MARIN RESOURCE
CONSERVATION DISTRICT

TH 11A

April 23, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Dear Dr. Lester:

The Marin Resource Conservation District (Marin RCD) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to locations throughout California, including Marin's coastal watersheds. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 50 years, the Marin RCD has partnered with agricultural producers, environmental organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Marin County. Our work has resulted in over 500 projects, the fencing of over 20 miles of stream, with over 100 private landowners. Through the efforts of many partners, habitat for coho and salmonid species has improved and resulted in reduced erosion and runoff. The success of our program is largely due to our Marin Coastal Permit Coordination Program, en expedited permit program which provides CEQA approval for seventeen conservation practices. It is based on a model of coordinated, multi-agency project oversight and review that ensures the integrity of agency mandates but makes permitting for stream enhancement accessible to farmers and ranchers. Since this program was initiated in 2004 landowner interest in restoration activities has increased and resulted in a waiting list of over 40 people.

The NOAA RC's consistency determination is an appropriate way to facilitate restoration implementation with landowners and local partners while ensuring the highest levels of resource protection in the Coastal Zone. We hope to see more habitat projects funded and implemented in the coming years to improve coastal resources in this area. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Nancy Scolari
Executive Director

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TH 11A

YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548

April 24 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Re: Consistency Determination by NOAA for the Community–Based Restoration Program

Dear Dr. Lester:

On behalf of the Yurok Tribe, I would like to express support for the federal consistency determination made by the NOAA Restoration Center (NOAA RC) for its Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including the Lower Klamath River. The partnership the Yurok Tribe has shared with the CRP during recent restoration efforts, particularly within the Terwer Creek Basin, has been a valuable asset for restoring fish habitat within the Lower Klamath Basin.

The Yurok Tribe is located on the lower 44 miles of the Klamath River, and is the largest Tribe in California. The fisheries resources of the Klamath Basin are an integral component of the Yurok way of life; for sustenance, ceremonial, religious, and commercial purposes. In light of the importance of the Klamath River fishery resource to Yurok People, the Tribe has been a leader in Klamath Basin science and restoration efforts.

NOAA's CRP is a prime example of efficiently using limited resources to maximize benefits from restoration activities; leveraging funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful and efficient.

In the Lower Klamath River, within the Yurok Reservation, the NOAA RC has funded riparian, floodplain and off-channel habitat restoration activities, all of which were implemented with environmental sensitivity. These efforts have seen immediate benefits

to coho salmon (listed under the Federal and State Endangered Species Acts), and resulted in increased habitat complexity, improved flood plain connectivity, and enhanced fluvial and riparian habitats. We envision continuing our efforts to restore aquatic habitat within the Lower Klamath River, as well as the entire Klamath Basin, during coming years and look forward to working with the NOAA RC in this ongoing effort.

The NOAA RC is an important restoration partner with the Yurok Tribe. The proposed consistency determination will increase efficiency of restoration funds from the CRP for our activities in the Lower Klamath, as well as other areas of California. Therefore, we urge your concurrence with the NOAA RC's decision.

Sincerely,

Thomas O'Rourke, Chairman

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Filed:	4/2/13
60th Day:	6/1/13
75th Day:	6/16/13
Staff:	L. Simon-SF
Staff Report:	4/25/13
Hearing Date:	5/9/13

STAFF REPORT: REGULAR CALENDAR

Consistency Determination No.: **CD-021-13**

Federal Agency: **NOAA Restoration Center**

Location: Northern and Central California (**Exhibit 1**)

Project Description: Community-Based Restoration Program

Staff Recommendation: Concurrence

SUMMARY OF STAFF RECOMMENDATION

The National Oceanic and Atmospheric Administration Restoration Center (NOAA RC) has submitted a general consistency determination for a program to simplify the permit process for landowners and non-profit organizations as they undertake habitat improvement projects in the coastal zone of northern and central California, primarily to benefit threatened and endangered salmonid species. Under this consistency determination, NOAA RC proposes to expand its Community-based Restoration Program (CRP), which provides funding and technical assistance for habitat restoration projects in California, into the coastal zone areas of Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey and San Luis Obispo Counties.

NOAA RC's proposal is based on an existing model of coordinated, multi-agency, regulatory review that ensures the integrity of agency mandates, makes permitting of conservation projects more accessible to farmers, ranchers, rural landowners, and local non-profit restoration groups,

and increases the number and quality of conservation projects and beneficial effects in a given area. The subject proposal by NOAA RC builds on the success of earlier programmatic, watershed-based consistency determinations for erosion control activities on the central California coast submitted by the Natural Resources Conservation Service and authorized by the Commission through the federal consistency process, and on the 17-year history of the CRP program in California to restore riparian habitat, tidal and freshwater wetlands, and submerged aquatic vegetation.

Commission concurrence with this consistency determination would allow NOAA RC to provide funding, technical support, monitoring, and annual reporting for specific conservation projects selected and approved by NOAA RC for the enhancement of aquatic habitat and control of sedimentation without further formal review by the Coastal Commission. NOAA RC will notify the Commission staff annually of selected projects before their implementation, so that staff can review them for compliance with this consistency determination. Any activities that do not fall within the scope of the CRP and this consistency determination will be subject to the Commission's normal regulatory review processes.

NOAA RC proposes in the subject consistency determination that the CRP be implemented in the coastal zone of the aforementioned counties for ten years beginning in 2013, with a full evaluation and summary report of the program's activities and progress provided to the Commission in 2023. NOAA RC will also prepare an annual report summarizing the results of projects implemented under the CRP during the most recent construction season within the coastal zone, and the results of post-construction implementation and effectiveness monitoring for that year and previous years. The annual report shall include a summary of the specific type and location of each project and the amount of habitat restored. NOAA RC anticipates that the majority of the projects implemented under this consistency determination will be salmonid habitat restoration projects and related upland restoration projects that improve stream cover, pool habitat and spawning gravel; remove or modify barriers to fish passage; ensure adequate streamflows; and reduce or eliminate ongoing erosion or sedimentation.

The proposed program includes protective measures to ensure that conservation projects will conform to the policies of the Coastal Act, enhance natural resources, improve coastal water quality, protect and enhance environmentally sensitive habitats, improve populations of threatened and endangered species, and help maintain the environmental viability of agricultural lands. The proposed program is consistent with the stream, wetlands, ESHA, water quality, agriculture, cultural, and visual resource policies of the Coastal Act (Sections 30230-33, 30240-44, and 30251). Therefore the staff recommends that the Commission **concur** with consistency determination CD-021-13. The motion to implement this recommendation can be found on Page 4 below.

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APPENDICES

EXHIBITS

I. FEDERAL AGENCY'S CONSISTENCY DETERMINATION

The NOAA Restoration Center has determined the project consistent to the maximum extent practicable with the California Coastal Management Program (CCMP).

II. MOTION AND RESOLUTION

Motion:

> *I move that the Commission **concur** with consistency determination CD-021-13 that the project described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program.*

Staff recommends a **YES** vote on the motion. Passage of this motion will result in an agreement with the determination and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

Resolution:

> *The Commission hereby **concurs** with consistency determination CD-021-13 by the NOAA Restoration Center on the grounds that the project is fully consistent, and thus consistent to the maximum extent practicable, with the enforceable policies of the CCMP.*

III. FINDINGS AND DECLARATIONS

A. PROJECT BACKGROUND AND PROCEDURES

The National Oceanic and Atmospheric Administration Restoration Center (NOAA RC) in Santa Rosa has submitted a general consistency determination for a program to simplify the permit process for landowners and non-profit organizations as they undertake habitat improvement projects in the coastal zone of northern and central California, primarily to benefit threatened and endangered salmonid species. Under this consistency determination, NOAA RC proposes to expand its Community-based Restoration Program (CRP), which provides funding and technical assistance for habitat restoration projects in California, into the coastal zone areas of Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey and San Luis Obispo Counties (**Exhibit 1**).

In its consistency determination, NOAA RC explains the purpose of the proposed program and the need for an alternate and more efficient regulatory review process for restoration projects in the coastal zone:

> *The NOAA RC's CRP has funded and provided technical assistance for habitat restoration projects in California since 1996. In 17 years, 390 CRP projects have been completed; of those, at least 13 occurred in the Coastal Zone. These projects*

were permitted under the Coastal Act through issuance of Coastal Development Permits by a certified Local Coastal Program (LCP) or the California Coastal Commission, or they received Commission concurrence with a Consistency Determination or Negative Determination made by the NOAA RC. Many more projects were never developed due to project proponent concerns with difficulties obtaining permits for work in the Coastal Zone. NOAA RC restoration partners in Del Norte, Humboldt, Sonoma, Santa Cruz and Monterey Counties have expressed a strong reluctance to initiate projects in the Coastal Zone for this reason.

With a projected CRP budget nationwide of approximately $20 million per year for the next three years, and growing support in California for restoration efforts designed to improve riparian and aquatic habitat and water quality, the NOAA RC seeks to make the process of regulatory review and permitting of environmentally beneficial habitat restoration projects more efficient. The process of obtaining regulatory approval for these projects is, and is perceived by project applicants to be, a significant barrier to implementing conservation work with limited grant funding.

Programmatic permitting of CRP projects through this Consistency Determination is intended to reduce costs and time for project applicants and help ensure that important restoration projects are implemented as planned. These projects benefit a range of coastal resources, including streams, floodplains, wetlands and estuaries, giving populations of threatened and endangered salmon and steelhead better conditions for spawning, rearing and migration. NOAA RC is willing to take the lead role to insure that proposed restoration projects meet the environmental and coastal protection standards of the Commission – thereby allowing NOAA RC biologists to focus on design, construction and other aspects of the technical assistance they provide to applicants, furthering fisheries habitat restoration goals.

CRP projects can be funded, permitted and implemented throughout California's Coastal Zone (and elsewhere in the state), from the Oregon border to the Mexican border. However, programmatic biological opinions (BOs) under Section 7 of the Endangered Species Act (ESA) have been completed for the program by NOAA's National Marine Fisheries Service (NMFS) only for the North and Central Coasts, including Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz and Monterey Counties and a portion of San Luis Obispo County. Consequently, this Consistency Determination covers the CRP's work in the Coastal Zone of this region. CRP projects in Santa Barbara, Ventura, Los Angeles, Orange and San Diego Counties are not included in this Consistency Determination.

NOAA RC is proposing this alternative regulatory process to accelerate the implementation of environmentally beneficial projects that meet the standards of the Coastal Act as well as the federal Endangered Species Act and other state fish and wildlife and water quality laws and regulations. This alternative process gives the Coastal Commission the opportunity to programmatically review the NOAA Restoration Center's clear, well-defined goals, processes, and procedures for consistency with the Coastal Act and the CCMP. Projects that are consistent with the

> *terms of this review will be implemented with NOAA RC oversight, avoiding the need for LCP or Coastal Commission project-by-project review and accelerating the restoration of California's coastal resources.*

In this consistency determination the Commission is reviewing a general habitat restoration program and general types of projects rather than a specific project at a single location. NOAA-RC has made this consistency determination pursuant to the federal regulations implementing the Coastal Zone Management Act (CZMA), 15 CFR §930.36(c). These regulations provide that:

> *In cases where Federal agencies will be performing repeated activity other than a development project (e.g., ongoing maintenance, waste disposal) which cumulatively has an effect upon any coastal use or resource, the Federal agency may develop a general consistency determination, thereby avoiding the necessity of issuing separate consistency determinations for each incremental action controlled by the major activity. A Federal agency may provide a State agency with a general consistency determination only in situations where the incremental actions are repetitive and do not affect any coastal use or resource when performed separately. A Federal agency and State agency may mutually agree on a general consistency determination for de minimis activities (see §930.33(a)(3)) or any other repetitive activity or category of activity(ies). If a Federal agency issues a general consistency determination, it shall thereafter periodically consult with the State agency to discuss the manner in which the incremental actions are being undertaken.*

NOAA RC's proposal (developed in coordination with Sustainable Conservation, a non-profit organization with expertise in coordinating habitat restoration work with private landowners, government agencies, and other non-profit entities) is based on an existing model of coordinated, multi-agency, regulatory review that ensures the integrity of agency mandates but makes permitting of conservation projects more accessible to farmers, ranchers, rural landowners, and local non-profit restoration groups. This increased accessibility, in turn, has been shown to increase the number and quality of conservation projects and beneficial effects in a given area.

The Natural Resources Conservation Service (NRCS; an agency of the Department of Agriculture) and Sustainable Conservation developed the Partners in Restoration Permit Coordination Program (PIR) in 1998 in response to the permitting challenges associated with small, environmentally beneficial, erosion control projects taking place on private land. The first PIR program was instituted in the Elkhorn Slough watershed in Monterey County and was reviewed and approved by the Commission in consistency determination CD-051-98. This was followed by three other programmatic consistency determinations made by NRCS (and concurred with by the Commission) for restoration projects in the Salinas River (CD-096-01) and Morro Bay (CD-036-03) watersheds, and in Humboldt County (CD-085-06). In these four consistency determinations, the Commission concurred with regional programs that allowed the NRCS to work with farmers and landowners to implement conservation projects and best management practices to reduce runoff and sedimentation into waterways, with the NRCS assuming the lead role in ensuring project compliance with applicable Coastal Act policies.

