetland delineations of this area have been completed to CCC standards). Alternative B-2 would result in more significant impacts compared to the Proposed Project Alternative and was therefore dropped from further consideration.

Feasible Mitigation

The wetlands affected are considered low-moderate in value due to past and ongoing disturbance on the Airport property. Feasible offsite mitigation options exist and Implementation of Mitigation Measure W-A: Undertake wetland mitigation create wetlands at an offsite facility mitigating the acres of wetlands impacted and the potential loss of function.

Allowable Use

The Proposed Project would be considered an incidental public service (Section 30233(a)(4)), an upgrade to an existing public facility, not intended to increase capacity, but to allow the Airport and its terminal to function more effectively to meet existing demand projected to the year 2016. The Del Norte County LCP states that the Airport should remain as a functioning Airport and that space onsite be reserved for future development of Airport related facilities. The Terminal Replacement Project was selected as the least environmentally damaging alternative that could meet the infrastructure needs of CEC. The Terminal Replacement Project has been designed to avoid impacts to coastal resources and some of the potential impacts to wetlands would be temporary construction impacts; the final design will incorporate measures to avoid wetlands and culverted waters as feasible. Since the project was designed to reduce environmental impacts while still meeting FAA regulations, its implementation would be considered one of the allowable uses, and the resulting impacts to coastal wetlands can be feasibly mitigated.

Environmentally Sensitive Habitat Areas (ESHAs)

The project area includes potential habitat for the federally endangered western lily (Lilium occidentale). The construction of the Terminal Replacement Project would result in alteration or disturbance to approximately 6.94 acres at the Airport. While no western lily plants were identified onsite, the potential habitat was found to potentially exist at CEC and at the proposed Terminal Replacement Project site. Potential indirect and temporary impacts to the western lily would include increased levels of dust during project construction. The footprint of the Proposed Project would overlap with habitats that are potentially suitable for this species (i.e., areas covered with red alder series vegetation). If individual plants occur in these areas, they could be destroyed during construction of the Proposed Project, resulting in a direct take of individual plants. However, no western lily plants were identified onsite and direct impacts to the endangered species during construction is considered unlikely. Implementation of Mitigation Measure B-A: Undertake western lily habitat improvement would reduce or eliminate potential long term impacts to potential habitat onsite by improving habitat near the new terminal area so that western lily plants might populate this area in the future.

The construction of the Proposed Project Alternative would result in alteration or disturbance to approximately 11.1 acres within the Airport boundary (6.7 acres within the footprint of the Proposed Project and 4.4 acres encompassing a 25-foot buffer around project facilities). The plant communities were classified using *A Manual of California Vegetation* (Sawyer and Keeler-Wolf, 1995) and an updated List of California Terrestrial Communities (CDFG, 2003). In addition to the ruderal, or disturbed, areas, six primary community types are present in the study area: Beach Pine Series, Cascara-Waxmyrtle Series, Coyote Bush Series, Pacific Reedgrass-tufted Hairgrass Series, Red Alder/Cascara Series, and Sitka Spruce Series. Although certain forest communities in the project area, including those dominated by a canopy of beach pine and Sitka spruce, are categorized as S3 and S2, respectively, by CDFG standards, the communities occur elsewhere in the immediate project region, are abundant in other areas within Del Norte County and the North Coast, and would not be considered environmentally sensitive habitat areas.

The Proposed Project Alternative site includes potential habitat for the federally endangered western lily and other special-status species, such as the northern red-legged frog and nesting and migratory birds. Potential indirect and temporary impacts to the western lily would result from increased levels of dust during project construction. The footprint of the Proposed Project Alternative would overlap with habitats that are potentially suitable for this species (e.g., openings in North Coast coniferous forest, cascara-waxmyrtle shrub stands, and red alder forest). If individual plants occur in these areas, they could be destroyed during construction of the Proposed Project Alternative, resulting in a direct take of individual plants. In addition, construction activities could impact areas used by northern red-legged frog, and nesting and migratory birds that could be present on site. Less-than-significant impacts to red-legged frog would be further reduced, and impacts to migratory and nesting birds or mitigated to a less-than-significant level.

