

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
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original staff report

Th8a

MEMORANDUM

Date: July 7, 2014

To: Commissioners and Interested Persons

From: Alison Dettmer, Deputy Director
Bob Merrill, District Manager
Kasey Sirkin, Coastal Planner

Subject: **Addendum to Commission Meeting for Thursday, July 10, 2014**
North Coast District Item Th8a, CDP Application 1-14-0108 (City of Crescent City)

This addendum presents certain revisions to the staff recommendation for approval of the project with conditions mailed on June 27, 2014, including modifications to Special Condition No. 1, “Final Erosion and Runoff Control Plan” and Special Condition No. 2 “Best Management Practices and Construction Responsibilities.” As originally recommended, construction activities would have been limited to occur only from April 15 to October 31 to reduce sedimentation impacts from construction activities during the rainy season. Following receipt of the staff report, the applicant indicated that construction cannot start until October 1 to accommodate existing visitor reservations at the Shoreline RV Park throughout the month of September. Staff believes that sedimentation impacts from construction activities can be addressed as effectively by requiring installation of the proposed permanent detention basin/stormwater treatment system as an early construction activity to ensure adequate stormwater treatment is available on site prior to the onset of the rainy season. This addendum modifies recommended Special Conditions 1 and 2 to require these changes, as well as requiring additional measures to control sedimentation during construction, including: (1) cessation of grading and paving activities during precipitation events; (2) minimization of on-site stockpiles; and (3) installation of BMPs to prevent stormwater from entering the harbor during construction of the detention basin/stormwater treatment system. These provisions will minimize the potential for adverse effects to coastal waters and water quality to occur in the event that there is a precipitation event during construction. Staff continues to recommend approval of the permit with conditions as recommended in the June 27, 2014 staff report.

Text to be deleted is shown in ~~bold strikethrough~~, text to be added appears in **bold double-underline**.

Modifications to Special Conditions.

- *Special Condition Nos. 1 and 2 on pages 5-7 of the staff recommendation shall be modified as follows:*

1. **Final Erosion and Runoff Control Plan**

A. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. 1-14-0108, the applicant shall submit, for review and approval of the Executive Director, final plans for erosion and run-off control

1) **EROSION CONTROL PLAN COMPONENT/STORMWATER PREVENTION PLAN**

- a. The erosion control plan shall demonstrate that:
 - (1) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and coastal resources;
 - (2) The following temporary erosion control measures, as described in detail within in the January 2003 "California Stormwater BMP Handbook - Construction, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force, shall be used during construction: **Scheduling** (~~EC-1~~), *Preservation of Existing Vegetation* (EC-2), *Stabilized Construction Roadway* (TC-2), and *Silt Fences* (SE1);
 - (3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and coastal resources;
 - (4) The erosion control plan is consistent with the requirements of Special Condition No. 2 and all other terms and conditions of the permit.
- b. The plan shall include, at a minimum, the following components:
 - (1) A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control;
 - (2) A site plan showing the location of all temporary erosion control measures;
 - (3) A schedule for installation and removal of the temporary erosion control measures;
 - (4) A site plan showing the location of all permanent erosion control measures; and
 - (5) A schedule for installation and maintenance of the permanent erosion control measures.

2) **RUN-OFF CONTROL PLAN COMPONENT**

- a. The runoff control plan shall demonstrate that:
 - (1) Runoff from the project shall not increase sedimentation into coastal waters;
 - (2) The following temporary runoff control measures, as described in detail within in the January 2003 "California Stormwater BMP Handbook - Construction, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force, shall be used during construction: *Material*

Delivery and Storage (WM-01), *Solid Waste Management* (WM-05), and *Vehicle and Equipment Fueling* (NS-9); and

- (3) Runoff from building roofs, RV pads, driveways, and other impervious surfaces on the site shall be collected and conveyed into vegetated areas to avoid sedimentation either on or off the site, and provide for bio-filtration treatment of pollutants entrained in runoff. The system shall treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event in a manner that is in substantial conformance with the proposed preliminary stormwater runoff treatment system depicted in the plans titled, "Drainage Plan," dated May 20, 2014 and prepared by Mike Young, City of Crescent City Engineer; ~~and~~

- (4) The stormwater runoff treatment system shall be maintained to function as designed.; and

(5) The runoff control plan is consistent with the requirements of Special Condition No. 2 and all other terms and conditions of the permit

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

- (1) A narrative report describing all temporary runoff control measures to be used during construction and all permanent runoff control measures to be installed for permanent runoff control;
- (2) A site plan showing the location of all temporary runoff control measures;
- (3) A schedule for installation and removal of the temporary and permanent runoff control measures;
- (4) A site plan and construction plan depicting all elements of the showing the location of all permanent stormwater runoff control system; and
- (5) A site plan showing finished grades (at 1-foot contour intervals) and drainage improvements; and
- (6) A narrative report describing all necessary measures to maintain the stormwater runoff control system and a schedule for providing needed maintenance.

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

2. Best Management Practices and Construction Responsibilities. The permittee shall comply with the following construction-related requirements:

- A. Erosion and sediment control products, such as fiber rolls, and/or an erosion control blanket with weed-free straw, shall be installed as proposed prior to and maintained throughout the construction period to minimize erosion and trap entrained sediment and other pollutants to prevent discharge of sediment and pollutants to coastal waters and wetlands;

- B. To minimize wildlife entanglement and plastic debris pollution, temporary rolled erosion and sediment control products (such as fiber rolls, erosion control blankets, and mulch control netting) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall not be used. Acceptable alternatives include erosion and sediment control products without netting, products made with loose-weave natural fiber netting, and unreinforced silt fences;
- C. Erosion and sediment control measures shall be in place at the end of each work day, including fiber roll placement down-slope of the construction site as needed for effective sediment control;
- D. Any excess excavated material and other construction debris resulting from construction activities shall be removed immediately upon completion of component construction, and shall be disposed of at an authorized disposal site outside the coastal zone or within the coastal zone pursuant to a valid coastal development permit;
- E. On-site native vegetation shall be maintained to the maximum extent possible during construction activities;
- ~~F. All ground disturbing activity shall be limited to the dry season between April 15th and October 31st;~~
- F. To minimize the potential for adverse effects to coastal waters and water quality, the detention basin/stormwater treatment system shall be installed as an early construction activity and prior to October 31st to ensure that any potential stormwater runoff from construction activities will be directed away from ESHA habitats and adjacent coastal waters and treated on site.
- G. Following installation, the detention basins/stormwater system shall be monitored and maintained weekly during construction activities and periodically after completion of construction to ensure the system is functioning as intended. Maintenance activities shall include: removal of debris from basins and removal of debris and sand from culvert inlets and outlets.
- H. All grading and paving work shall cease upon the onset of precipitation at the project site and shall not recommence until the predicted chance of rain is less than 40 percent for the Crescent City sub-area of the Redwood Coast;
- I. In addition to sediment control measures implemented as described above, silt fences shall be installed on the in-board side of each of the two culverts on the southern side of the RV Park that drain into the harbor. The silt fences shall be installed at the commencement of construction activities and shall be monitored and maintained on a weekly basis, or more as needed. Maintenance of silt fences shall include: removal of debris from fencing, re-staking of posts or damaged materials, and/or replacement of fencing material where necessary.