The subject proposal by NOAA RC builds on the success of these four regional programs, the 17-year history of the CRP program (including restoration of riparian habitat, tidal and freshwater wetlands, and submerged aquatic vegetation), and negative determinations made by NOAA RC (with concurrence by the Commission's Executive Director) for the following CRP habitat restoration projects in the coastal zone:

- Salmon Creek Estuary Fish Habitat Improvement Structures, Sonoma County (ND-074-09)

- Willow Creek 2nd Bridge Area Project, Sonoma County (ND-023-10)

- Pescadero Creek Lagoon Sandbar Breaching and Ecological Function Project, San Mateo County (ND-037-12)

Project applicants receiving funding or technical assistance from NOAA RC under this consistency determination must comply with all other federal, state, and local regulatory requirements to ensure protection of sensitive resources during implementation of restoration projects. In addition to the Commission, regulatory agencies with jurisdiction over CRP projects include the following agencies:

- U.S. Fish and Wildlife Service (USFWS)
- NOAA's National Marine Fisheries Service (NMFS)
- U.S. Army Corps of Engineers (Corps)
- California Department of Fish and Wildlife (CDFW)
- State and Regional Water Quality Control Boards
- County planning, public works and other local agencies

NOAA RC and state and federal regulatory agencies have cooperatively developed permits and agreements to protect and restore sensitive habitats and resources; implementation of CRP projects is based on those agreements. NOAA RC, Resource Conservation Districts (RCD), Sustainable Conservation, and the private landowners, lessees, and managers who will construct the conservation projects on their property, work cooperatively together to implement the CRP. NOAA-RC has established specific guidelines and procedures for the installation, maintenance, and monitoring of the projects included in this consistency determination, to ensure that project development activities, implemented with the assistance of the RCD (or another entity) and the landowner/operator, are consistent with NOAA RC and CRP objectives and comply with all applicable state and federal regulations, including the Coastal Act for projects located within the coastal zone.

In addition to funding on-the-ground restoration, the CRP provides technical restoration guidance to partners, including assistance with the project application process, environmental compliance, and monitoring activities. To help ensure successful projects, the NOAA RC assists applicants in obtaining the required federal and state permits and regulatory authorizations for their projects. A key piece of this assistance has been accomplished programmatically. In cooperation with the U.S. Army Corps of Engineers Regulatory Division (Corps), the NOAA RC has completed formal interagency consultation under Section 7 of the Endangered Species Act

(ESA) with NOAA's National Marine Fisheries Service (NMFS) for habitat restoration projects it funds or authorizes. The biological opinions (BOs) signed by NMFS cover NOAA RC projects, including any incidental take of federally listed species, for the entire geographic area of this consistency determination (except the coastal portion of San Luis Obispo County, where NOAA RC submits individual ESA Section 7 consultations to NMFS). The BOs include detailed environmental protection measures for all projects conducted under the NOAA RC restoration program, and additional mandatory terms and conditions imposed by NMFS. The NOAA RC has also obtained a consistency determination (under state statutory authority different from the federal Coastal Zone Management Act) from the California Department of Fish and Wildlife (CDFW) for one of these two BOs, covering the following coastal counties for incidental take of state-listed species under section 2080 of the California Endangered Species Act (CESA): Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey, and San Luis Obispo.

NOAA RC states in the consistency determination that:

> *Together, these two programmatic consultations now provide standardized, efficient Section 7 review processes to facilitate habitat restoration projects in 10 coastal counties on the state's North and Central Coasts. Projects that do not meet the standards for these programmatic BOs – due to their size, proposed methods or materials, or any other reason – can be reviewed through NMFS' individual project Section 7 consultation process, or through other existing programmatic BOs such as those completed for Partners in Restoration programs in Mendocino, Marin, Santa Cruz and San Luis Obispo Counties. These Section 7 processes include very similar environmental protection measures as the Santa Rosa and Arcata BOs to ensure protection of listed species and their habitats, water quality and other natural resources.*

NOAA RC's CRP projects can be implemented on private or public lands. Projects are funded directly by the NOAA RC, funded through conservation partnerships led by groups such as Resource Conservation Districts, The Nature Conservancy, Trout Unlimited and others, or may receive technical assistance by the NOAA RC but no funding. The majority of CRP projects have an outreach or education component to promote and enhance natural resource stewardship. By promoting community involvement and stewardship of local projects, the CRP leverages between two and three times the federal investment through partner organization in-kind and matching contributions. NOAA RC states in the consistency determination that:

> *Proposals selected for funding are primarily funded through cooperative agreements with project partners (e.g., RCDs, non-profits, land conservancies, etc.), who conduct outreach to willing landowners to collaborate on voluntary restoration projects on their properties. Multi-year cooperative agreement awards are also considered, and additional releases of Congressional funds may be used to fund selected proposals without further competition. Awards are dependent upon the amount of funds Congress makes available to NOAA for this purpose in annual budgets. NOAA anticipates approximately $20 million may be available over the next three years (2013-2016) to maintain selected awards, dependent upon the level of funding made available by Congress. NOAA anticipates typical awards will range*

from $500,000 to $5 million over three years. NOAA will not accept proposals with a budget of less than $100,000 or more than $10 million. Funds will be administered by the NOAA RC.

Both funded projects, as well as non-funded projects (those that receive only technical assistance from the NOAA RC staff), are evaluated by NOAA RC biologists and other technical staff in the CRP project selection process.

Numerous Resource Conservation Districts, land trusts, non-profit organizations, environmental organizations, state and federal legislators, and other government agencies have submitted letters to the Commission supporting the proposed program and consistency determination as a vehicle to increase the number of habitat restoration projects in the coastal zone, while at the same time improving permitting efficiency and protecting sensitive habitat and species (**Appendix B**).

NOAA RC staff is substantially involved with both funded and non-funded projects included in the CRP. Substantial involvement may include, but is not limited to, hands-on technical assistance; participation in feasibility studies, design plans, and construction oversight to ensure benefits are realized; support in development of appropriate monitoring protocols to ensure project performance can be evaluated; tracking the progression of restoration projects through site visits and progress report evaluation; and involvement in public meetings and events to discuss or highlight restoration activities.

Habitat restoration projects funded or authorized through the CRP are designed and implemented consistent with techniques and minimization measures presented in CDFW's *California Salmonid Habitat Restoration Manual* and other widely accepted manuals guiding habitat restoration and erosion control work in California. The program requires detailed avoidance and minimization measures for all projects to reduce the potential for ancillary effects to listed species and riparian and aquatic habitats.

To address potential direct, indirect, and cumulative effects to sensitive species, habitats, and coastal water quality associated with the construction and installation of the proposed projects, the CRP includes a detailed set of environmental protection measures. These protective measures ensure that conservation projects will conform to the policies of the Coastal Act, and protect environmentally sensitive habitats and the quality and biological productivity of coastal waters. The NOAA RC will provide to the Commission an annual status report for the program that will list participating landowners, describe each activity, its purpose and design, quantify the area affected and impacts to the coastal zone, and list conservation benefits.

Commission concurrence with this consistency determination would allow NOAA RC to provide funding, technical support, monitoring, and annual reporting for specific conservation projects selected and approved by NOAA RC for the enhancement of aquatic habitat and control of sedimentation within Del Norte, Humboldt, Mendocino, Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, Monterey and San Luis Obispo Counties, without further formal review by the Coastal Commission. NOAA RC has agreed to notify the Commission staff annually of selected projects before their implementation, so that staff can review them for compliance with this consistency determination. Any activities that do not fall within the scope of the CRP and

this consistency determination will be subject to the Commission's normal regulatory review processes.

NOAA RC proposes in the subject consistency determination that the CRP be implemented in the coastal zone of the aforementioned counties for ten years beginning in 2013, with a full evaluation and summary report of the program's activities and progress provided to the Commission in 2023. Landowners working on projects not eligible for inclusion in the CRP consistency determination, or on projects determined by the NOAA RC to require individual coastal development permits or individual consistency determination due to their complexity or potential adverse effects on coastal resources, will be evaluated individually by the Commission or the appropriate local government through the coastal development permit process.

Federal consistency review is therefore an appropriate way for the Commission to evaluate the Chapter 3 consistency of this federal project, which is not subject to coastal development permit (CDP) requirements. Commission concurrence with this federal consistency determination will supplant any coastal development permit requirements for activities covered under this federal project (i.e., for those restoration projects that meet the requirements of NOAA RC's Community-based Restoration Program), both within the CDP jurisdiction of the aforementioned coastal counties, as well as within the Commission's original jurisdiction. Normal CDP requirements will still apply for those restoration projects located within the coastal zone that are not specifically authorized by this consistency determination.

B. PROJECT DESCRIPTION

NOAA RC reports in its consistency determination that its project types fall into three general categories: (1) salmonid habitat restoration; (2) estuarine restoration (marsh, submerged aquatic vegetation, and native shellfish (oysters)); and (3) coastal kelp and native shellfish (abalone) restoration. NOAA RC additionally states that:

> *The vast majority of NOAA RC projects included in the program are salmonid habitat restoration projects such as biotechnical streambank stabilization, riparian revegetation, large woody debris placement, fish passage barrier removal, invasive species removal, and off channel habitat creation.*
>
> *Within the geographic scope of this Federal Consistency Determination, it is anticipated that the majority of the projects implemented as part of the CRP will be salmonid habitat restoration projects and related upland restoration projects that benefit aquatic habitat. They are intended to restore degraded salmonid habitat through improving stream cover, pool habitat and spawning gravel; removing or modifying barriers to fish passage; ensuring adequate flows; and reducing or eliminating ongoing erosion or sedimentation impacts.*
>
> *. . . salmonid habitat restoration projects authorized through the Program must be designed and implemented consistent with the techniques and minimization measures presented in CDFW's California Salmonid Stream Habitat Restoration Manual, NMFS's Guidelines for Salmonid Passage at Stream Crossings, and NMFS Fish Screening Criteria for Anadromous Salmonids, all of which contain specific*

guidance on effective implementation of habitat restoration practices and pre- and post-construction protection measures.

As noted above in Section A of this report, NOAA RC provides funding and technical assistance to conservation applicants proposing selected habitat restoration projects that meet the standards of the Community-based Restoration Program. NOAA RC has identified a set of program activities or types of restoration work that it will approve and support under this consistency determination, as summarized in Tables 1 and 2, below.

Table 1. Salmonid Habitat and Related Upland Habitat Restoration Activities

1. Instream Habitat Structures and Improvements Instream habitat structures and improvements provide predator escape and resting cover, increase spawning habitat, improve migration corridors, improve pool to riffle ratios, and add habitat complexity and diversity.
2. Barrier Modification for Fish Passage Improvement Barrier modification projects improve salmonid fish passage by providing access to historically available upstream habitat that is currently blocked or obstructed. Projects may include those that improve fish passage through existing culverts, bridges, and paved and unpaved fords through replacement, removal, or retrofitting structures.
3. Bioengineering and Riparian Habitat Restoration Riparian habitat restoration projects improve salmonid habitat through increasing stream shading to lower water temperatures, recruitment of large woody debris (LWD), bank stability, the number of plants and plant groupings, and invertebrate production. Riparian habitat restoration projects may include natural regeneration, livestock exclusionary fencing, bioengineering, and revegetation.
4. Upslope Watershed Restoration Upslope watershed restoration projects reduce delivery of sediment to anadromous salmonid streams. Road-related upslope watershed restoration projects include decommissioning, upgrading, and storm proofing. Implementation of these types of projects may require the use of heavy equipment (*e.g.*, self propelled logging yarders, mechanical excavators, backhoes).
5. Removal of Small Dams (permanent and flashboard) Removal of permanent, flash board, and seasonal dams is conducted to restore fisheries access to historic habitat for spawning and rearing and to improve long-term habitat quality and proper stream geomorphology downstream.
6. Creation of Off-channel/Side-channel Habitat a. Connection of abandoned side channel or pond habitats to restore fish access; b. Connection of adjacent ponds, remnants from aggregate excavation; c. Connection of oxbow lakes on floodplains that have been isolated from the meandering channel by river management schemes, or channel incision; d. Creation of side channel or off-channel habitat with self-sustaining channels; e. Improvement of hydrologic connection between floodplains and main channels.

7. Developing Alternative Stockwater Supply Many riparian fencing projects, designed to keep livestock from damaging riparian areas, necessitate the development of off-channel watering areas for livestock. These include ponds that have been excavated and are filled either by rainwater, overland flow, surface diversions, or groundwater (either through water table interception or pumping). Water lines, watering troughs, and piping used to provide groundwater to livestock are also covered, to achieve the goal of protecting aquatic habitat.
8. Tailwater Collection Ponds Tailwater is created in some agricultural irrigation operations (flood, sprinkler) as unabsorbed irrigation water flows off the field back into the stream. Restoration projects to address tailwater input involve constructing systems to intercept and capture tailwater before it enters streams. Captured tailwater can then be reused for future irrigation purposes, reducing the need for additional stream diversions and helping to provide for adequate freshwater habitat.
9. Water Storage Tanks Water storage tanks are used to provide storage to reduce the impact on fish from water taken from streams or groundwater during low water periods. Water storage tanks can be filled through rainwater catchment or by surface or groundwater flow.
10. Fish Screens This category includes the installation, operation, and maintenance of fish screens that meet NMFS *Fish Screening Criteria*. Installing a fish screen usually involves site excavation, forming and pouring a concrete foundation and walls, installation of a fish bypass pipe or channel, and installation of the fish screen structure. Heavy equipment is typically used for excavation of the screen site and bypass.
11. Headgates and Water Measuring Device Measuring devices are typically installed with the head gate to allow water users to determine the volume of water diverted for water conservation purposes – primarily to reduce summer baseflow diversions that affect salmonid rearing habitat. Headgate installation projects must clearly demonstrate habitat restoration benefits.