Coastal management policies encourage protection of ESHAs and that development adjacent to ESHAs shall prevent significant degradation to the habitat area through the establishment of buffer areas. The buffer is intended to protect the environmentally sensitive habitat area from the adverse impacts of development. One hundred feet is generally considered for an adequate buffer but is dependent on the particulars of project design and other relevant factors that affect functional capacity. Portions of the proposed terminal access road would be constructed adjacent to CCC jurisdictional wetland. Mitigation Measures G-A, G-B and H-A would ensure that erosion

and stormwater runoff during construction would be minimized and the wetlands affected by construction activities would be minimal. The Proposed Project would not significantly alter the existing drainage patterns, nor would it hydrologically interrupt or alter riparian habitat. In addition, final project design would incorporate drainage design that directs stormwater runoff from the adjacent wetlands, and vegetation restoration between the road and adjacent wetlands, reestablishing a buffer of at least 25 feet. With implementation of these mitigation measures, the functional capacity[2] of the adjacent wetlands would be maintained.

Minimization of adverse impacts

The new terminal building would conform to the California Uniform Building Code and Del Norte County Building Codes regarding flood, fire and geologic hazards. The new terminal building would be constructed far enough back from a coastal bluff so as not to require any bluff erosion protection measures. Construction and operation of the new terminal building would not conflict with or obstruct implementation of the Local Air Quality Plan for the North Coastal Air Basin. Due to the limited scope, nature of construction activities and impact area, no significant air quality impacts are expected.

4.2.4.1 Scenic and Visual Resources

California Coastal Act Policies

Section 30251 Scenic and visual qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Del Norte County Policies

Visual Resources LCP Policy 2: Proposed development within established highly scenic areas shall be visually compatible with their scenic surroundings, by being reflective of the character of the existing land uses while conforming to the land use criteria. As set forth in the land use component and subsequent zoning ordinance.

Terminal Replacement Project Conformity

The predominant scenic and visual resources in the vicinity of the Airport include coastal views of the shoreline and beaches, the Pacific Ocean, rock outcroppings, and the Battery Point

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[2] Functional Capacity means the ability of the wetland or estuary to be self-sustaining and to maintain natural species diversity

Lighthouse. The Coastal Range, approximately 30 miles inland, is also visible in the vicinity of the Airport. The upland redwood forests also add to the scenic character of the area.

Point St. George adjoins the airport property to the west and offers unobstructed ocean views. Point St. George also provides views to the crest of the Coastal Range some 30 miles to the east. Views of the Airport from Point St. George are limited by the intervening Sitka spruce grove on the Point St. George parcel (as shown in photos, see **Figures 9 and 10**).

Due to the general lack of vegetation on the Airport and the relatively flat topography, areas of the Airport property offer glimpses of the Pacific Ocean. From Dale Rupert Road, on a clear day, the rock outcroppings just off the coast are visible (see photos **Figures 11 and 12**). The buildings on the Airport property are generally low profile and spread out on the site and therefore do not obstruct views of the mountains or coast from on or offsite.

The new terminal building would be approximately a 1 mile inland of the shoreline south of North Pebble Beach Drive. The construction of the new terminal building would require little alternation of natural landforms, as the area is generally flat. The new terminal is designed to enhance the visual quality of the area and improve the appearance of the Airport facilities. The entry landscaping would emphasize the character of the existing surrounding dune landscape and an existing drainage swale would be retained and improved as a "water feature" in conjunction with the entry space. Construction activities would produce temporary visual/aesthetic impacts from ground-disturbing activities, the presence of vehicles and equipment, and portable lighting systems. The proposed terminal would be approximately 20,800-square-foot and two stories high, which is similar to the height of the existing CEC facilities. The proposed terminal includes a second floor observation area that would provide views to the Pacific Ocean for patrons waiting to board aircraft

The change in visual character would not result in a significant impact because the vegetated area that would be removed is not regarded as highly scenic or uncommon and overall the visual quality of the Airport site would be improved.