J. Upon completion of construction activities and prior to the onset of the rainy season, all bare soil areas shall be seeded and mulched with weed-free rice straw.

K. Water Quality Best Management Practices (BMPs) shall be implemented to minimize the discharge of other pollutants resulting from staging, storage, use, and disposal of construction chemicals and materials (such as paints, solvents, vehicle fluids, asphalt and cement compounds, trash, and debris) into runoff or coastal waters. Maintenance and refueling of construction equipment and vehicles at the project site is prohibited;

ML. Adequate supplies of hazardous materials spill prevention and clean-up supplies shall be kept on site at all times during construction;

NM. To minimize the potential for soil erosion and runoff, fill material should be brought to the site on an as needed basis, and stockpiles on site should be kept to a minimum.

N. All on-site stockpiles of soil and construction debris shall be contained at all times and shall be covered during storm events if necessary to minimize discharge of sediment and other pollutants; and

O. Concrete paving and grinding operations, and storm drain inlet protection best management practices shall be employed to prevent concrete grindings, cutting slurry, and paving rinsate from entering drop inlets or sheet-flowing into coastal waters. Concrete delivery vehicle wash-out maintenance at the project site is prohibited.

Modifications to Findings

- *Finding C, "Standard of Review," on page 14 of the staff recommendation shall be modified to replace the reference to County of Humboldt with a reference to City of Crescent City.*
- *Finding F, "Protection of Environmentally Sensitive Habitat Areas and Quality of Coastal Waters," within the "Stormwater Runoff," section, the first full paragraph of page 20 of the staff recommendation shall be modified as follows:*

To ensure the protection of water quality from construction-related impacts, the Commission attaches [Special Condition Nos. 1 and 2](#). [Special Condition No. 1](#) requires approval of final erosion and runoff plans prior to commencement of construction, incorporating various erosion and runoff control measures. The plans are required to ensure that appropriate best management practices (BMPs) to control runoff and prevent spills are implemented ~~in light of expected precipitation events or construction mishaps~~. These BMPs include such measures as ~~timing the construction to occur during times with low probability of storm events~~, use of earthen diking, straw bales and debris fencing barriers to intercept and divert any stormwater runoff that

may occur away from the excavation area, mulching and re-seeding the area upon completion of demolition- and construction-related ground disturbing activities, and training of employees in the use of BMPs. Further, the Commission imposes [Special Condition No. 2](#), which outlines general construction standards and responsibilities that must be adhered to during the course of the proposed construction work. **Included among these construction standards and responsibilities are requirements that: (1) the proposed permanent detention basin/stormwater treatment system be installed as an early construction activity prior to the onset of the rainy season to ensure adequate stormwater treatment is available on site for construction activities during the rainy season; (2) cessation of grading and paving activities during precipitation events; (3) minimization of on-site stockpiles; and (4) installation of BMPs to prevent stormwater from entering the harbor during construction of the detention basin/stormwater treatment system.**

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| Filed: | 5/23/2014 |
| 180th day: | 11/16/2014 |
| Staff: | K. Sirkin-A |
| Staff Report: | 6/27/2014 |
| Hearing Date: | 7/10/2014 |

STAFF REPORT: REGULAR CALENDAR

| | |
|------------------------------|---|
| Application No: | 1-14-0108 |
| Applicant: | City of Crescent City |
| Location: | Shoreline RV Park; 900 Sunset Circle, Crescent City, Del Norte County, CA |
| Project Description: | Upgrade and redevelop a recreational vehicle (RV) park by realigning and upgrading roads, reconfiguring and upgrading RV sites, and installing new utilities, a new stormwater treatment system, new restroom, new power pedestals at each RV space, and a new power cabinet. |
| Staff Recommendation: | Approval with conditions |

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends approval with conditions of coastal development permit application 1-14-0108 for the redevelopment and upgrading of the Shoreline RV Park (Park), located at the corner of Sunset Circle and Highway 101 South in Crescent City, California.

The Shoreline RV Park currently contains 192 RV sites, approximately one mile of gravel roads, a 400-square-foot office, and a 2,400-square-foot restroom and shower facility. The Park was constructed in 1971 and is at the end of its useful life. The applicant proposes to upgrade Park facilities by reconfiguring and paving existing roads and RV pads, relocating and upgrading existing utilities, constructing a new restroom facility, installing a new stormwater treatment system, and installing a new power panel cabinet and new power pedestals. Approximately 14 trees will be removed to accommodate the reconfigured RV Park.

Under the proposed CDP, the current 192 RV sites will be reconfigured to create 89 new RV sites which will be graded and paved with asphalt. The new sites will be approximately 30' wide by 60' deep and will consist of an asphalt RV pad and an adjacent grass swale area. Each RV site will contain a new power pedestal made of marine grade polymer of the same model that was recently installed at the nearby Crescent City Harbor Boat Basin. Major Coastal Act issues associated with this development include (1) whether the adjacent environmentally sensitive habitat areas consisting of riparian and threatened salmonid habitat along Elk Creek to the west and delineated wetlands on a vacant parcel to the east will be adequately protected against significant disruption of habitat values; and (2) whether the quality of adjacent coastal waters will be adequately protected from pollutants contained in runoff from the relatively large amount of impervious surfaces to be constructed.

Staff recommends that the Commission find that the human activity associated with the RV park will be sufficiently separated and screened from the adjacent ESHAs by an existing perimeter levee, a proposed detention basin, required symbolic fencing, and an existing stand of existing shore pines to prevent impacts that would significantly degrade the adjacent ESHAs and the development as conditioned will be compatible with the continuance of those habitat areas consistent with Section 30240(b) of the Coastal Act.

Staff also recommends that the Commission find that the project as proposed and conditioned to incorporate a stormwater runoff treatment system designed to treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event and to avoid discharges of runoff to adjacent coastal waters will protect the quality of coastal waters consistent with Sections 30230 and 30231 of the Coastal Act.

The motion to adopt the staff recommendation of **approval** of the CDP with special conditions is found on page 4.