Table 2. Wetlands/Estuarine and Coastal Habitat Restoration

1. Hydrologic/Tidal Wetlands Restoration a. Sediment removal and placement b. Levee modification and removal The removal or addition of substrate, or levee breaching/modification, to create a desired elevation for wetlands restoration. Used most often to achieve an intertidal wetland, but also to restore a mosaic of habitats including shallow subtidal, intertidal, and upland habitats.

2. Submerged Aquatic Vegetation (SAV) Restoration Transplanting or seeding subtidal habitats in bays and estuaries with native seagrasses. SAV is usually planted to provide nursery and feeding habitat for a variety of aquatic fish and other organisms.
3. Shellfish Restoration Placement of shellfish substrate to encourage oyster or other native shellfish larval recruitment. Restoration sites are subtidal or intertidal on un-vegetated, soft bottom estuarine areas. Rarely, substrate may be placed on hard substrate that represents former reef habitat, but only if the hard substrate is not currently producing oysters at a sustainable level.
4. Living Shorelines/Coastal Resiliency Strategic placement of native vegetation, natural materials, and reinforcing rock or shell for native shellfish settlement, minimizing coastal erosion and maintaining coastal processes.
5. Kelp Forest Restoration Transplanting lab grown kelp or drifting kelp into the marine environment to restore structural and functional attributes of kelp forests. In some projects, sea urchins are removed from planted or already established areas to increase survival and growth of the kelp forest.

The overall effect of this program's implementation will be to restore native riparian and estuarine habitat and reduce erosion and sedimentation, and thereby improve water quality, the health of natural resources and agricultural sustainability. The NOAA RC acknowledges that any activity taking place in or near sensitive resources requires the use of careful methods. In order to minimize or avoid potential adverse impacts on coastal zone resources, the project has established conditions (e.g. timing, location, etc.) for the design and construction of restoration projects. Only a limited set of activities proposed by project applicants will be considered for inclusion in the CRP. Each approved project shall implement a set of general environmental protection measures and conditions, as outlined in Table 3, below. In addition, several of the eligible activities require further environmental protection measures and conditions. Project monitoring requirements are provided in Table 4, below. Finally, each eligible project must comply with all additional requirements specified in federal, state, and local permits and authorizations.

Table 3. General Conditions for all Projects

<u>General Protection Measures</u> a. Work shall not begin until i) NOAA RC and/or the Corps has notified the applicant that the requirements of the Endangered Species Act (ESA) have been satisfied and that the activity is authorized, and ii) all other necessary permits and authorizations are finalized. b. To avoid impacts to aquatic habitat the activities carried out in the program must occur during the summer dry season, specified as June 15-November 1 (with the exception of revegetation activities, which can occur beyond November 1, as necessary to ensure plant establishment). c. Prior to construction, any contractor shall be provided with the specific protective measures to be followed during implementation of the project. In addition, a qualified

biologist shall provide the construction crew with information on the listed species and State Fully Protected Species in the project area, the protection afforded the species by the ESA, and guidance on those specific protection measures that must be implemented as part of the project.

d. All activities that are likely to result in negative aquatic effects, including temporary effects, shall proceed through a sequencing of effect reduction: avoidance, reduction in magnitude, and compensation (mitigation). Mitigation shall generally be in-kind, with no let loss of waters of the U.S. per project. Mitigation work shall proceed in advance or concurrently with project construction.
e. Poured concrete shall be excluded from the wetted channel for a period of 30 days after it is poured. During that time, the poured concrete shall be kept moist, and runoff from the concrete shall not be allowed to enter a live stream. Commercial sealants may be applied to the poured concrete surface where difficulty in excluding water flow for a long period may occur. If sealant is used, water shall be excluded from the site until the sealant is dry and fully cured according to the manufacturer's specifications.
f. If the thalweg of the stream has been altered due to construction activities, efforts shall be undertaken to re-establish it to its original configuration.

Requirements for Fish Relocation and Dewatering Activities (See Arcata office BO, p. 21)

a. Guidelines for dewatering
b. General conditions for all fish capture and relocation activities
c. Electrofishing guidelines
d. Seining guidelines
e. Guidelines for relocation of salmonids

Measures to Minimize Disturbance from Instream Construction (See Arcata office BO, p. 25)

a. If the stream channel is seasonally dry between June 15 and November 1, construction will only occur during this dry period.
b. Debris, soil, silt, excessive bark, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil or entering the waters of the United States. Any of these materials, placed within or where they may enter a stream or lake, by the applicant or any party working under contract, or with permission of the applicant, shall be removed immediately. During project activities, all trash that may attract potential predators of salmonids will be properly contained, removed from the work site, and disposed of daily.
c. Where feasible, the construction shall occur from the bank, or on a temporary pad underlain with filter fabric.
d. Use of heavy equipment shall be avoided in a channel bottom with rocky or cobbled substrate. If access to the work site requires crossing a rocky or cobbled substrate, a rubber tire loader/backhoe is the preferred vehicle. Only after this option has been determined infeasible will the use of tracked vehicles be considered. The amount of time this equipment is stationed, working, or traveling within the creek bed shall be minimized. When heavy equipment is used, woody debris and vegetation on banks and in the channel shall not be disturbed if outside of the project's scope.
e. All mechanized equipment working in the stream channel or within 25 feet of a wetted

channel shall have a double containment system for diesel and oil fluids. Hydraulic fluids in mechanical equipment working within the stream channel shall not contain organophosphate esters. Vegetable based hydraulic fluids are preferred.

f. The use or storage of petroleum-powered equipment shall be accomplished in a manner to prevent the potential release of petroleum materials into waters of the state (Fish and Game Code 5650).
g. Areas for fuel storage, refueling, and servicing of construction equipment must be located in an upland location.
h. Prior to use, clean all equipment to remove external oil, grease, dirt, or mud. Wash sites must be located in upland locations so wash water does not flow into a stream channel or adjacent wetlands.
i. All construction equipment must be in good working condition, showing no signs of fuel or oil leaks. Prior to construction, all mechanical equipment shall be thoroughly inspected and evaluated for the potential of fluid leakage. All mechanical equipment shall be inspected on a daily basis to ensure there are no motor oil, transmission fluid, hydraulic fluid, or coolant leaks. All leaks shall be repaired in the equipment staging area or other suitable location prior to resumption of construction activity.
j. Oil absorbent and spill containment materials shall be located on site when mechanical equipment is in operation with 100 feet of the proposed watercourse crossings. If a spill occurs, no additional work shall commence in-channel until (1) the mechanical equipment is inspected by the contractor, and the leak has been repaired, (2) the spill has been contained, and (3) CDFW and NOAA RC are contacted and have evaluated the impacts of the spill.

<u>Measures to Minimize Degradation of Water Quality (See Arcata BO, p. 26)</u>

a. General erosion control during construction
b. Guidelines for temporary stockpiling
c. Minimizing potential for scour
d. Post-construction erosion control

<u>Measures to Minimize Loss or Disturbance of Riparian Vegetation (See Arcata BO, p. 28)</u>

a. Minimizing disturbance
b. Revegetation and success criteria

<u>Measures to Minimize Impacts to Roads in Project Area</u> (See Arcata BO, p. 29)

Upon the completion of restoration activities, roads within the riparian zone damaged by the permitted activity shall be weather proofed according to measures as described in *Handbook for Forest and Ranch Roads* by Weaver and Hagans (1994) of Pacific Watershed Associates and in Part X of the CDFW Manual entitled "Upslope Assessment and Restoration Practices."

<u>Water Conservation Projects</u>

a. All water conservation projects in the Program require diverters to verify compliance with water rights with the State Water Resource Control Board and reviewed for compliance with the California Fish and Wildlife Code (which may require a Lake and Streambed Alteration Agreement and possibly a CEQA analysis) by CDFW, NOAA RC and the Corps.
b. Site-specific restrictions that are part of water diversion permits for diversion from a stream or hydrologically connected sources may make a project ineligible for the Program, or subject to additional requirements.

c. Water conservation projects that involve diversions must provide additional information to help NOAA RC and the Corps determine the benefits to fish and if the proposed design is appropriate for the project site.
Engineering Requirements More complex types of projects covered by the Program require a higher level of oversight and review by an engineer. These project types include: a. Fish passage at stream crossings b. Permanent removal of flashboard dam abutments and sills c. Small dam removal d. Creation and connection of off-channel habitat features
Prohibited Activities Projects that include any of the following elements would not be authorized under the Program: a. Gabion baskets b. Cylindrical riprap (aqualogs) c. Chemically treated timbers used for any instream structures d. Activity that substantially disrupts the movement of those species of indigenous aquatic life, including those species that normally migrate through the area e. Projects that would completely eliminate a riffle/pool complex
Limits on Area of Disturbance a. Stream dewatering: Maximum length of stream that can be dewatered is 1000 feet b. Upslope disturbance: The disturbance footprint for any individual project staging area may not exceed 0.25 acres c. Buffer between projects implemented in the same year: All projects implemented in the same year will maintain an 800-foot downstream buffer from any other sediment producing projects proposed that same year under the Program.
Limits on Number of Projects Annually Under the Arcata Office BO, up to 60 salmonid habitat projects may be authorized (via NOAA RC funding, Corps permit or both) each year under the Program, while under the Santa Rosa Office BO, up to 50 such projects may be authorized each year. There will also be an annual per-watershed limitation for projects occurring in any one HUC-10 watershed under the Program (see Arcata office BO, Table 1, p. 19 for details). There is no such corresponding project limitation on coastal wetlands restoration and other types of estuarine restoration projects, as these are much fewer in number.
Limit on Distance between Projects Any stream crossing removals in fish-bearing streams must be 800 feet apart and 500 feet apart in non-fish bearing streams.
Limits on Removal of Vegetation Removal of exotic, invasive vegetation in a stream with high water temperatures must be done in a manner to avoid creation of additional temperature loading to fish-bearing streams (see Arcata office BO, p. 19 for details).

Table 4. Monitoring Requirements

Pre- and post-construction, and success monitoring a. Pre- and post-construction monitoring plan required of all projects; monitoring protocol typically follows CDFW Fisheries Restoration Grant Program protocol. b. Development of Success Criteria c. BOs require photo-monitoring

NOAA RC further states in its consistency determination that:

> *The NOAA RC and Corps have established general requirements and environmental protection measures that must be implemented for projects to be included in the Program. For example, a key component of the CRP Programmatic Biological Opinions involves the use of "sideboards" that establish a minimum distance between instream projects and limit the number of instream projects annually within a watershed, relative to the size of the watershed. NOAA Biological Opinions also contain specific requirements for dewatering, riparian restoration, species protection, and more, as well as general project review procedures conducted by NOAA RC Staff.*
>
> *As part of NOAA RC's general review process, NOAA RC staff will evaluate individual projects and assess whether they can be covered under existing NOAA RC programmatic BOs, applicable BOs for existing restoration programs that fall within the scope of activities covered by the CRP (e.g., existing Partners in Restoration permit coordination programs with pre-existing BOs), or whether a project should be reviewed through an individual Section 7 consultation because the project is outside the program or geographic scope of an existing BO and warrants separate analysis. NOAA RC staff will also screen applications for applicability to this Federal Consistency Determination, applying criteria from the "General Exclusions" and "Qualifying Projects" sections of this report. All projects will be subject to applicable general project requirements, as well as project specific conditions that NOAA RC and NMFS deem necessary in order to protect coastal resources.*

Table 1 in NOAA RC's consistency determination summarizes the agency's review process, general requirements, and protection measures for coastal resources (**Exhibit 2**).

By May 15 of each year, NOAA RC will provide the Commission staff with a list of and summary information about qualifying projects to be covered by the NOAA RC's programmatic Federal Consistency Determination for the upcoming year. Project information will include the title of the project, project applicant and partners, project location and habitat benefit. Coastal Commission staff will be provided similar information for qualifying projects funded later in the year on a project-by-project basis.

NOAA RC will also prepare an annual report summarizing the results of projects implemented under the CRP during the most recent construction season within the coastal zone, and results of

post-construction implementation and effectiveness monitoring for that year and previous years. The annual report shall include a summary of the specific type and location of each project and the amount of habitat restored.

C. STREAMS/WETLANDS/ESHA/WATER QUALITY

Section 30230 of the Coastal Act states:

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

Section 30231 of the Coastal Act states:

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

Section 30233 states in part:

> *The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*
>
> *(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
>
> *(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
>
> *(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*

(4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

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

Section 30240 states:

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

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The purpose of NOAA RC's CRP is to provide funding and technical assistance for high quality habitat restoration and erosion control projects on private and public lands in coastal California. This program will result in substantial benefits to habitat for anadromous fish and other aquatic species, water quality, coastal wetlands and the estuarine and marine environments. However, whenever work of this kind takes place, the potential exists for long- and short-term disturbance or degradation of the environment due to incidental effects. The projects and activities approved for funding and/or technical assistance by the NOAA RC are expressly designed to avoid long-term disturbance or degradation altogether, minimize any short-term adverse impacts, protect and enhance sensitive habitat, improve water quality in coastal watersheds, restore coastal resources to a more naturally functioning state, and improve the environmental sustainability of coastal agriculture operations.