The scenic vistas in the project area are primarily views of the coastline and rock outcroppings in the opposite direction from the terminal. The primary viewing point for these ocean vistas in the project area is Point St. George and views toward ocean would be unaffected by the Proposed Project. Limited views from point St. George, which is more than1 mile away may be able to see portions of the new Terminal. The view would be partially obscured by trees located in between the line of sight from the Point to the new Terminal. Therefore, scenic and visual qualities of the coastal areas would not be significantly affected by the proposed terminal building.

4.2.4.2 Other potential impacts

Please refer to the Terminal Replacement Project EIR for a detailed discussion of the project's potential impacts related to: Noise; Air Quality; Surface Transportation; Hazardous Materials, Pollution Prevention and Solid Waste; Historic, Architectural, Archaeological and Cultural Resources; Fish, Wildlife and Plants; Geology, Soils and Seismicity; Energy Supply and Natural Resources; and Visual/aesthetics and Light Emissions.

Figure 9: View East Toward Airport Near Point St. George – Trees in Between Viewpoint and Airport Buildings

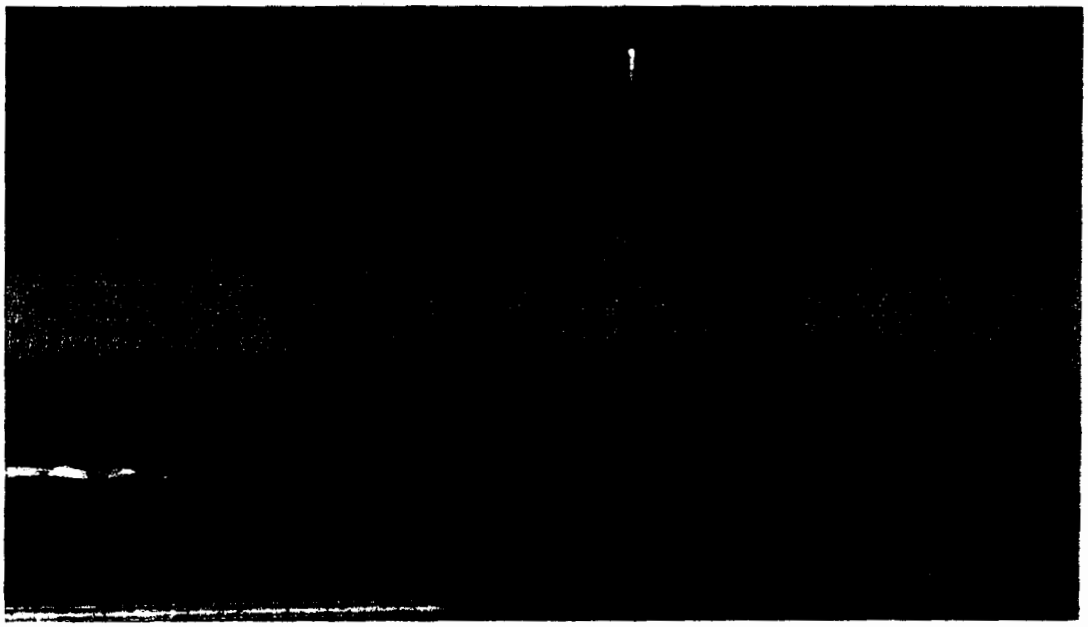

Figure 10: View East Toward Airport Buildings from Point St. George Area

Figure 11: View East Toward Airport Off Point St. George

Figure 12: View West Toward Rock Outcroppings off Point St. George

5.0 MITIGATION MEASURES

Mitigation Measure G-A: Comply with Del Norte County ordinances for all grading, drainage, and construction of improvements. CEC would include in all approved specifications for the Proposed Project Alternative a requirement that construction contractors adhere to all applicable ordinances regarding grading, drainage, and construction of improvements. Plans required would be submitted to and approved by the county prior to commencement of construction activities.