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APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

- Exhibit 1 – Regional Location Map
- Exhibit 2 – Project Location Map
- Exhibit 3 – Site Plan
- Exhibit 4 – Development buffer analysis
- Exhibit 5 – Streets, grading and drainage plan
- Exhibit 6 – Detention channel and drainage plan
- Exhibit 7 – Detailed diagram of new RV pads
- Exhibit 8 – Site Photos
- Exhibit 9 – New power pedestals
- Exhibit 10 – Depiction of restroom

I. MOTION AND RESOLUTION

The staff recommends that the Commission adopt the following resolution:

Motion:

I move that the Commission approve coastal development permit 1-10-002 pursuant to the staff recommendation.

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

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

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment:** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration:** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation:** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment:** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

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

III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Final Erosion and Runoff Control Plan**
 - A. **PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. 1-14-0108**, the applicant shall submit, for review and approval of the Executive Director, final plans for erosion and run-off control
 - 1) **EROSION CONTROL PLAN COMPONENT/STORMWATER PREVENTION PLAN**
 - a. The erosion control plan shall demonstrate that:
 - (1) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and coastal resources;
 - (2) The following temporary erosion control measures, as described in detail within in the January 2003 "California Stormwater BMP Handbook - Construction, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force, shall be used during construction: *Scheduling* (EC-1), *Preservation of Existing Vegetation* (EC-2), *Stabilized Construction Roadway* (TC-2), and *Silt Fences* (SE1);
 - (3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and coastal resources;
 - (4) The erosion control plan is consistent with the requirements of Special Condition No. 2 and all other terms and conditions of the permit.
 - b. The plan shall include, at a minimum, the following components:
 - (1) A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control;
 - (2) A site plan showing the location of all temporary erosion control measures;
 - (3) A schedule for installation and removal of the temporary erosion control measures;
 - (4) A site plan showing the location of all permanent erosion control measures; and
 - (5) A schedule for installation and maintenance of the permanent erosion control measures.
 - 2) **RUN-OFF CONTROL PLAN COMPONENT**
 - a. The runoff control plan shall demonstrate that:
 - (1) Runoff from the project shall not increase sedimentation into coastal waters;
 - (2) The following temporary runoff control measures, as described in detail within in the January 2003 "California Stormwater BMP Handbook - Construction, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force, shall be used during construction: *Material*

Delivery and Storage (WM-01), Solid Waste Management (WM-05), and Vehicle and Equipment Fueling (NS-9); and

- (3) Runoff from building roofs, RV pads, driveways, and other impervious surfaces on the site shall be collected and conveyed into vegetated areas to avoid sedimentation either on or off the site, and provide for bio-filtration treatment of pollutants entrained in runoff. The system shall treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event in a manner that is in substantial conformance with the proposed preliminary stormwater runoff treatment system depicted in the plans titled, "Drainage Plan," dated May 20, 2014 and prepared by Mike Young, City of Crescent City Engineer; and

- (4) The stormwater runoff treatment system shall be maintained to function as designed.

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

- (1) A narrative report describing all temporary runoff control measures to be used during construction and all permanent runoff control measures to be installed for permanent runoff control;
- (2) A site plan showing the location of all temporary runoff control measures;
- (3) A schedule for installation and removal of the temporary runoff control measures;
- (4) A site plan and construction plan depicting all elements of the showing the location of all permanent stormwater runoff control system; and
- (5) A site plan showing finished grades (at 1-foot contour intervals) and drainage improvements; and
- (6) A narrative report describing all necessary measures to maintain the stormwater runoff control system and a schedule for providing needed maintenance.

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

2. **Best Management Practices and Construction Responsibilities.** The permittee shall comply with the following construction-related requirements:

- A. Erosion and sediment control products, such as fiber rolls, and/or an erosion control blanket with weed-free straw, shall be installed as proposed prior to and maintained throughout the construction period to minimize erosion and trap entrained sediment and other pollutants to prevent discharge of sediment and pollutants to coastal waters and wetlands;
- B. To minimize wildlife entanglement and plastic debris pollution, temporary rolled erosion and sediment control products (such as fiber rolls, erosion control blankets, and mulch control netting) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall not be used.

Acceptable alternatives include erosion and sediment control products without netting, products made with loose-weave natural fiber netting, and unreinforced silt fences;

- C. Erosion and sediment control measures shall be in place at the end of each work day, including fiber roll placement down-slope of the construction site as needed for effective sediment control;
- D. Any excess excavated material and other construction debris resulting from construction activities shall be removed immediately upon completion of component construction, and shall be disposed of at an authorized disposal site outside the coastal zone or within the coastal zone pursuant to a valid coastal development permit;
- E. On-site native vegetation shall be maintained to the maximum extent possible during construction activities;
- F. All ground disturbing activity shall be limited to the dry season between April 15th and October 31st;
- G. Water Quality Best Management Practices (BMPs) shall be implemented to minimize the discharge of other pollutants resulting from staging, storage, use, and disposal of construction chemicals and materials (such as paints, solvents, vehicle fluids, asphalt and cement compounds, trash, and debris) into runoff or coastal waters. Maintenance and refueling of construction equipment and vehicles at the project site is prohibited;
- H. Adequate supplies of hazardous materials spill prevention and clean-up supplies shall be kept on site at all times during construction;
- I. All on-site stockpiles of soil and construction debris shall be contained at all times and shall be covered during storm events if necessary to minimize discharge of sediment and other pollutants; and
- J. Concrete paving and grinding operations, and storm drain inlet protection best management practices shall be employed to prevent concrete grindings, cutting slurry, and paving rinsate from entering drop inlets or sheet-flowing into coastal waters. Concrete delivery vehicle wash-out maintenance at the project site is prohibited.

3. Future Development Restriction

This permit is only for the development described in Coastal Development Permit Application No. 1-14-0108. All development authorized by Coastal Development Permit No. 1-14-0108 must occur in strict compliance with the proposal set forth in the application for the permit as modified by the special conditions. Any (a) deviation from the plan proposal, (b) changes in the intensity, density, or use of the site or access to water, (c) change in the legally authorized uses of either the RVs or other structures including, but not limited to, use of any RV or structure for residential purposes, or (d) other changes to the proposed project will require a new coastal development permit or

an amendment to this permit, unless the Executive Director determines that no amendment is legally required.

4. Wetland Buffer Protection Plan

A. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. 1-14-0108, the applicant shall submit, for review and approval of the Executive Director, a final wetland buffer protection plan.

1. The Wetland Buffer Protection Plan shall demonstrate that:

- a. The inboard edge of the detention basin along the western and eastern sides of the RV Park and other land between the RV sites and the adjacent Elk Creek ESHA and the wetland ESHA on the vacant parcel to the east, shall be visibly delineated with an approximately 3-foot-high split rail fence or other similar symbolic fencing to further decrease the potential for disturbance from RV park visitors and the general public.
- b. The fence shall include signage at intervals to inform RV Park users of the existence of sensitive habitat and instruct users that those areas outboard of the fence shall not be used for camping activities.
- c. The applicant shall maintain the symbolic fencing and signage over the life of the development.