In order to participate in the CRP, projects must clearly meet the program's goals and standards. CRP activities that will increase the health of wetlands, streams, and other environmentally sensitive habitats as part of a project include, but are not limited to:

- Instream Habitat Structures and Improvements
- Bioengineering and Riparian Habitat Restoration
- Upslope Watershed Restoration
- Creation of Off-channel/Side-channel Habitat
- Invasive Species Control

The need for conservation efforts in riparian and wetland habitats of the coastal zone is high. Within the CRP program area proposed for this consistency determination, there are hundreds of impaired waterways declared under the Clean Water Act section 303(d) and listed in California's 2010 Integrated Report. Many of the impairments or "pollutant categories" for these waterways – including water temperature, sediment, nutrients, pathogens, other organics, pesticides and hydromodification – affect habitat for fish and other aquatic species and water quality. Unstable geology, erodible soils and high seasonal precipitation cause erosion and sedimentation in these waterways. Sedimentation reduces water quality and impairs spawning and rearing of salmonids, including the protected coho salmon and steelhead present in many of these waterways. Roads constructed along canyon floors and steep inner gorges cause channel realignment resulting in direct delivery of sediment to waterways. Excess sediment alters the natural hydrology of coastal wetlands, and affects recruitment of native wetlands vegetation and aquatic life. The lack of riparian vegetation leads directly to high stream temperatures and runoff from agricultural fields and other land uses into waterways. Stream modifications from decades of flood control efforts, channelization and small dams have altered natural fluvial regimes and degraded stream habitat. At river and stream mouths, sediment and other pollutants as well as constructed fill have degraded and destroyed estuarine resources, including oyster and other native shellfish populations and submerged aquatic vegetation. These resource impairments can be addressed by CRP projects and activities, which are designed to reduce and eliminate anthropogenic sources of sediment, and benefit riparian, wetlands, estuarine and uplands habitat, and improve water quality.

To protect environmentally sensitive habitats, the NOAA RC ensures that, in time and manner of implementation, all funded and authorized CRP projects meet the program's goals and standards, comply with its environmental protection measures, and comply with all conditions required by programmatic and project permits and authorizations from the Army Corps, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, State and Regional Water Boards and the Commission. The consistency determination includes a detailed description of the environmental commitments that will be attached to each eligible project in the CRP. These measures, used to the maximum extent possible, will minimize impacts to sensitive species and habitats, and include, but are not limited to, the following:

- Limit construction temporally in order to avoid spawning, rearing and migration periods of anadromous fish, and the nesting or breeding seasons of birds and terrestrial animals
- Limit construction temporally in order to reduce erosion during rainy periods;
- Optimize planting of seedlings by planting close to or during the rainy season;
- Limit the size and grade of disturbance to existing grades;
- Restrict the number and size of access routes, staging areas and total work site area to the minimum necessary;
- Restrict habitat improvements to techniques that are in accordance with the "California Salmonid Stream Habitat Restoration Manual"
- Use native plants in revegetation efforts, and use native plants of local genetic stock where feasible.

The CRP's environmental protection measures, and all conditions required by the NOAA RC's two Biological Opinions and other federal and state regulatory permits and approvals, will ensure

that the short-term impacts that could result from implementation of CRP projects will not have significant adverse effects on riparian areas, wetlands, the marine environment, and water quality. The proposed restoration activities are allowable uses under Sections 30233 and 30240 of the Coastal Act. The long-term benefits of the CRP in the coastal zone will enhance riparian vegetation and bank stability, provide additional habitat areas for foraging, breeding, and shelter, and improve water quality and aquatic habitats by decreasing sediment and other pollutants flowing to coastal waters. The Commission therefore finds that the project is consistent with Sections 30230, 30231, 30233, and 30240 of the Coastal Act.

D. AGRICULTURE

Section 30241 of the Coastal Act states in part:

> *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy. . . .*

Section 30242 states:

> *All other lands suitable for agricultural uses shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

Section 30243 states:

> *The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.*

One goal of the CRP is to enhance agricultural lands through conservation efforts that will enhance soil and water resources. Consistent with Coastal Act agricultural policies, proposed implementation of the CRP in the coastal zone will help maintain the long-term viability or farming, ranching, and grazing in the coastal zone by reducing the loss of valuable top soil subject to erosion, improving dependable water supplies for livestock, and increasing the function and health of waterways passing through agricultural properties. By improving the compatibility between agricultural land uses and the protection of sensitive habitat areas and waterways, the project will assist in preserving the long-term viability of both agricultural and natural resources. Most of the conservation practices approved for this program act as part of the farming or ranching operation even if the specific project location can no longer be used for economic production. The practices to be implemented in this project are an integral part of production since they enhance resource conditions and prevent loss of productive resources from adjacent crop or rangeland. This does not constitute conversion of agricultural lands to non-agricultural use, as these practices serve the agricultural purpose of controlling erosion and enhancing waterways. The beneficial impacts

of retaining significant amounts of soil on site that would otherwise be lost to erosion, and increasing the quality of waterways on agricultural land, greatly outweigh the minor loss in areas of production from a site-specific conservation structure.

Although some projects implemented under the CRP may result in the restoration and conversion of current and/or historic agricultural lands – primarily diked hay and grazing properties – into native salt and brackish marshlands and riparian floodplain habitat, these types of projects are proposed very infrequently. Since 1996 only two projects involving the restoration and conversion of agricultural lands to wetlands and riparian habitat have been implemented in the coastal zone under the CRP, resulting in the removal of approximately 257 acres of land from agricultural production. This relatively minor loss of agricultural lands is offset by important gains in coastal wetlands and riparian floodplain acreage – two of the coastal habitats most impacted by land uses in the coastal zone since 1850 (e.g., conversion of natural habitat due to construction of dikes, levees, and channels; fill of habitat for roadways, railroad crossings, and flood control projects). In addition, some areas currently or historically used for agricultural production are likely to be inundated by rising sea levels due to climate change, and their restoration to natural marshlands and floodplains would help to provide resiliency to coastal resources, including protection of higher elevation agricultural lands. While in past reviews described above, the Commission has found proposed habitat improvements consistent with Sections 30241 and 30242 because only minor amounts of agricultural land would be converted to habitat or water quality improvement measures, the Commission has also, in other contexts, found conversion of agricultural land for habitat restoration activities consistent with the Coastal Act under the conflict resolution provision (Section 30007.5). Therefore, the Commission finds that the proposed implementation of the CRP in the coastal zone would help to protect agricultural lands and resources and is consistent with Coastal Act Sections 30241, 30242, and 30243.

E. CULTURAL RESOURCES

Section 30244 of the Coastal Act states:

> *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

Humans have occupied coastal California from as long as 15,000 years ago, and have left important and widespread cultural resources dating from historical and pre-historic times. The potential exists for encountering cultural resources from a variety of the CRP's activities, although most projects will take place in areas that have already been developed, modified, cultivated or otherwise disturbed by human land uses, and will not exceed the depth, extent or kind of previous activities. The NOAA RC will use the federal designation of "undertaking" to set in motion steps to avoid or mitigate impact to any archaeological or paleontological resource. An undertaking is any project or activity under the direct or indirect jurisdiction of a federal agency that can result in changes to or use of historic properties. If the project involves no ground disturbance or will not exceed the depth, extent, or kind of previous cultivation, the project will not qualify as an undertaking. The NOAA RC will ensure that potential effects of restoration activities are considered in the earliest planning stages for projects, as specified in

NOAA RC NEPA documents and in their consistency determination. Should the NOAA RC suspect that cultural resources are present at any project site, field personnel will conduct a records search and field survey to determine the extent and significance of the cultural resources, if any. The NOAA RC fulfills the requirements of the National Historic Preservation Act (NHPA), Section 106 with the measures laid out in Table 5, NOAA RC NHPA Compliance, below.

Table 5. NOAA RC National Historic Preservation Act Compliance

Step	Activity
1	NOAA RC determines if the proposed activity is considered an undertaking as defined in the Supplemental Program Environmental Assessment (SPEA).
2	If it is an undertaking, the NOAA RC conducts a cultural resources review to determine if known protected resources could be affected by the activities.
3	NOAA RC consults with appropriate SHPO/THPO, tribes, and agencies to identify potential cultural resources and evaluates if they would be adversely affected by the proposed activity.
4	NOAA RC revises plans if necessary to avoid adverse impacts to cultural resources.

Project applicants implementing NOAA RC projects receive appropriate training to carry out cultural resource protection measures, monitoring, and reporting. The NOAA RC will not proceed with a project where significant impacts to cultural resources cannot be avoided through agency actions and/or revised plans. Should the project applicant or any project partners uncover human remains in the course of a project, the NOAA RC and project proponents will follow procedures established by the Native American Heritage Commission, including immediately stopping work in the area and notifying the County Coroner. With these elements, the CRP includes reasonable measures for the protection of archaeological and paleontological resources, and the Commission therefore finds the project consistent with Section 30244 of the Coastal Act.

F. VISUAL RESOURCES

Section 30251 of the Coastal Act states:

> *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.*

CRP projects are not expected to have significant negative effects on scenic or visual resources. Minor impacts to viewsheds may occur from re-establishment of native vegetation where it has not been present for some time, and from construction and soil disturbance during and following

project installation. However, these effects are expected to be temporary, and will be offset by beneficial effects to scenic or visual resources accruing from the restoration of riparian, wetland and estuarine habitats and other coastal resources. Therefore, the Commission finds the program will not likely have negative impacts and is most likely to have beneficial impacts to scenic/visual resources consistent with Section 30251 of the Coastal Act.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

1. CD-051-98, Natural Resources Conservation Service, Elkhorn Slough Watershed
2. CD-096-01, Natural Resources Conservation Service, Salinas River Watershed
3. CD-036-03, Natural Resources Conservation Service, Morro Bay Watershed
4. CD-085-06, Natural Resources Conservation Service, Humboldt County
5. ND-074-09, NOAA RC Community-based Restoration Program, Salmon Creek Estuary Fish Habitat Improvement Structures, Sonoma County
6. ND-023-10, NOAA RC Community-based Restoration Program, Willow Creek 2nd Bridge Area Project, Sonoma County
7. ND-037-12, NOAA RC Community-based Restoration Program, Pescadero Creek Lagoon Sandbar Breaching and Ecological Function Project, San Mateo County

APPENDIX B

Comment Letters Received

RESOURCE
CONSERVATION DISTRICTS

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 15, 2013

Dear Dr. Lester:

The California Association of Resource Conservation Districts (CARCD) is deeply committed to supporting the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California. Similar to the RCD (Resource Conservation District) approach, NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

Empowered by Division 9 of the Public Resources Code, RCDs are implementing successful CRP projects to address natural resource issues in their districts. These RCDs, covering every county in the determination area, have partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control. As the statewide organization for RCDs, CARCD is actively working to support development of programmatic agreements and build RCD capacity to implement restoration projects.

The consistency determination is a strong step in the right direction. The determination will encourage the implementation of many more critical restoration projects on private land than would otherwise be accomplished and will ultimately benefit endangered species and their habitat throughout the coastal region. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates including RCDs. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Karen Buhr
Executive Director CARCD

CALIFORNIA ASSOCIATION OF RESOURCE CONSERVATION DISTRICTS
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Upper Salinas-Las Tablas Resource Conservation District

65 S. Main St. Ste. 107 Templeton, CA 93465 | 805.434.0396 x 5 | www.us-ltrcd.org

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 4, 2013

Dear Dr. Charles Lester:

The Upper Salinas – Las Tablas RCD would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including the Pacific Ocean frontal watersheds of San Luis Obispo County such as Santa Rosa Creek, Big Creek, Pismo Creek plus others that drain into Monterey Bay via the Salinas River. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

Serving Northern San Luis Obispo County including portions of Monterey and Kern Counties since 1951, the US-LT RCD is a non-regulatory, not-for-profit organization. The RCD has established an assortment of services and programs to serve the need of every kind of land manager in our region. Farmers, ranchers, and residents rely upon the RCD for entire project navigation – from planning to design, permitting to installation – we provide the continuum of scientific assistance to complete it.

In San Luis Obispo County, the NOAA RC has funded riparian, floodplain and/or estuarine habitat restoration projects, all of which were implemented with environmental sensitivity. Through the efforts of many partners, habitat for Steelhead Trout was improved and over twenty local streams gained better water quality due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the Upper Salinas – Las Tablas RCD frontiers to improve coastal resources in this area.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in San Luis Obispo County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Laura Kelsay Edwards, Director, US-LT RCD

cc: Erik Lovejoy, Sustainable Conservation

Gold Ridge Resource Conservation District

2776 Sullivan Road – Sebastopol, CA 95472 – Phone (707) 823-5244 – Fax (707) 823-5243

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 4, 2013

Dear Dr. Lester:

The Gold Ridge Resource Conservation District would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including the Russian River, Salmon Creek and Estero Americano Watersheds. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 72 years, the Gold Ridge Resource Conservation District has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in western Sonoma County. Our work has resulted in many miles of stream restoration and enhancement.