Mitigation Measure G-B: Prepare and implement a grading/erosion control plan. CEC would include in all approved specifications for the Proposed Project Alternative a requirement that construction contractors prepare a grading/erosion control plan to show all proposed grading, drainage improvements, and vegetation removal. Measures employed during construction to prevent eroded soil from entering site drainage ways would include placement of hay bales or other acceptable materials such as sediment barriers, the installation of temporary earth berms and/or sediment traps, use of fabric silt fences, spreading hay or straw on exposed areas, development of temporary settling areas, and use of other means for slowing runoff and reducing sediment loads.

Mitigation Measure H-A: Prepare and implement a SWPPP for construction activities. CEC would include in all approved specifications a requirement that construction contractors prepare and implement a SWPPP because activities associated with the Proposed Project Alternative involve disturbing one or more acres. Under the policies of the SWRCB, the NPDES Program General Permit for Stormwater Discharges Associated with Construction Activities regulates surface water quality. To obtain coverage under the general permit, CEC must submit a Notice of Intent with the required permit fee and prepare a SWPPP. The contents of the SWPPP are set forth in detail in the permit application package and include development of site-specific structural and operational BMPs to prevent and control impacts to runoff quality, measures to be implemented before each storm event, inspection and maintenance of BMPs, and monitoring of runoff quality by visual and/or analytical means. The California Stormwater BMP Handbook for Construction provides examples of BMPs that could be used (California Stormwater Quality Association, 2003a). The NCRWQCB would issue Waste Discharge Requirements, which set forth conditions, discharge limitations, and monitoring and inspection requirements. Development and implementation of the SWPPP is the responsibility of CEC and its assignees. The County of Del Norte shall require CEC to submit a copy of the Waste Discharge Requirements prior to commencement of construction of the Proposed Project Alternative.

Mitigation Measure B-A: Undertake western lily habitat improvement. CEC shall require in all contract specifications that industry standard dust control Best Management Practices (BMPs) would be used to the maximum extent feasible. CEC shall undertake a habitat improvement project for the western lily on-site in the vicinity of the action area. A designated area of between 1 and 3 acres of suitable, but overgrown habitat would be restored for western lily as part of the Proposed Project Alternative by December 31, 2011. An area located just east of the project site has been identified as an appropriate candidate site. The Airport Manager would coordinate with FAA and USFWS to determine the methods and final area suitable for restoration (Imper, 2008).

Mitigation Measure B B: Avoidance and minimization measures to protect migratory and protected bird species:

- If feasible, vegetation clearing activities will take place outside of the nesting season for migratory bird species prior to project construction.
- A qualified biologist would conduct preconstruction surveys within 2 weeks prior to the start of construction for all areas to be subject to ground-disturbance to determine if migratory or protected birds are nesting in the project area. If nesting migratory or protected birds are found in the project area during the preconstruction surveys, a 50 foot buffer around the tree will be maintained until chicks have fledged.

Mitigation Measure W-A: Undertake wetland mitigation. To the extent feasible, CEC would avoid filling delineated wetlands by redesigning the project to promote environmentally sensitive siting and design for projects that involve the fill of jurisdictional wetlands or waters of the State or U.S. If avoidance is not feasible, CEC shall minimize the fill acreage. If neither of these options is feasible, the functions and values that would be equal to or greater than the function and value of the waters of the U.S. (wetlands and other waters of the U.S.) impacted by the project would be provided through off-site mitigation at the Del Norte County Landfill, the Crescent City Marsh, or at an off-site wetland mitigation bank, to be determined by oversight agencies, at a 1:1 ratio or another ratio as agreed upon by the oversight agencies (i.e., California Coastal Commission, Army Corps of Engineers, and North Coast Regional Water Quality Control Board). Since all USACE jurisdictional wetlands also meet the CCC jurisdictional wetland definition, these acres will only be mitigated for once. CEC shall also obtain the necessary Del Norte County/California Coastal Commission, USACE and North Coast Regional Water Quality Control Board permits prior to filling or other adverse modifications of any verified jurisdictional wetland water of the U.S.