2. The Wetland Buffer Protection Plan shall include, at a minimum, the following components:

- a. A site plan showing the location of the 3-foot-high split rail fence or similar symbolic fencing required relative to the detention basin, perimeter levee, property boundaries, RV spaces, and existing vegetation in the immediate vicinity; and
- b. Plan illustrations depicting the height and design of the 3-foot-high split rail fence or similar symbolic fencing.

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

5. Protection of Archaeological Resources

If an area of cultural deposits or human remains is discovered during the course of the project, all construction shall cease and shall not re-commence until a qualified cultural resource specialist analyzes the significance of the find and prepares a supplementary archaeological plan for the review and approval of the Executive Director, and either: (a)

the Executive Director approves the Supplementary Archaeological Plan and determines that the Supplementary Archaeological Plan's recommended changes to the proposed development or mitigation measures are *de minimis* in nature and scope, or (b) the Executive Director reviews the Supplementary Archaeological Plan, determines that the changes proposed therein are not *de minimis*, and the permittee has thereafter obtained an amendment to Coastal Development Permit 1-14-0108 approved by the Commission.

6. **Landscaping Restrictions**

The permittee shall comply with the following landscaping restrictions:

- A. Only native plant species obtained from local genetic stocks shall be planted as part of the project landscaping. If documentation is provided to the Executive Director prior to planting that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside of the local area may be used;
- B. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California, shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the governments of the State of California or the United States shall be planted within the property; and
- C. Rodenticides containing any anticoagulant compounds, including, but not limited to, Bromadiolone or Diphacinone shall not be used.

7. **Public Access Protection Plan**

A. **PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT 1-14-0108**, the applicant shall submit, for the review and written approval of the Executive Director, a Public Access Protection Plan to minimize the closure of public access to the shoreline during project construction and inform the public of alternative routes of public access to the shoreline during construction:

- 1. The Public Access Protection Plan shall demonstrate the following:
 - a. The publically accessible areas proposed to be temporarily closed to the public for construction-related public safety purposes shall be minimized;
 - b. The duration of public access closure for construction-related public safety purposes shall be minimized, and not exceed 120 days unless the Executive Director grants in writing for good cause additional time as needed not to exceed 180 days total without an amendment to this coastal development permit; and
 - c. Adequate signage shall be maintained at the entrance to the RV Park during all times when the Park is closed during project construction that includes information about the closure of public access areas including, but not limited to, dates of closure, alternative access routes to continue

access along the shoreline upcoast and downcoast of the project site, graphical depictions of shoreline and beach access pointes (maps), and contact information for emergencies or additional questions.

2. The Public Access Protection Plan shall include, at a minimum, the following components:
 - a. A narrative description of the proposed temporary access control measures to be used;
 - b. A site plan showing where any proposed temporary access barriers would be installed and which portions of the site will be closed to public access use;
 - c. A schedule of the estimated dates when the proposed temporary access control measures would be installed/implemented and removed/terminated; and
 - d. Plan illustrations depicting the size, content, and location of signage informing the public of the changes to public access during project construction activities.

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

8. State Lands Commission Review

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

1. No State lands are involved in the development; or
2. State lands are involved in the development and all permits required by the State Lands Commission have been obtained; or
3. State lands may be involved in the development, but pending a final determination an agreement has been made with the State Lands Commission for the project to proceed without prejudice to that determination.

9. Tsunami Safety Plan

A. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. 1-14-0108, the applicant shall submit, for the review and approval of the Executive Director, a plan for mitigating the hazards associated with tsunamis.

1. The plan shall demonstrate that: (a) the existence of the threat of tsunamis from both distant and local sources will be adequately communicated to all occupants of the RV Park; (b) information will be made available to all occupants of the RV

Park regarding personal safety measures to be undertaken in the event of a potential tsunami event in the area; (c) efforts will be undertaken to facilitate physically less mobile occupants in seeking evacuation from the site and/or sheltering-in-place during a potential tsunami event; and (d) RV Park operational staff have been adequately trained to carry out the safety plan.

2. The plan shall include, at a minimum, the following components:
 - a. Tsunami Information Component, detailing the posting of placards, flyers, or other materials at conspicuous locations at the RV Park provided in English and Spanish explaining tsunami risks, the need for evacuation if strong earthquake motion is felt or alarms and/or sirens are sounded, and the location of evacuation routes;
 - b. Tsunami Evacuation Assistance Component, detailing the efforts to be undertaken by staff to assist the evacuation of physically less mobile persons during a tsunami event; and
 - c. Onsite Staff Training Component, detailing the instruction to be provided to all employees to assure that the Tsunami Safety Plan is effectively implemented.

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

10. Assumption of Risk

By acceptance of this permit, the applicant acknowledges and agrees: (i) that the site may be subject to hazards from waves, tidal inundation, and other hazards; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The Park currently contains 192 RV sites, approximately one mile of gravel roads, a 400-square foot office, and a 2,400-square-foot restroom and shower facility. The Park was constructed in 1971 and is at the end of its useful life. The proposed redevelopment of the RV Park includes: realigning and repaving roads and RV pads, relocating utilities, constructing a new restroom,

installing a new stormwater treatment system, and installing new power pedestals and a power panel. Redevelopment of the RV Park will decrease the number of RV sites from 192 to 89.

As proposed under this development project, all of the utilities, including water, sewer, power and cable television will be upgraded and relocated from their current location into an underground trench that will be placed adjacent to the new roadways. There will be no extension of current connections. A new stormwater treatment system will be constructed. The proposed stormwater treatment system includes the installation of valley gutters in all of the new roadways, will incorporate portions of the existing drainage system and includes the installation of new detention basins along the western, eastern, and southern portions of the Park. The detention basins are designed to treat the 85th percentile 24 hour storm. Installation of the new stormwater system will require importing 3,500 cubic yards of fill, which will be used as a topping material to establish the road and RV pad grades for proper draining. The average depth of the fill material will be approximately 8", with some sites requiring up to 18" of fill.

The existing Park roads will be realigned, regraded with base rock, and paved with asphalt. The newly graded roads will be engineered to move water to the east, west, and south sides of the park, where it will be detained in the stormwater detention basins that will be constructed as part of the new stormwater treatment system.

The new RV sites will consist of asphalt RV pads, power pedestals, and grass areas. The new RV pads within each site will be graded and paved with asphalt and will be approximately 30 feet wide by 60 feet long. The new pads will be designed to move stormwater off of the pads to the adjacent grass areas for stormwater treatment. Excess water and pollutants from the RV pads will be directed towards the new roads where it will be directed to the new detention basins. Each site will contain a new 44-inch-high power pedestal that is made of marine grade polymer and which are the same model that was recently installed at the Crescent City Harbor Boat Basin.