In our District the NOAA RC has funded riparian and estuarine habitat restoration projects, all of which were implemented with environmental sensitivity. Through the efforts of many partners, habitat for endangered Coho, steelhead, CA freshwater shrimp and CA red-legged frogs was improved and the 5 watersheds we work in regularly have gained better water quality due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the Gold Ridge Resource Conservation District leads to improve coastal resources in this area.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited or strained our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in the Estero Americano, Salmon Creek, and Russian River watershed in Sonoma County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Brittany Heck
Executive Director, Gold Ridge RCD

RESOURCE
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Charles Lester, Executive Director
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45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 10, 2013

Dear Dr. Lester:
The Resource Conservation District of Santa Cruz County (RCDSCC) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including Santa Cruz County. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 50 years, the RCDSCC has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Santa Cruz County. The RCDSCC's two core focus areas are Watershed Restoration and Protection and Conservation and Stewardship in Agriculture. These defined focus areas allow the RCDSCC to complete projects of many types, including: fuel load reduction to protect properties and reduce erosion following wildfires; rural road improvement projects to reduce erosion to adjacent stream corridors; stormwater enhancement projects to reduce impacts of urban stormwater; and restoration ecology and habitat enhancement projects which includes supporting recovery goals for listed species.

In Santa Cruz County, the NOAA RC has partnered with the RCDSCC by providing technical assistance in the identification, planning and implementation of numerous in-stream, riparian and floodplain habitat enhancement projects through the RCDSCC's Integrated Watershed Restoration Program (IWRP). All of these projects have been, and continue to be, implemented with environmental sensitivity. Through the efforts of many partners and landowners, habitat for Central California Coast Coho *(Oncorhynchus kisutch)*, Central California Coast Steelhead *(Oncorhynchus mykiss)* and state and federally listed amphibians has been improved and water quality has been enhanced in watersheds throughout Santa Cruz County due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the RCDSCC leads to improve coastal resources in this area.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has been a challenge for pursuing restoration opportunities in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

RESOURCE
CONSERVATION DISTRICT
OF SANTA CRUZ COUNTY

820 Bay Avenue, Suite 128
Capitola, California 95010
tel 831.464.2950 | fax 831.475.3215
www.rcdsantacruz.org

The NOAA RC is an important environmental partner in Santa Cruz County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Karen Christensen
Executive Director
Resource Conservation District of Santa Cruz County
kchristensen@rcdsantacruz.org
www.rcdsantacruz.org
(831) 464-2950 x17
(831) 475-3215 *fax*

Humboldt County Resource Conservation District

5630 South Broadway Eureka, CA 95503
Phone (707) 444-9708 ext. 117 Fax (707) 442-7514
hcrcd@yahoo.com

April 11, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Dear Dr. Lester:

For more than 26 years, the Humboldt County Resource Conservation District (HCRCD) has partnered with landowners, state and federal agencies, community organizations, restoration scientists and regulatory agencies to plan, design, and implement sound resource conservation, habitat restoration, and erosion control projects throughout Humboldt County. Our partnerships have encouraged landowner and agency involvement in the design and implementation of restoration projects on private lands.

Private landowners are often interested in implementing projects that conserve and protect natural resources on their property, but find the process to permit a project to be overly complex and exceedingly time-consuming. HCRCD strongly believes that more restoration work would happen on private land if the process to permit restoration and erosion-control projects could be streamlined amongst the agencies involved, without losing any of the important protections the regulatory process is intended to provide.

For this reason, HCRCD expresses its support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program (CRP). The NOAA Restoration Center's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

We encourage the Coastal Commission's concurrence with the NOAA Restoration Center's federal consistency determination.

Sincerely,

Donna Chambers

Donna Chambers
Executive Director

RESOURCE CONSERVATION DISTRICT OF MONTEREY COUNTY

744 La Guardia Street, Building A, Salinas, CA 93905 (831) 424-1036, ext. 124

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 15, 2013

Dear Dr. Lester:

The Resource Conservation District of Monterey County would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including Monterey County. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For almost 70 years, the RCD of Monterey County has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Monterey County. In the Coastal Zone, we have several fish passage improvement projects lining up on the Big Sur River, and new partnerships developing with landowners wanting to conduct work in the Elkhorn Slough watershed. A federal consistency determination would help smooth these projects' progress in light of the difficulties obtaining Coastal Development Permits (CDPs) traditionally pose.

Obtaining CDPs for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in Monterey County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates and further our upcoming work in Big Sur and North Monterey County. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Paul Robins
Executive Director

Coastal San Luis Resource Conservation District
645 Main Street, Suite F, Morro Bay, CA 93442
805-772-4391 | www.coastalrcd.org

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 15, 2013

Dear Dr. Lester:

The Coastal San Luis Resource Conservation District would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including in San Luis Obispo County. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

Since 1953, we have partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in San Luis Obispo County. Our work has resulted in improved water quality, wildlife habitat and resource planning.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is one way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone. We also support efforts through the Partners in Restoration Program to streamline the permitting process in the coastal area.

The NOAA RC is an important environmental partner. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Nicole Z Smith

Nicole Smith
Conservation Programs Manager

MENDOCINO COUNTY
RESOURCE CONSERVATION DISTRICT

206 Mason Street
Suite F
Ukiah, CA 95482
(707) 462-3664
www.mcrcd.org

Dr. Charles Lester
California State Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 15, 2013

Dear Dr. Lester:

The Mendocino County Resource Conservation District (MCRCD) expresses its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including Mendocino County's watersheds.. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 65 years, MCRCD has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Mendocino County. Our work has resulted in extensive improvements to water quality and anadromous fish habitat.

In Mendocino County, the NOAA RC has funded restoration projects implemented by partners and community organizations with environmental sensitivity using best management practices. Through the efforts of many partners, Mendocino County achieved better water quality, and made significant progress towards reaching TMDL (Clean Water Act) mandates, due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of our ongoing effort to improve coastal resources in Mendocino County. The Garcia River watershed, for an example—was the first TMDL watershed under an implementation plan. Today, with a myriad or partnerships and ample support and cooperation—approximately 70% of the watershed in under TMDL compliance. With this consistency determination—we may reach 100%!

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is a pivotal environmental colleague in Mendocino County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Patty Madigan
Conservation Programs Manager

San Mateo County
Resource
Conservation
District

PHONE 650.712.7765
FAX 650.726.0494

625 Miramontes Street, Suite 103, Half Moon Bay, CA 94019
www.sanmateoRCD.org

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 17, 2013

Dear Dr. Lester:

On behalf of the San Mateo County Resource Conservation District, I would like to express strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including Pescadero, San Gregorio, Pilarcitos, and other salmonid watersheds in coastal San Mateo County. The permitting assistance provided by the CRP is a key step in helping ensure that these environmentally beneficial projects are successful.

For nearly 75 years, the San Mateo County Resource Conservation District has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects.

In this county, the NOAA RC has funded and otherwise supported multiple restoration projects for coho salmon, steelhead trout, and other sensitive or protected species that were implemented with environmental sensitivity. In San Mateo County, coho calmon are on the imminent brink of local extirpation. We hope to see more habitat projects funded and implemented in the coming years with minimal roadblocks or delays.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex, time-consuming, expensive, redundant with some other protective efforts, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in coastal San Mateo County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Kellyx Nelson
Executive Director

SOUTHERN SONOMA RESOURCE CONSERVATION DISTRICT

SOTOYOME RESOURCE CONSERVATION DISTRICT

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 17, 2013

Dear Dr. Lester:

The Southern Sonoma and Sotoyome Resource Conservation Districts (RCD) would like to express their strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including Sonoma County in the Gualala, Russian, Sonoma, and Petaluma River Watersheds. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 65 years, the Southern Sonoma and Sotoyome RCD have partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Sonoma County. Our work has resulted in 280,000 board feet of large woody debris installed for fisheries habitat improvement, 18,000 native plants planted for improved creek corridors, and over 212,000 cubic yard of sediment saved from entering nearby stream by improving 132 miles of rural road.

In Sonoma County, the NOAA RC has funded riparian, streamflow, and floodplain habitat improvement projects, all of which were implemented with environmental sensitivity. Through the efforts of many partners, habitat for coho salmon and steelhead trout was improved and streams throughout the Gualala, Russian, Sonoma Creek , and Petaluma River watershed gained better water quality due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the Southern Sonoma and Sotoyome RCD leads to improve coastal resources in this area.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in Sonoma County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Kara Heckert
Executive Director
Southern Sonoma and Sotoyome RCDs

MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue Corte Madera CA 94925-1169
www.marinwater.org

April 16, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Dear Dr. Lester:

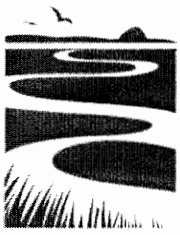
The Marin Municipal Water District (MMWD) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including the Lagunitas Creek watershed, in Marin County, which supports one of the largest and most stable populations of endangered coho salmon in Central California. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 25 years, MMWD has partnered with other agencies, landowners, community organizations, and restoration scientists to plan, design and implement a variety of habitat restoration projects in the Lagunitas Creek watershed, and other Marin County drainages. These projects have been implemented with the specific intention of improving habitat for the benefiting the coho salmon and steelhead that live in these streams. Other agencies and groups have also implemented projects throughout the watershed and along Tomales Bay. We all hope and plan to see more habitat projects funded and implemented in the coming years.

The NOAA RC is an important environmental partner in Marin County, especially in the Lagunitas Creek watershed. This consistency determination will encourage greater funding and technical assistance from the CRP for important restoration activities. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Krishna Kumar
General Manager



MORRO BAY
NATIONAL
ESTUARY
PROGRAM

Dr. Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 16, 2013

Dear Dr. Lester:

The Morro Bay National Estuary Program would like to express its support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. Habitat restoration projects that are funded by or receive technical assistance from the Restoration Center help restore important marine and freshwater habitats around the state. My program and the other National Estuary Programs in California have leveraged funds from the Restoration Center to make on-the-ground progress for conservation.

Since its creation in 1995, the Morro Bay National Estuary Program has brought citizens, landowners, local governments, non-profits, and state agencies together to protect and restore the Morro Bay estuary and its watershed. Together, we have planned and implemented successful habitat restoration projects to protect salmonid and estuarine habitat in San Luis Obispo County. For each project we implement, we ensure that it is completed in an environmentally sensitive manner. After all, we are here to be good stewards of our natural environment.

State permitting processes can be difficult to navigate, even when organizations are planning beneficial projects. The NOAA Restoration Center's program and the process documented in its consistency determination ensure a high level of resource protection in the Coastal Zone.

Our work in Morro Bay is far from over. In the coming years, we and our partners will be conducting more restoration and we hope to continue to tap into NOAA Restoration Center resources. This consistency determination will encourage greater funding and technical assistance from the NOAA Restoration Center to restoration projects around the state. I ask you to concur with the NOAA Restoration Center's determination.

Sincerely,

Adrienne Lynne Harris

Adrienne Harris
Executive Director

601 EMBARCADERO, SUITE 11 MORRO BAY, CA 93442
805/772-3834 FAX 805/772-4162 WWW.MBNEP.ORG

SONOMA LAND TRUST

April 15, 2013

966 Sonoma Avenue
Santa Rosa, CA 95404
Tel: 707-526-6930
Fax: 707-526-3001
www.sonomalandtrust.org

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Dear Dr. Lester:

The Sonoma Land Trust would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program (CRP). The habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including priority watersheds in Sonoma County such as Salmon Creek. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. Furthermore, the permitting assistance provided by the CRP is key in helping to ensure these environmentally beneficial projects are successful.

For more than 30 years, the Sonoma Land Trust (SLT) has partnered with landowners, community organizations, and government to protect more than 27,000 acres of land in Sonoma County. Our work includes important tidal wetland restoration, riparian enhancement and, most recently, fish passage barrier removal projects.

In Sonoma County, the CRP has funded riparian, estuarine, and tidal wetland habitat restoration projects. Through the efforts of many partners, these projects resulted in important habitat enhancement for sensitive species, improved water quality, and critical environmental education projects for our youth. We hope to see more habitat projects funded and implemented in the coming years to help support ongoing efforts that SLT leads to improve coastal resources in this area.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects can limit opportunities for restoration in the Coastal Zone. The CDP permitting process can be complex, expensive, and time-consuming. In some cases, this can affect our or other organization's chances to obtain grant funding and can lengthen project time lines and tighten budgets. The CRP consistency determination is an appropriate way to improve project implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA CRP is an important environmental partner in Sonoma County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA's decision.

Sincerely,

Ralph Benson
Executive Director

The Land Conservancy
OF SAN LUIS OBISPO COUNTY

P.O. Box 12206 • SLO, CA 93406 • (805) 544-9096 • FAX (805) 544-5122

VISIT US ONLINE AT: WWW.LCSLO.ORG

April 16, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

RE: NOAA RC Consistency Determination

Dear Dr. Lester:

The Land Conservancy of San Luis Obispo County (The Land Conservancy) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including San Luis Obispo County and our coastal draining streams. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 20 years, The Land Conservancy has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in San Luis Obispo County, and more specifically, San Luis Obispo and Santa Rosa Creek Watersheds. Our organization has planted over 70,000 trees and shrubs, restored over 20 miles of stream habitat, and removed 11 barriers to steelhead trout migration in our local creeks.

In San Luis Obispo County, the NOAA RC has funded riparian habitat restoration projects, including invasive species removal projects and stream barrier removal projects all of which were implemented with environmental sensitivity. Through the efforts of many partners, habitat for myriad species including California red legged frog and south central California coast steelhead was improved and over 20 miles of stream have better water quality due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort The Land Conservancy leads to improve coastal resources in this area.

Since the Coastal Development Permit (CDP) permitting process can be complex and time-consuming, it can affect our chances to obtain grant funding and can disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

Local People. Local Land.

The NOAA RC is an important environmental partner in San Luis Obispo County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Kaila Dettman
Executive Director

Conserving Land in Mendocino County since 1976

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 16, 2013

Dear Dr. Lester:

The Mendocino Land Trust would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including Mendocino County. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 30 years, the Mendocino Land Trust has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Mendocino County. Our work has resulted in over ten miles of improved salmon habitat in streams in the Big River and Noyo Watersheds.

In Mendocino County, the NOAA RC has funded riparian, floodplain and estuarine habitat restoration projects, all of which were implemented with environmental sensitivity. Through the efforts of many partners, habitat for coho salmon and steelhead, as well as other aquatic organisms, was improved, and many impaired rivers have gained better water quality due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the Mendocino Land Trust leads to improve coastal resources in this area.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in Mendocino County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Ann Cole, Executive Director
Mendocino Land Trust

MENDOCINO LAND TRUST, INC., PO BOX 1094, MENDOCINO CA 95460, PHONE: 707-962-0470, FAX: 962-0444, EMAIL: MLT@MCN.ORG

PACIFIC COAST
FISH,
WILDLIFE &
WETLANDS
RESTORATION
ASSOCIATION
P.O. BOX 4574 ARCATA CA 95518

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 9, 2013

Dear Dr. Lester:

Pacific Coast Fish, Wildlife and Wetlands Restoration Association (PCFWWRA) is a 501 (c)(3) nonprofit organization that has been implementing habitat restoration projects on the Northcoast since 1991. Our organization would like to state strong support for the federal consistency determination request made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance to bring important restoration work in critical coastal habitat for salmon and other "keystone" species. Our organization has partnered with this NOAA program to design and implement projects. In all restoration efforts, permitting can be the "make or break" issue as to whether a project is viable as a cost effective solution to existing problems. **The programmatic permitting assistance provided by the CRP is critical in ensuring that these environmentally beneficial projects can be undertaken in a cost effective manner.**

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's request.

For twenty-two years PCFWWRA has partnered with public and private landowners, resource agencies, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Humboldt and Del Norte Counties. NOAA's CRP provides the opportunity for leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. We look forward to continuing our work through NOAA's CRP to improve coastal habitat. If you have any questions or need specific examples of projects affected by the CDP process, don't hesitate to contact us.

Sincerely,

Mitch Farro

Mitch Farro, Projects Manager,
(707) 839-5664 or mitch@pcfwwra.org

TROUT UNLIMITED

Tim Frahm
California Central Coast Steelhead Coordinator

4/12/13

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

By email to Larry Simon, Federal Consistency Coordinator lsimon@coastal.ca.gov

Re: Support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program

Dear Dr. Lester:

Trout Unlimited (TU) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program (CPR).

Trout Unlimited (TU) is North America's leading coldwater fisheries conservation organization, dedicated to the conservation, protection and restoration of trout and salmon fisheries and their watersheds. The organization has more than 140,000 members in 400 chapters across the United States, including 10,000 members in California. TU's vision is that, by the next generation, trout and salmon will be restored throughout their native range so that our children can enjoy healthy fisheries in their home waters. To accomplish this vision, TU works to protect, reconnect, and restore fish populations and their habitat, and to sustain this work by building a diverse movement of businesses, people, and communities dedicated to our mission. In California, our staff and members have actively engaged in coastal Coho and Steelhead restoration projects throughout their range and have benefited from the expertise and funding partnership of the NOAA Restoration Center.

The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including all of the watersheds of coastal California where TU is working to recover Coho and Steelhead habitat and populations. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

The following language is taken from the recent CCC Coho Recovery Plan and well represents Trout Unlimited's position on the importance of federal and state permitting assistance for restoration activities:

> "Permitting and project management can be considerable obstacles to landowners, individuals, and small organizations wishing to carry out restoration projects. Permit waivers or programmatic permits can reduce costs and streamline the regulatory process by providing umbrellas for local, state or Federal consultation. However, the availability of permit waivers or programmatic permits depends on project type, location, and funding source. Additional work by public agencies is essential to facilitate projects and remove unnecessary or redundant regulatory obstacles. Permit streamlining is an absolute necessity to provide incentives to landowners and managers wanting to implement restoration and enhancement projects, particularly for projects that do not receive funding assistance through the Pacific Coastal Salmon Recovery Fund (PCSRF) and Fisheries Restoration Grant (FRGP) programs administered by CDFG."-----*taken from Final CCC Coho Salmon ESU Recovery Plan (Volume I of III)* ***September 2012*** *9.0 Actions, Costs & Implementation* ***239***

The Commission's concurrence with the consistency determination can ensure that the CDP's do not limit opportunities for restoration, disrupt grant funding, or delay projects and will in fact encourage greater funding and technical assistance from the CRP to restoration advocates.

We urge your concurrence with the NOAA RC's decision.

Sincerely,

Tim Frahm

Tim Frahm
California Central Coast Steelhead Coordinator
4760 San Juan Canyon Rd
San Juan Bautista, Ca 95045
(650) 759-4416
tfrahm@tu.org

Simpson-Vance House 1892

Redwood Community Action Agency

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 15, 2013

Dear Dr. Lester:

The Redwood Community Action Agency (RCAA) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center (RC) for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including in Humboldt County, where RCAA has been involved in habitat restoration projects for the past 30 years. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more the past 30 years, the RCAA has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Humboldt County. In that time we have been involved in over 400 projects with many of them aimed at restoring fish passage and fish habitat in the coastal zone, two of which were funded by the NOAA RC. Through the efforts of many partners, habitat for coho, Chinook, steelhead, and coastal cutthroat trout was improved. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the RCAA leads to improve coastal resources in this area.

The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone. The NOAA RC is an important environmental partner in Humboldt County. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Don Allan

Don Allan,

Director,
Natural Resources Services Division,
Redwood Community Action Agency,
904 G Street, Eureka CA 95501
Ph: (707) 269-2063
Cell: (707) 496-3834
Fax: (707) 445-0884
email: don@nrsrcaa.org

The Nature Conservancy
Protecting nature. Preserving life.™

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Via:
Larry Simon, Federal Consistency Coordinator at lsimon@coastal.ca.gov

April 15, 2013

Dear Dr. Lester:

The Nature Conservancy of California would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including in Mendocino, Santa Cruz, Monterey, San Luis Obispo and Ventura Counties. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 50 years, The Conservancy has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in many counties we work in. Among other outcomes, these collaborative efforts have played an important role in the 1.2 million acres our organization has permanently protected in California and has improved the health of numerous rivers.

We are beginning to embark on a project at the Ten Mile River estuary – a project that is vital to the long term health of Central Coast Coho. Currently, we are concerned that obtaining a Coastal Development Permit (CDP) for habitat restoration for the project in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in across many counties in which we work. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Brian Stranko
North and Central Coast Regional Director
The Nature Conservancy of California

EDF
ENVIRONMENTAL
DEFENSE FUND
Finding the ways that work

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 15, 2013

Dear Dr. Lester:

Environmental Defense Fund would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

Environmental Defense Fund is focused on the development of robust incentives to support environmental stewardship of California's working lands. We have supported and partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat enhancement projects throughout California. The biggest barrier to implementation of these projects is the prohibitively long and complex permitting process.

The NOAA RC is an important environmental partner—this consistency determination will encourage increased funding and improved technical assistance, from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Rebecca Shaw
Associate Vice President,
Land, Water & Wildlife
Environmental Defense Fund

123 Mission Street
San Francisco, CA 94105
T 415 293 6050
F 415 293 6051
edf.org

Dr. Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 16, 2013

Dear Dr. Lester:

The California Fish Passage Forum supports efforts by the California Coastal Commission (CCC) and the National Oceanic and Atmospheric Administration (NOAA) to create efficiencies that will result in increased implementation of fish habitat restoration projects while ensuring the highest level of conservation protection in the coastal zone. NOAA's Community-based Restoration Program (CRP) provides funding and technical assistance to important restoration work in coastal locations throughout California. NOAA's CRP leverages additional and matching funds, encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 13 years, the California Fish Passage Forum has worked collaboratively with landowners, community organizations, restoration scientists and regulatory agencies in California to plan, design and implement strategic conservation actions that improve fish passage for anadromous fish species. Our work has advanced:

- Identification of fish passage barriers, opportunities for removal, and priorities for implementing projects;
- Sources of funding for fish passage projects in California;
- The proper design of new fish passage structures;
- Adaptive management practices in project design and implementation;
- Monitoring of implementation and effectiveness of projects; and
- The use of best management practices for fish passage, habitat improvement, and restoration projects.

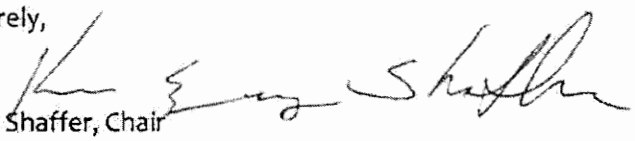
Since 1999, the California Fish Passage Forum has been involved in the removal of hundreds of fish passage barriers that have opened up hundreds of miles of streams. Barriers have included road/stream intersections, pipeline or other infrastructure crossings, erosion control/flood control structures, and dams that block or delay migration.

Removing barriers to fish passage has benefitted California's anadromous fish species, such as Chinook salmon, coho salmon, steelhead, coastal cutthroat trout, green sturgeon, white sturgeon, Pacific lamprey, and threespine stickleback as well as other federally and State protected fishes, such as delta smelt, longfin smelt and shortnose sucker.

Efforts to encourage greater funding and technical assistance from the CRP to restoration organizations will help to accelerate fish habitat restoration projects, which supports Goal #5 in the draft Strategic Framework of the Forum—"*Promote Federal and State permit streamlining efforts.*"

On behalf of the California Fish Passage Forum, thank you for your collaborative efforts to improve fish passage and fish habitat restoration projects in California, and we look forward to the new CCC-NOAA partnership. If you would like to discuss your efforts or present progress to the Forum, please feel free to contact me at (916) 327-8841, kevin.shaffer@wildlife.ca.gov.

Sincerely,



Kevin Shaffer, Chair
California Fish Passage Forum, A National Fish Habitat Action Plan Partnership

TOMALES BAY
Watershed Council

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 16, 2013

Dear Dr. Lester,

The Tomales Bay Watershed Council would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including the Tomales Bay watershed. Since 2000, we have been working with all of the agencies and private partners in this watershed to achieve a common goal of improved natural resource management.

Tomales Bay watershed is an area of unsurpassed beauty and environmental diversity. It is one of the major estuaries on the California coast, supporting abundant aquatic and terrestrial wildlife. This watershed is home to many critical listed species, notably coho salmon, steelhead trout, tidewater goby, California freshwater shrimp, California red-legged frog, and others. NOAA's history of successful work and partnership with federal, state and county agencies and private partners to work towards habitat protection and restoration will aid in the long-term survival of these species if it is to ever occur. We hope to see more habitat restoration projects funded and implemented in the coming years and will work with our partners to improve coastal resources in this area that includes the Critical Coastal Areas of Tomales Bay, Lagunitas and Walker Creeks.

Permit coordination will enable careful, coordinated implementation of technically sound and carefully implemented restoration projects that are critically needed in our region. A similar model utilized by the Marin Resource Conservation District has allowed improved and increased work on private and public agricultural lands in recent years. Time is truly of the essence for many of these projects and we sincerely hope you will assist in our common goals for the coastal region of California.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited many local opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect the chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Neysa King,
Coordinator

P.O. Box 447 Point Reyes Station, California 94956 p(415) 868-9081 f(415) 868-1202
email: neysaking@tomalesbaywatershed.org & www.tomalesbaywatershed.org

ELKHORN SLOUGH FOUNDATION
Since 1982

Mailing Address
P.O. Box 267
Moss Landing
California 95039

Tel: (831) 728-5939
Fax: (831) 728-7031

www.elkhornslough.org

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 16, 2013

Dear Dr. Lester:

The Elkhorn Slough Foundation would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California, including the Elkhorn Slough watershed. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

For more than 30 years, the Elkhorn Slough Foundation has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Monterey County. Our work has resulted in thousands of acres of upland and wetland restoration.

In Monterey County, the NOAA RC has funded estuarine habitat restoration projects, which were implemented with environmental sensitivity. Through the efforts of many partners, habitat for many terrestrial and estuarine species was improved and the Elkhorn Slough gained better water quality due to reduced erosion and runoff. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort the Elkhorn Slough Foundation leads to improve coastal resources in this area.

If LCP/CCC permitting has been a problem for restoration work or planning:
Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex, time-consuming, expensive and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in Elkhorn Slough. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Mark Silberstein
Executive Director
Elkhorn Slough Foundation

California Office
1303 J Street, Suite 270 | Sacramento, CA 95814 | tel 916.313.5800 | fax 916.313.5812
www.defenders.org

April 16, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Re: Support for NOAA Restoration Center Consistency Determination for the Community-Based Restoration Program

Dear Dr. Lester:

On behalf of Defenders of Wildlife and our more than 180,000 members and supporters in California, I am writing in strong support for the federal consistency determination made by the NOAA Restoration Center (RC) for its Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California.