To accommodate the new RV pad configuration, 14 Beach pine trees will be removed. The trees were originally planted in the Park to provide landscaping and a windbreak for guests, and many of the trees are leaning to one side and are diseased. The trees do not constitute a sensitive habitat area, and given the condition of the trees, are believed to be hazardous to Park guests and visitors. No trees or vegetation will be removed from the Elk Creek riparian area along the western edge of the park or from along the eastern edge of the park adjacent to the wetland area on the parcel to the east.

The new restroom facility will be located within the western portion of the RV Park. The building will be approximately 136 square feet in size and will be connected to existing municipal services. The building will be precast concrete structure and will be architecturally similar to the restroom which is located at the California Coastal Trail by the entrance to the RV Park. The project, as proposed, will be sited on existing disturbed ground with minimal vegetation removal and minimal ground disturbing activities.

B. ENVIRONMENTAL SETTING AND BACKGROUND

The Shoreline RV Park (Park) is located on a ten-acre parcel of land adjacent to Elk Creek and the Crescent City Harbor within the City of Crescent City. The Park is located immediately south of the main residential and commercial areas of Crescent City. A trailhead for the

California Coastal Trail is located near the entrance to the RV Park and the Highway 101 corridor is located to the north and east. The corridor is developed with a variety of commercial uses including hotels, restaurants and shops.

The site elevation is approximately 0 to 20 feet above mean sea level and the topography is generally flat. Most of the site was originally subject to tidal action, but was filled with debris from the tsunami following the Great Alaska Earthquake of 1964 that devastated much of the Crescent City Harbor and downtown Crescent City. The debris was graded flat and covered with soil. An approximate 1500-foot-long levee was constructed along the western, southern, and a portion of the eastern side of the 10-acre site to protect it from tidal flooding from the harbor and the mouth of Elk Creek. The eight-foot-high levee is approximately 10-feet-wide at its base, 4-feet wide at its top, covered with concrete riprap revetment, and contains two 24-inch culverts that drain the site.

The Park currently contains 192 RV sites, approximately one mile of gravel roads, a 400-square foot office, and a 2,400-square-foot restroom and shower facility. The Park was constructed in 1971 and is at the end of its useful life.

The vegetation in the Park is predominantly mowed grass dominated by non-native grass species and forbs. Native vegetation along the eastern perimeter of the park includes stands of beach pine (*Pinus contorta* ssp. *contorta*) and wetlands dominated by slough sedge (*Carex obnupta*). The park lacks significant coastal strand/dune vegetation. Approximately 14 beach pine and Sitka spruce trees are scattered throughout the park.

A report from 2008 documents the presence of three California or Federal listed species of birds: brown pelican (*Pelecanus occidentalis*), bald eagle (*Haliaeetus leucocephalus*), and peregrine falcon (*Falco peregrinus*), and fifteen other avian species on the California Species of Special Concern list occurring in the vicinity of the project site. In addition, the Northern Red-legged Frog (*Rana aurora aurora*), a California Species of Special Concern, is likely to occur in the vicinity of the project area.

The project site contains no known environmentally sensitive habitat, although the site is adjacent to sensitive habitat. A rare plant survey conducted in 2013 did not uncover any threatened or endangered plant species within the project area. To the west of the site lies Elk Creek, a Class 1, Third Order coastal stream that is an environmentally sensitive riparian habitat. Various reptiles and amphibians inhabit the lower creek watershed, including salamanders (*Dicamptodon* sp.), the western toad (*Bufo* sp.), the Pacific tree frog (*Pseudacris regilla*), the common western fence lizard (*Sceloporus occidentalis*), garter snake (*Thamnophis* sp.), and Pacific gopher snake (*Pituophis catenifer*). The waterway is also frequented by numerous terrestrial common mammal species including raccoon, striped and spotted skunks, and opossum. The portion of Elk Creek in proximity to the development site connects the marine waters of Crescent City Harbor to the Elk Creek Wetlands Wildlife Area, comprising a 160-acre natural preserve of riverine, riparian and freshwater marsh habitats, located inland across U.S. 101 from the project site.

In addition, Elk Creek supports small runs of anadromous and resident salmonids, including coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), steelhead (*Oncorhynchus mykiss*), and cutthroat trout (*Oncorhynchus clarki*). Based upon in-stream surveys conducted by the California Department of Fish and Wildlife (CDFW) in spring 2013, numerous young of the year, smolt coho salmon, and eight coastal cutthroat trout were caught and released in the portion of Elk Creek adjoining the project site, documenting the watercourse's current viability as anadromous fish habitat. As this sampling was not conducted in a year-round timeframe, the full extent of habitat utilization has not been established. However, CDFW staff believes that, based upon the presence of multiple age classes, anadromous fish utilize the mouth of Elk Creek as long as freshwater outflows through this reach.¹

Environmentally sensitive wetland habitat also exists on the vacant privately owned parcel to the east of the project site. A 2008 wetland delineation and biological constraints analysis found that portions of the adjoining property adjacent to the eastern boundary of the Park contained wetland habitat interspersed with non-native plant species.

C. STANDARD OF REVIEW

The amended project site is located in the Commission's retained permit jurisdiction. The County of Humboldt has a certified Local Coastal Program (LCP), but the site is within an area shown on State Lands Commission maps over which the State retains a public trust interest. Therefore, as required by Public Resources Code Section 30519(b) and Commission regulation section 13166(c), the standard of review that the Commission must apply to the project is the Chapter 3 policies of the Coastal Act.

D. OTHER AGENCY APPROVALS

State Lands Commission

The project site is located in an area that was formerly State-owned waters, but remains otherwise subject to the public trust. On March 26, 1868, the State of California granted to the town of Crescent City, in the county of Del Norte, the entire waterfront of said town and all of the right, title and interest in the property. In granting these ownership rights, the State Lands Commission (SLC) has retained authority over these former sovereign lands through both exempted and reserved rights to all deposits of minerals, and its public trust responsibilities under the state Constitution. Granted lands are monitored by the SLC to ensure compliance with the terms of the issued statutory grant. These grants encourage development of tidelands consistent with the public trust, while requiring grantees to re-invest revenues produced from the lands back into the lands where they are generated. To assure that the applicant has a sufficient legal property interest in the site to carry out the project consistent with the terms and conditions of this permit, the Commission attaches [Special Condition No. 8](#). This special condition requires that the applicant submit evidence that any necessary authorization from the State Lands Commission has been obtained prior to issuance of the permit.

North Coast Regional Water Quality Board

¹ Justin Garwood, Associate Biologist, California Department of Fish and Wildlife, pers. comm.