Defenders has worked in partnership for many years to facilitate policies that would result in more habitat restoration projects in California. We support this Consistency Determination because it would allow for the CRP program to put more beneficial projects on the ground – providing improved conservation for many threatened and endangered species. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

The NOAA RC is an important environmental partner and we should be supporting their efforts to do more conservation projects for coastal California. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates. We strongly urge your concurrence with the NOAA RC's decision.

Sincerely,

Kim Delfino
California Program Director

National Headquarters
1130 17th Street, N.W.
Washington, D.C. 20036-4604
tel 202.682.9400 | fax 202.682.1331

Serving the Counties of:
Monterey, San Benito,
San Luis Obispo, San Mateo
Santa Barbara, Santa Clara, & Santa Cruz

Central Coast Agricultural Water Quality Coalition

P.O. Box 175
Gilroy, CA 95021-0175
Telephone (831)475-5159
Email:erin.agwater@gmail.com

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

April 16, 2013

Dear Dr. Lester:

The Central Coast Agricultural Water Quality Coalition would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center for its Community-based Restoration Program. The complexity, time and cost associated with obtaining Coastal Development Permits (CDPs) constrain our constituents and our partners in their ability to implement restoration and water quality improvement projects on agricultural lands. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

For more than twelve years, the Central Coast Agricultural Water Quality Coalition has worked to protect water quality in the Monterey Bay Sanctuary and its watersheds by providing outreach, education and technical support to farmers and ranchers throughout the Central Coast. We are producer-directed, and partner with producers, researchers, technical providers and management agencies to provide education and technical support for habitat restoration and erosion control projects. We have provided water quality education and technical support for implementation of best practices to hundreds of farmers and ranchers throughout the Central Coast.

The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to watersheds draining to the Monterey Bay Sanctuary. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful.

Serving the Counties of:
Monterey, San Benito,
San Luis Obispo, San Mateo
Santa Barbara, Santa Clara, & Santa Cruz

Central Coast Agricultural Water Quality Coalition

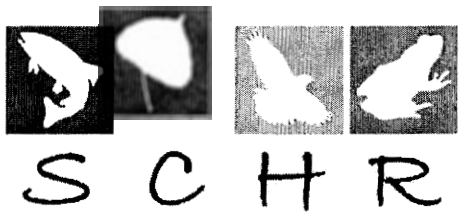
P.O. Box 175
Gilroy, CA 95021-0175
Telephone (831)728-5984
Email:erin.agwater@gmail.com

The NOAA RC is an important partner in working with diverse community members to protect water quality of the Monterey Bay Sanctuary. This consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates, and will provide encouragement to agricultural producers interested in doing restoration work on their lands. We urge your concurrence with the NOAA RC's decision.

Sincerely,

Erin McCarthy
Senior Program Manager
Central Coast Agricultural Water Quality Coalition
831 475-5159

Agenda # Th11a
Application # CD-021-13
Mauricio Gomez
In Favor



April 23, 2013

Dr. Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Dr. Lester:

South Coast Habitat Restoration (SCHR) would like to express its strong support for the federal consistency determination made by the NOAA Restoration Center (RC) for its Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout California. NOAA's CRP is an example of government at its best, leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is also a key step in helping ensure that these environmentally beneficial projects are successful and managed in order to benefit the recovery of threatened and endangered species.

For more than six years, SCHR has partnered with landowners, community organizations, restoration scientists and regulatory agencies to plan, design and implement habitat restoration and erosion control projects in Santa Barbara and Ventura Counties. We are a small non-profit organization that relies on our partnerships to make our work successful. We have removed 11 barriers to steelhead trout migration and are scheduled for the removal of three additional barriers this Fall. The majority of these projects fall within the Coastal Zone.

In Santa Barbara and Ventura Counties, the NOAA RC has funded riparian habitat restoration projects, which were implemented with environmental sensitivity. Through our efforts and those of our partners, habitat for the federally endangered steelhead trout has improved in four watersheds. We hope to see more habitat projects funded and implemented in the coming years – part of the ongoing effort SCHR is leading in our region to improve coastal resources in this area. This effort is not only having a positive impact on the recovery of species, but it is also having a positive impact on our local economy as the majority of the grants funds we secure stay in our local communities.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited our opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex, costly, time-consuming, and can affect our chances to obtain grant funding and disrupt project timing and tight project budgets. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

South Coast Habitat Restoration, PO Box 335, Carpinteria, CA 93014
www.schabitatrestoration.org, (805)729-8787

SCHR is a project of Earth Island Institute, a 501 (c)(3) non-profit organization

The NOAA RC is an important environmental partner in Santa Barbara and Ventura Counties. From our understanding, this consistency determination will encourage greater funding and technical assistance from the CRP to restoration advocates in the geographic area from Northern California south into San Luis Obispo County. We urge your concurrence with the NOAA RC's decision. In addition, we encourage your consideration of expanding the consistency determination into Santa Barbara and Ventura Counties as this will further increase the effectiveness of the NOAA RC and our efforts to improve habitat conditions in our region.

Sincerely,

Mauricio Gomez, Director
South Coast Habitat Restoration
805-729-8787
mgomez@schabitatrestoration.org
www.schabitatrestoration.org

COMMITTEES
NATURAL RESOURCES, CHAIR
SELECT COMMITTEE ON DISABILITIES, CHAIR
SELECT COMMITTEE ON WINE, CHAIR
JOINT COMMITTEE ON FISHERIES AND AQUACULTURE, CHAIR
BUDGET
BUDGET SUBCOMMITTEE #1
JOINT LEGISLATIVE BUDGET
GOVERNMENTAL ORGANIZATION
HEALTH

Assembly
California Legislature

WESLEY CHESBRO
ASSEMBLYMEMBER, SECOND DISTRICT

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SACRAMENTO, CA 94249-0002
(916) 319-2002
FAX (916) 319-2102

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(707) 445-7014
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50 "D" STREET, SUITE 450
SANTA ROSA, CA 95404
(707) 576-2526
FAX (707) 576-2297

200 SOUTH SCHOOL STREET, SUITE D
UKIAH, CA 95482
(707) 463-5770
FAX (707) 463-5773

April 11, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

RE: Support Coastal Commission consistency determination for the National Oceanic and Atmospheric Administration Restoration Center Community-based Restoration Program

Dear Dr. Lester:

I am writing in support of the Coastal Commission granting a consistency determination for the National Oceanic and Atmospheric Administration (NOAA) Restoration Center (RC) Community-based Restoration Program (CRP). The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout my entire district. NOAA's CRP is a prime example of leveraging additional and matching funds and encouraging diverse community involvement in the design and implementation of restoration projects. The permitting assistance provided by the CRP is a key step in helping ensure that these environmentally beneficial projects are successful.

Obtaining Coastal Development Permits (CDPs) for habitat restoration projects has limited opportunities for restoration in the Coastal Zone, as the CDP permitting process can be complex and time-consuming, and can affect opportunities to obtain grant funding and disrupt project timing and tight project budgets. A consistency determination for NOAA's CRP is an appropriate way to improve implementation projects with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

The NOAA RC is an important environmental partner in my district. This consistency determination will encourage greater funding, assistance and flexibility from the CRP to restoration advocates. I urge you to grant a consistency determination. If you have any questions, please do not hesitate to contact my office.

Respectfully,

WESLEY CHESBRO
Assemblyman, 2nd District

WC:tw:mh

JARED HUFFMAN
2ND DISTRICT, CALIFORNIA

1630 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5161

Congress of the United States
House of Representatives
Washington, DC 20515–0502

April 16, 2013

Charles Lester, Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Dr. Lester:

I am writing to express my support for the Coastal Commission's approval of the federal consistency determination for the National Oceanic and Atmospheric Administration (NOAA) Restoration Center's (RC) Community-based Restoration Program (CRP).

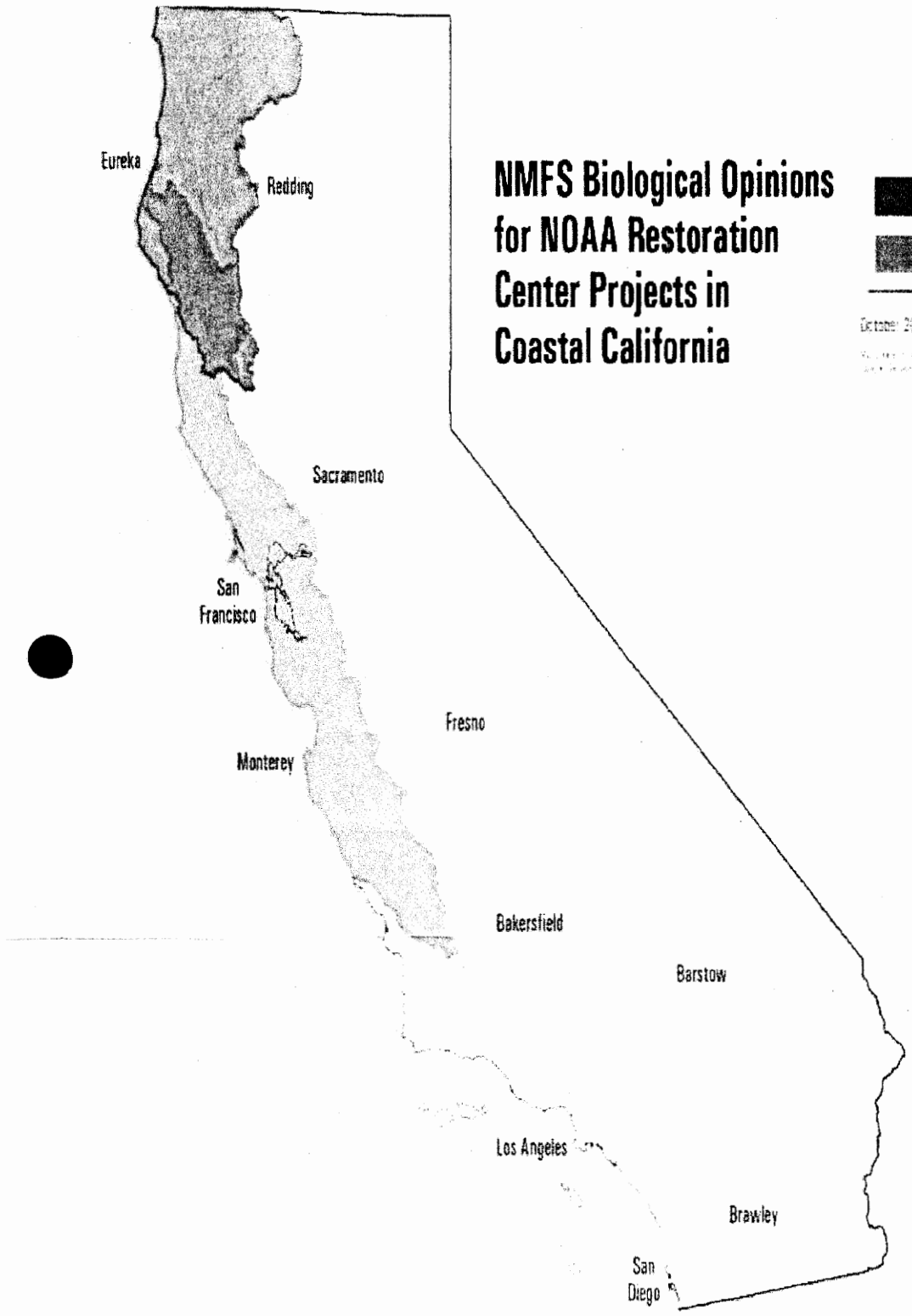
The cooperative habitat restoration projects for which the CRP provides funding and technical assistance bring important restoration work to coastal locations throughout my district. NOAA's CRP leverages additional and matching funds, encourages diverse community involvement in project design and implementation, and provides permitting assistance key to helping ensure the success of these environmentally beneficial projects. The NOAA RC's consistency determination is an appropriate way to improve CRP implementation with local partners while ensuring the highest levels of resource protection in the Coastal Zone.

If approved, this consistency determination will result in a more efficient process for implementing critically needed projects that improve coastal resources. Thank you for your full and fair consideration.