The RWQCB regulates the proposed project pursuant to Section 401 of the federal Clean Water Act and/or California Porter-Cologne Water Quality Control Act authority. The regional board must issue a Non-Point Source Discharge Permit. The applicant must prepare a Stormwater Pollution Prevention to comply with the NPSDP permit. The SWPPP addresses pollutants and their sources, all non-stormwater discharges, and site BMPs effective to result in the reduction or elimination of pollutants in stormwater and authorized non-stormwater discharges.

E. LOCATING NEW DEVELOPMENT

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

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

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

The proposed development project is located at an existing RV Park that has been at its current location and configuration for 30 years and is already developed with roads, RV sites, and office and restroom facilities. The subject property is located at a site that is designated under the general plan as Coastal Zone (CZ) and is locally zoned as Coastal Zone Harbor Related (CZ-HR). These designations accommodate RV Parks as a principal permitted use. Although an RV park has occupied the site since 1971, the proposed redevelopment of the park is considered new development as the entire park is being reconfigured and reconstructed. The project is located in a developed area that is adequately served with water, sewer, public road infrastructure and other municipal services. As discussed in Finding G (Geologic Hazards) below, the development has been conditioned to minimize tsunami hazards consistent with the requirements of Section 30253 of the Coastal Act. Furthermore, as discussed in the below findings, the project has been conditioned to protect nearby environmentally sensitive habitat areas, water quality, public access, and other coastal resources.

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

F. PROTECTION OF ENVIRONMENTALLY SENSITIVE HABITAT AREAS AND QUALITY OF COASTAL WATERS

Coastal Act Section 30107.5 defines "environmentally sensitive habitat area" as:

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

Coastal Act Section 30240 states in part that:

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

(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.

Coastal Act Section 30230 states the following:

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.

Coastal Act Section 30231 states the following:

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 30240(a) of the Coastal Act limits activities within environmentally sensitive habitat areas (ESHAs) to only uses that are dependent on the resources of the ESHA. In addition, ESHA must be protected against any significant disruption of habitat values. Section 30240(b) requires that development in areas adjacent to ESHA shall be sited and designed to prevent impacts which would significantly degrade the ESHA, and that development shall be compatible with the continuance of the adjacent ESHA. Sections 30230 and 30231 of the Coastal Act require, in part, that the maintenance of the biological productivity and quality of marine resources, coastal waters, streams, wetlands, and estuaries necessary to maintain optimum populations of all species of marine organisms and for the protection of human health.

The proposed development project will take place at a currently developed site that has been used as an RV Park for the past 30 years. There are no wetlands, special-status plant or animal habitat, or other environmentally sensitive habitat areas within the project site, but there are delineated wetland ESHAs adjacent to the east of the property and riparian and threatened salmonid ESHA to the west of the RV Park within the Elk Creek corridor.

A 2008 wetland delineation noted that portions of the property adjacent to the eastern boundary of the RV Park contained wetland habitat interspersed with non-native plant species. The wetland delineation also noted the fact that the property has experienced a significant amount of disturbance from illegal encampments, dumping and off road vehicle use. The stretch of Elk Creek west of the project site is tidally influenced, and is in a degraded condition. Both streambanks of the creek in this area are covered with revetment material. As noted above,

notwithstanding this degraded condition, Elk Creek provides fish habitat to a variety of fish species such as the coho salmon (*Oncorhynchus kisutch*), a federally-listed endangered species, steelhead trout (*Oncorhynchus mykiss*) a state-listed threatened species, the federally-listed tidewater goby (*Eucyclogobius newberryi*), and coastal cutthroat trout (*Oncorhynchus clarki*). The Elk Creek corridor also includes significant riparian habitat and is home to a variety of species of wildlife. Both of these areas adjacent to the project site are considered ESHA under the definition of Section 30107.5 of the Coastal Act. Although the project improvements do not encroach into the ESHAs, the development must be sited and designed to prevent impacts that would significantly degrade the adjacent ESHAs and be compatible with the continuance of the adjacent ESHAs.

The redeveloped RV Park will provide buffers to the adjacent ESHAs that incorporate both spatial separations between the ESHAs and the development as well as barriers comprised of physical features and native vegetation. As proposed by the applicant and as conditioned herein, the buffers will be effective in preventing degradation of the ESHAs and will be compatible with continuance of the ESHAs.

As noted above, the RV Park is surrounded on its western, southern, and most of its eastern side by an approximately 8-foot-high perimeter flood protection levee that is covered with concrete riprap revetment. The existing levee has been in place since the current RV Park was developed in the early 1970s and serves to separate the RV park from the ESHA areas on the adjacent vacant parcel to the east and the Elk Creek habitat to the west. This levee helps visually screen activity occurring at the RV-park from the wildlife habitat areas, and to some extent helps buffer noise. Under the proposed project, the levee will remain and will continue to buffer the habitat in these ways.

In addition, along most of the length of the inboard side of the levee, an approximately twelve-foot wide detention basin will be installed as part of the proposed stormwater runoff treatment system. The detention basin is separate from the RV spaces and effectively increases the width of the buffer by the basin's twelve-foot-width. The proposed detention basin will not extend the full length of the eastern boundary of the RV Park because of rising grades. Along this section of the eastern boundary, the new RV pads will nonetheless be positioned to maintain a spatial separation similar to what would exist if the detention basin could be extended through the area. Furthermore, an existing stand of Shore pines on the City's property separates the proposed RV spaces along the eastern side of the RV Park from the wetlands on the adjoining vacant parcel to the east. As discussed further below, the detention basins will also serve a role in preventing stormwater runoff from the RV Park from being discharged to the adjacent ESHA areas. Furthermore, an existing stand of Shore pines on the City's property separates the proposed RV spaces along the eastern side of the RV Park from the wetlands on the adjoining vacant parcel to the east. The stand of trees will help visually screen activities within the RV Park from wildlife using the wetland habitat on the adjacent parcel.

To ensure that the portions of the perimeter levee, the detention basin, and the open space that will be provided along the western and eastern boundaries of the RV Park adjacent to the Elk Creek ESHA and the wetland ESHA on the adjoining vacant parcel to the east of the RV Park respectively will not be used for camping activities, [Special Condition No. 4](#) requires the

construction of a three foot-high split rail fence or other symbolic fencing with signage along these areas to alert RV space users of the sensitive nature of the wetland habitat and prohibit use of the area for camping activities. The special condition requires that final plans for the fencing be submitted for the review and approval of the Executive Director prior to issuance of the coastal development permit and that the symbolic fencing be maintained over the life of the development. Implementation of the special condition will reduce the potential disturbance of the adjoining ESHAs from the camping use associated with the proposed development.