Sincerely,

JARED HUFFMAN
Member of Congress

Attachment A



NMFS Biological Opinions for NOAA Restoration Center Projects in Coastal California

NMFS Arcata Jurisdiction

NMFS Santa Rosa Jurisdiction

October 2012

EXHIBIT NO. 1
APPLICATION NO.
CD-021-13

TABLE 1 - NOAA RC SUMMARY OF GENERAL PROJECT REQUIREMENTS AND PROTECTION MEASURES FOR COASTAL RESOURCES

Resource Area	NOAA Review Process	NOAA Restoration Center Southwest Region - General Requirements and Protection Measures[1]
General Requirements/ Project Limits	Application reviewed by NOAA biologists to determine whether project qualifies for NOAA RC program, overall restoration benefit, ESA mandates met, avoidance of impacts to other coastal and marine resources. Must obtain all other agency permits to proceed.	- In addition to general conditions, site specific conditions are required as needed for each project - Voluntary restoration projects only; projects must clearly demonstrate habitat restoration benefits - Engineering review required for complex projects - All other permits must be obtained before the project may commence - Contractors must be briefed in advance by qualified biologist on all protection measures - Impact evaluation criteria must be followed: first avoidance, then minimization, and mitigation - Detailed success criteria required for revegetation projects - NOAA maintains tracking database to provide info on project monitoring and ensure compliance with all requirements - Prohibited activities include, but are not limited to gabions, treated wood, migration obstruction, projects with toxic sediments - NOAA retains right of reasonable access to property to monitor effectiveness of project through life of signed landowner agreement - Monitoring and reporting required (see section below) *BOs also Specify:* - Specific protection measures for species, water quality, and several other resources areas (see below) - Limitations on project types and number of projects implemented annually and per watershed to avoid cumulative impacts - Maximum stream dewatering length: 1000' - Maximum staging area size: 0.25 ac. - Consistency w/ DFW Salmonid Stream Habitat Restoration Manual, DFW Culvert Criteria for Fish Passage, DFW/NOAA Fish Screening Criteria for Salmonids, Handbook for Forest and Ranch Roads (Weaver and Hagans) - Construction work windows, typically limited to June 15-November 1 with planting allowed beyond November 1
Water Quality	NOAA requires both project-specific and general measures for WQ protection. 401 WQ Cert from RWQCB, 1600	- Detailed water quality protection and erosion control requirements during and following construction - Dewatering for in-channel work, with specific rules for how dewatering shall occur - Limits on vegetation removal in temperature-impaired streams

[1] Note: All projects are subject to site- and project-specific conditions, as specified in either the NOAA RC Programmatic BOs, (Arcata and Santa Rosa offices), other Program BOs applicable for CRP projects, individual Section 7 consultations for CRP projects that require separate consultation, and addendums to these documents containing further conditions. NOAA RC and NMFS staff will determine which BO shall be applied or whether individual Section 7 consultation must be completed. This table contains general requirements from the following sources: NOAA RC NEPA EAs (2002, 2006), Arcata and Santa Rosa Programmatic Biological Opinions (BOs), and NOAA RC Staff.

EXHIBIT NO. 2
APPLICATION NO. CD-021-13
P. 1 of 6

Resource Area	NOAA Review Process	NOAA Restoration Center Southwest Region - General Requirements and Protection Measures[1]
	Agreement from DFW, Corps Permit, and compliance w/local ordinances also required.	- Specific avoidance of impacts from poured concrete - Specific requirements for access road maintenance and road decommissioning - Temporary erosion controls will be in place before any significant alteration of the action site and will be monitored during construction to ensure proper function. Turbidity curtains, hay bales, and erosion mats shall be used where appropriate. - Confine vegetation and soil disturbance to the minimum area, and minimum length of time, as necessary to complete the action, and otherwise prevent or minimize erosion associated with the action. - Cease work under high flows or seasonal conditions that threaten to disturb turbidity reduction measures, except for efforts to avoid or minimize resource damage. *General On-site Pollution Controls* - - Properly confine, remove, and dispose of construction waste, including every type of debris, discharge water, concrete, cement, grout, washout facility, welding slag, petroleum product, or other hazardous materials generated, used, or stored on-site. - All vehicles and other heavy equipment will (a) be stored, fueled, and maintained in a vehicle staging area set back from any natural waterbody or wetland; (b) inspected daily for fluid leaks before leaving the vehicle staging area. - Generators, cranes, and any other stationary equipment operated within 150 feet of any natural water body or wetland will be maintained as necessary to prevent leaks and spills from entering the water. - Use procedures to contain and control a spill of any hazardous material generated, used or stored on-site, including notification of proper authorities. - When local conditions indicate the presence of contaminated sediments is likely, soil samples will be tested for contaminant levels and precautions will be taken to avoid disturbance of or provide for proper disposal of contaminated sediments.
Listed Species	NOAA mission to protect species ESA sec. 7 consultations required with FWS and NOAA; DFW CESA compliance also required	*Project and species specific avoidance measures required by NOAA, including measures in BOs:* - Work windows for all listed species - Buffer distance from species required - Detailed fish capture and relocation and dewatering requirements; qualified biologist required; reporting all encounters with listed species. - Water quality, water quantity, sensitive habitat protection, and other general measures also serve to protect species.
Sensitive Habitat Protection	Review projects for benefits to habitat and conditions required for avoidance of temporary and long-term impacts.	*In addition to site specific measures; typical BO requirements:* - Flagging required around sensitive areas and buffers - Specific habitat data and surveys required as part of application - Specific measures to minimize impacts to riparian vegetation - Tree size removal limits - Construction access point must minimize vegetation and soil disturbance and compaction

Resource Area	NOAA Review Process	NOAA Restoration Center Southwest Region - General Requirements and Protection Measures[1]
		General Measures for Reduction of Soil Compaction - Existing access ways will be used whenever possible. Temporary access roads will not be built on slopes greater than 50%, where grade, soil, or other features suggest a likelihood of excessive erosion or failure. Soil disturbance and compaction will be minimized within 150 feet of a natural waterbody or wetland. All temporary access roads will be removed when the action is completed, the soil will be stabilized, and the site will be revegetated. Temporary roads in wet or flooded areas will be restored shortly after the work period is complete. - Heavy equipment will be selected and operated in a manner that minimizes adverse effects to the environment (e.g., minimally-sized, low pressure tires, minimal hard turn paths for tracked vehicles, temporary mats or plates within wet areas or sensitive soils). - To the extent feasible, heavy equipment will work from the top of the bank, unless work from another location would result in less habitat disturbance. *Site Restoration* - Any large wood, mature native vegetation, topsoil, and native channel material displaced by construction will be stockpiled for use during site restoration. When construction is finished, all streambanks, soils, and vegetation will be cleaned up and restored as necessary to renew ecosystem processes that form and maintain productive fish habitats. Measures to ensure native vegetation or revegetation success will be identified and implemented. *Planting or installing vegetation* - NOAA RC will ensure the use of an appropriate assemblage of species native to the action area or region, including trees, shrubs, and herbaceous species. *Adequate Training of Volunteers* - Training should be provided to ensure minimal impact to the restoration site by volunteers. Volunteers shall be trained in the use of low-impact techniques for planting, equipment handling, and moving around the restoration site to avoid unnecessary impacts to native flora and fauna. **Invasive Species Removal** - *Herbicide Application Controls* - Use of herbicides in project areas will be conducted according to established protocols for the locality, as determined by a state-licensed herbicide applicator. Such protocols will include information and guidelines for appropriate use, timing, amounts, application methods, and safety procedures relevant to the herbicide application. Chemicals used should be appropriate for the location. - *Additional Information and Guidelines* - For high-risk projects, additional measures shall be taken to ensure invasive species are controlled and removed. Additional information for inspection and cleaning methods can be found in the NOAA Restoration Center Best Management Practices for Invasive Species at: http://www.habitat.noaa.gov/restoration/programs/invasivespecies.html **Wetlands** - Wetlands projects follow standard protection measures listed through this table including, but not limited to, flagging sensitive areas, on-site erosion controls, on-site pollution prevention controls, methods to reduce soil compaction, seasonal work periods, adequate training of volunteers, and planting and installing vegetation standards.

Resource Area	NOAA Review Process	NOAA Restoration Center Southwest Region - General Requirements and Protection Measures[1]
Water Quantity	Any projects approved for NOAA RC program that affect flows will conserve water for habitat.	- Existing diversions only; must be in compliance with SWRCB water rights requirements; only allowed if water conservation benefit for species. - Additional hydrological data/water flow data information required for water conservation projects. - Pipe developments must decrease stream diversion and include permitted instream flow dedication (10 yrs).
Visual Resources	Not directly reviewed by NOAA; typically beneficial impacts. Addressed through CEQA and local ordinances.	- All other permits/approvals must be acquired before project commences. - Not likely to be visual impacts because most projects are on private lands, and result in a net benefit to visual impacts by restoring degraded habitat and vegetation. - Project applications are also evaluated and ranked based on their level of public and landowner support.
Public Access	Evaluated during application review process. Addressed through CEQA process and local ordinances.	- All other permits/approvals must be acquired before project commences. NOAA's mission supports public access and recreation as long as it does not negatively impact listed species. - Public access not likely impacted because many projects are on private lands. Projects on public lands often include partners with shared mission of maintaining public access for educational and/or recreation purposes (USFWS,). - Project applications are also evaluated and ranked based on their level of public and landowner support.
Estuarine and Marine Resources	Review projects for habitat/species benefits, and require avoidance of potential negative effects to estuarine habitat.	- Project/site specific protection measures required by NOAA RC; all measures for water quality/sensitive habitat/species listed above also apply in estuarine areas. - Existing BOs are utilized where applicable and project specific BOs (with project specific protection measures) are developed as needed for marine species. - Project- and species-specific conditions imposed by NOAA. - *Assessment, Research, and Monitoring Techniques* - Destructive sampling techniques (such as biomass sampling, benthic cores, fish capture, etc.) will only be used as part of an experimental design, tailored to require the fewest number of samples to achieve the desired purpose. All researchers will obtain biological sampling permits as required for their locality. **Living Shorelines** - Protection measures for living shorelines include those mentioned for wetlands, sea grasses, and oyster restoration since many of the techniques are used simultaneously. **Kelp Restoration** - In all cases, kelp restoration is performed by registered, certified divers. All restoration practitioners must minimize turbidity and sedimentation based on considerations such as access to the project, size of restoration effort, duration, or sediment characteristics. All vessel operators are licensed and establish vessel corridor routes to avoid kelp beds and establish anchor lines to avoid hard bottom areas or kelp beds. **Submerged Aquatic Vegetation** - All measures to protect both the donor beds and the newly restored beds are implemented. For all geographic areas, no more than five percent of the below ground biomass of an existing donor bed will be harvested for transplanting purposes. Plants

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Resource Area	NOAA Review Process	NOAA Restoration Center Southwest Region - General Requirements and Protection Measures[1]
		harvested will be taken in a manner to thin an existing bed without leaving any noticeable bare areas. Harvesting of flowering shoots for seed buoy techniques will occur only from widely separated plants and only a certain percent of the donor stock can be used per year. This percent is site dependent and prior to restoration requires intimate knowledge of the genetics and population dynamics of the donor site. All efforts to reduce any turbidity while at the site are implemented. In most cases restoration takes place during low tide and turbidity is avoided. If divers and boats are used the boat propellers are lifted and divers enter the SAV area outside the bed. **Shellfish Restoration** *General* - Disturbance is typically short duration. Reefs are typically built prior to times of high spat set (larval settling). All shell material is placed in un-vegetated areas (i.e. not directly on seagrasses). Any shell material or structures that are not providing ecological services are removed. *Shell sources* - Shell or other substance used for substrate enhancement will be procured from clean sources that do not deplete the existing supply of shell bottom. Shells will be left on dry land for a minimum of one month before placement in the aquatic environment. Shells from the local area will be used whenever possible. *Native species and disease* - Shellfish will be species native to the project area. Any shellfish transported across state lines or grown through an aquaculture facility will be certified disease free. **Rock Breakwaters** *(developed for habitat protection purposes)* - All rock or shell breakwaters will be designed with appropriate ingress and egress for fish in consultation with local regulatory agencies.
Coastal Agriculture	NOAA ranks projects based on public/landowner support, as well as watershed studies and prioritized actions from Integrated Regional Water Management Programs. Ag impacts included in CEQA analysis.	All other permits/approvals must be acquired before project commences. Projects evaluated in part by level of public support and coordination with local agencies, landowners, and other stakeholders.
Cultural Resources	Considered during NOAA RC project review. Also included in CEQA analysis.	- NOAA RC complies with Section 106 NHPA on a case-by-case basis. NOAA RC or designee will consult with SHPO and tribal officers for projects that may impact cultural or historic resources. NOAA has staff Cultural Resource Specialist.
Cumulative Impacts	NOAA reviews for avoidance of cumulative impacts; BOs specify limits on number of projects in each watershed	BOs have restrictions built in to avoid cumulative impacts: - Buffers required between projects in one watershed per year - Numerical limits on projects per watershed per year, based on size of watershed (Arcata), 3 total

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Resource Area	NOAA Review Process	NOAA Restoration Center Southwest Region - General Requirements and Protection Measures[1]
	and minimum distance between projects. Also addressed in CEQA compliance by SWRCB/DFW/local agencies.	for Santa Rosa - Max 50 projects/year Santa Rosa region, 60/year Arcata region
Monitoring, Success Criteria, and Reporting	Pre- and post-construction and success monitoring, and annual reports required.	- Pre- and post-construction monitoring plan required of all projects; monitoring protocol typically follows DFW FRGP - Development of success criteria - BOs require photo-monitoring - Annual report required and prepared by NOAA RC - Pre-construction reporting for qualifying projects in the Coastal Zone provided to Coastal Commission by May 15; qualifying projects in the Coastal Zone funded later in the year will be reported to Coastal Commission on a project-by-project basis
General Application and Review Process * ***(some variations exist between funded and non-funded projects)**	NOAA RC directly involved in project review, funding (where available), technical assistance, design, protection measures, monitoring and reporting. NOAA also coordinates with other agencies on project permitting.	*General Process:* NOAA RC reviews project, assesses project qualifications and BO coverage; after approval for program inclusion, sends to DFW biologist and RWQCB staff for review. - NOAA RC is alerted to projects through project partnerships, funding opportunities, and through their involvement in technical assistance and project development. - Team of NOAA RC, NMFS, DFW, Corps assists NOAA RC with project oversight - Projects submitted to other agencies and NOAA Section 7 biologists throughout the year, as applications come in. - All specific information requirements must be met before project is eligible to proceed under program - Pre-project reporting for qualifying projects required - Monitoring and reporting required; evaluation of success criteria

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