The combination of the perimeter levee, the detention basin, and the additional physical separation along portions of the eastern boundary of the site results in buffer widths that range from approximately 25 to 40 feet along the western boundary of the site adjacent to the Elk Creek ESHA and approximately 35 to 60 feet along the eastern boundary of the site adjacent to the vacant parcel to the east and its wetland ESHA. These buffer widths are less than the traditional 100-foot wide buffers that are often applied to new development projects within the coastal zone. The applicant's consultant has prepared a buffer width analysis based on commonly applied buffer width criteria. In large part the analysis relies on the fact that the adjoining ESHA are already affected by the existing RV park development which has been in place for decades and concludes that the proposed redevelopment of the RV park will not increase impacts to sensitive species or their habitats. It can also be noted that with the reduction of RV spaces from 192 to 89, the density and intensity of use at the redeveloped RV Park will be lower than that of the existing RV Park during high occupancy periods and the resulting impact to adjoining ESHAs will be proportionately less. However, as the RV Park is being completely reconfigured, it is not a repair and maintenance project but constitutes new development. Section 30240(b) of the Coastal Act requires that development in areas adjacent to ESHA be sited and designed to prevent impacts which would significantly degrade those areas, and be compatible with the continuance of those habitat areas. The Commission finds that the physical barriers provided by (a) the perimeter levee, (b) the detention basin, (c) the symbolic fencing required by [Special Condition No. 4](#), and (d) the existing shore pine trees that further screen the wetlands on the vacant parcel to the east from the eastern side of the RV Park will minimize disturbance to the adjacent wetlands caused by human activity at the RV Park. The Commission further finds that with the use of these barriers, the runoff control measures that will be included with the development to prevent discharge of runoff into the adjacent ESHAs discussed below, and the limitations on lighting also discussed below, the approximately 25-foot-wide to 60-foot-wide buffers will be sited and designed to prevent impacts which would significantly degrade those areas, and the development will be compatible with the continuance of those habitat areas consistent with Section 30240(b) of the Coastal Act.

Stormwater Runoff

As part of the proposed development, the City will construct a stormwater runoff treatment system that will detain and treat stormwater runoff on the site instead of allowing the runoff to be conveyed directly to the harbor and adjoining ESHA areas. The stormwater runoff treatment system will be designed to treat the larger volume of runoff expected from the greater amount of impervious surface that will be created as part of the redevelopment project.

Ground cover on the site currently consists of graveled roads, RV pads and grassy areas. Under the proposed development, all of the existing roads will be reconfigured and then all of the roads and newly configured RV Pads will be paved with asphalt. This will result in a 4.62 acre increase in the quantity of impervious surfaces.

Areas that contain large sections of impervious surfaces may contain pollutants such as heavy metals, oil and grease, and polycyclic aromatic hydrocarbons that deposit on these surfaces from motor vehicle traffic. The proposed increase in impervious surface may increase the quantity of stormwater runoff generated by the site, as well as increasing the quantity of pollutants related to recreational vehicles and impervious surfaces. These contaminants may become entrained in the stormwater runoff and could discharge to the harbor. Although the site does not currently contain pavement, the current natural ground surface is severely compacted from years of vehicle travel and loss of vegetation. Information provided by the applicant indicates that the current compaction rate of the roads is close 95%. This high level of compaction does not allow for adequate infiltration of stormwater and the site mimics areas that are paved and impervious. Under the current conditions, it is likely that most of the stormwater and the pollutants contained within are being conveyed, rather than detained, away from the property and into the harbor.

The stormwater treatment system will utilize existing storm drains and includes the construction of valley gutters that are designed to move water to the newly constructed detention basins that will be located on the west, south, and east sides of the RV Park. The new RV sites will be comprised of an asphalt RV pad and an adjacent grass area that will act as infiltration swale where stormwater can be treated. Excess water from the RV sites will be directed towards the valley gutters in the roadways and then move in the direction of the detention basins. The valley gutters will be installed in all of the Park roads and the roads will be sloped and graded to carry the runoff to the new detention basins. The detention basins are designed to detain stormwater and pollutants and allow the stormwater to percolate into the ground. The system was designed to treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event. According to the City of Crescent City engineer, the on-site long term absorption rate is approximately 1.25 gallons/day/sq. ft. of permeable surface and the site is predicted to be able to fully infiltrate 1.1 inches of rainfall/day. The detention basins will have grassed sides and bottom which will aid in catching any runoff debris and will further filter the runoff. During extreme storm events, excess water will pass through the outlet culverts located on the south end of the property. As compared to the current system, the new stormwater treatment system will improve the water quality of the water that is released to the harbor by treating it before it is released.

Therefore, although there will be an increase in impervious surfaces, given the construction of a new stormwater treatment system there will be an overall decrease in the quantity of polluted stormwater that is conveyed from the site into the harbor and adjoining ESHAs.

Construction activities associated with the project will result in the accumulation of soil and debris in close proximity to coastal waters. Demolition and grading to prepare the site for rehabilitation of the Park may expose demolition debris and loosened soil to stormwater runoff, which could then entrain loose soil materials that could in turn drain into the bay adversely affecting water quality. Unless appropriate protocols are followed, the proposed work could result in solid material entering coastal waters, improper storage of materials in or adjacent to

sensitive areas, and other activities that could have adverse impacts on water quality and marine resources adjacent to the project site.

To ensure the protection of water quality from construction-related impacts, the Commission attaches [Special Condition Nos. 1 and 2](#). [Special Condition No. 1](#) requires approval of final erosion and runoff plans prior to commencement of construction, incorporating various erosion and runoff control measures. The plans are required to ensure that appropriate best management practices (BMPs) to control runoff and prevent spills are implemented in light of expected precipitation events or construction mishaps. These BMPs include such measures as timing the construction to occur during times with low probability of storm events, use of earthen diking, straw bales and debris fencing barriers to intercept and divert any stormwater runoff that may occur away from the excavation area, mulching and re-seeding the area upon completion of demolition- and construction-related ground disturbing activities, and training of employees in the use of BMPs. Further, the Commission imposes [Special Condition No. 2](#), which outlines general construction standards and responsibilities that must be adhered to during the course of the proposed construction work.

Therefore, the Commission finds that as conditioned to include the mitigation measures discussed above, the project will be carried out in a manner that (1) will sustain the biological productivity of coastal waters and marine resources consistent with Coastal Act Sections 30230 and 30231.

Lighting

Night sky light pollution is an emerging regional, national and even international concern. Commission staff research has determined that artificial night lighting can have a variety of significant direct and cumulative effects on flora and fauna, including disruption of light-dark photosynthesis cycles and circadian rhythms, disruption of foraging behaviors and increased risks of predation, and interference with vision and migratory orientation. These impacts can result in reductions in biological productivity, reduce the population of otherwise threatened, endangered, or rare species, elevate incidences of collisions between birds and structures, or cause large numbers of arthropods to fixate on the lighting source attraction to the point of fatal exhaustion, negatively affecting their populations and reproductive success, as well as the food web they support. The Commission staff ecologists note that the effects of night lighting on sensitive habitat and species is both complex and not well understood, nonetheless new research supports the basis for concern and the need to limit light pollution to the extent feasible.

Part of the upgrades to the RV Park includes the installation of 89 new power pedestals to replace the existing overhead lamps. Given the proximity of Elk Creek to the RV Park there is the potential for light pollution to adversely affect aquatic and terrestrial species that utilize the river channel and the adjacent riparian area. The potential for night sky pollution from these new power pedestals will be minimized by installing pedestals that have been designed to minimize artificial light impacts through the use of low voltage bulbs, shielding, and similar measures, and placement of the pedestals away from adjacent sensitive habitat areas. Under the proposed development, the upgraded RV Park will have fewer RV spaces than the existing park and the

number of power pedestals will be correspondingly reduced from 192 to 89. The total amount of illumination in the park will be approximately half of is the current illumination.

Additionally, the new power pedestals are equipped with a photo controlled 14W florescent light that is covered with an amber lens and are much lower to the ground than the existing overhead lighting. The resulting light is shielded and downcast so that the light only illuminates the area around the pedestal and does not create illumination of the night sky. The low wattage, low to the ground shielded lighting will have less of an impact than the existing six foot tall lamp posts and halogen bulbs that are currently at the site. [Special Condition No. 3](#) will ensure that all exterior lighting will not be modified without an amendment to the permit. The special condition requires that all development occur in strict compliance with the proposed project as set forth in the application and any deviation to the project will require an amendment to the permit unless the Executive Director determines that no amendment is legally required. These requirements will help ensure that the exterior lighting at the RV Park will continue to have no significant impact on the adjacent ESHA over the life of the project. As proposed and conditioned, the development will be sited and designed to prevent lighting impacts that would significantly degrade the Elk Creek watercourse ESHA, consistent with Coastal Act Section 30240(b).

Conclusion

The Commission finds that as conditioned to include the mitigation measures discussed above, the project will be carried out in a manner that (1) will sustain the biological productivity of coastal waters and marine resources consistent with Coastal Act Sections 30230 and 30231, and (2) will not significantly degrade adjacent ESHA and will be compatible with the continuance of adjacent environmentally sensitive areas consistent with Coastal A Section 30240(b).

G. GEOLOGIC HAZARDS

Section 30253 of the Coastal Act states in applicable part:

New development shall:

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

The Park is situated along the lower reaches of Elk Creek and the open waters of Crescent City Harbor at an elevation of 11 to 12 feet above mean sea level (msl) (NGVD). The primary natural hazards issues affecting the project site include coastal flooding from storm surges and tsunami inundation.

Storm Surge

The Federal Emergency Management Agency's Flood Insurance Rate Map (FEMA-FIRM) Community Panel No. 06015C0214, dated September 26, 2008, designates the area around the U.S. 101 bridge crossing of Elk Creek as being within "Zone VE17," corresponding to a coastal flooding area with potential 100-year recurrence frequency inundation up to a 17-foot depth above sea level with an associated velocity enhanced ("VE") hazard. With an elevation of approximately ten to twenty feet, the RV Park is subject to up to approximately seven feet of storm surge inundation.

The entire project area is currently and will continue to be surrounded by an eight-foot-high revetment. As the top of the levee is at an elevation of approximately 19 to 20 feet above mean sea level, the levee should be adequate to protect the RV Park from storm surge events with a 100 year recurrence interval reaching 17 feet above mean sea level as projected by FEMA. Global sea level rise can influence the flooding risks from storm surge. Throughout the first half of the 21st-century, sea-level rise alone is not expected to cause significant flooding, inundation, or erosion, but rather the highest probability and most damaging events likely will take place when increasingly elevated sea-level occurs simultaneously with high tides and large waves (e.g., during El Niños). Between 2050 and 2100, the effects of sea level rise alone (flooding and inundation) and the combined effects of sea-level rise and large waves (e.g., damage to coastal structures, cliff erosion, beach loss) are projected to have much greater impacts.

The most recent National Academy of Science (NAS) report issued in 2012 takes into account estimates of vertical land movement resulting from tectonic activity and land subsidence along the west coast of the United States and projects somewhat lesser amounts of sea level rise than the State's 2010 sea level rise interim guidance document in areas of California north of Cape Mendocino. In 2013, following both the 2012 NAS report and the Commission's receipt of this application, the Coastal and Ocean Working Group of the California Climate Action Team (CO-CAT) published updated state sea level rise guidance and recommendations that reflect the updated science provided in the NAS report. The 2013 guidance states that the differences in sea-level rise projections north and south of Cape Mendocino are due mainly to vertical land movement. North of Cape Mendocino, geologic forces are causing much of the land to uplift, resulting in a lower rise in sea level, relative to the land, than has been observed farther south. This uplift is evidenced by a tide gauge location 65 miles north of Crescent City, which has recorded an annual drop in sea level of -0.21 feet per year.

Based on the fact that the Shoreline RV Park is being redeveloped approximately 43 years after its original construction, the design life of the proposed redeveloped RV Park is presumed to be a similar 40-45 years. Given that (1) the design life of the redeveloped RV Park primarily covers the first half of the 21st century before sea level rise is anticipated to significantly accelerate, and (2) the project site is located in an area where geologic forces are causing the land to uplift at a rate currently faster than the rate of sea level rise, sea level rise is not anticipated to significantly influence the flooding risk to the development.

Therefore, the potential for damage to the site and the risk to life and property from flooding and storm surges has been minimized.

Tsunami Inundation

The second type of flood hazard associated with the project site is exposure to tsunamis. Crescent City is heavily affected by tsunamis from distant source seismic events and recent evidence suggests that earthquakes may generate large tsunamis every 300 to 700 years along the Cascadia subduction zone, an area off of the Pacific Northwest coast from Cape Mendocino to Puget Sound, where a crustal plate carrying part of the Pacific Ocean is diving under North America.

Crescent City has experienced at least six tsunamis in the last 54 years, the greatest occurring on March 28, 1964. On that date, a series of tsunamis generated from the Richter 9.2 earthquake near Anchorage, Alaska rolled into the Crescent City Harbor and inundated much of the waterfront and downtown area, killing eleven people. The fourth wave was the largest of the set, with a height of approximately 20 to 21 feet. It was preceded by a withdrawal of the water that left the inner harbor almost dry. This fast moving wave capsized 15 fishing boats. Three other boats disappeared, and eight more sunk in the mooring area. Several other boats were washed onto the beach. Extensive damage was inflicted to the piers. The wave covered the entire length of Front Street, and about thirty blocks of Crescent City were devastated. Overall damage was estimated at between \$7.5 - 16 million (1964 dollars). Because of the ongoing risk of future tsunami events, much of the City's harbor waterfront remains vacant or has been reserved for open space, parks, and other low-occupancy public facilities uses.

The development does not include the construction of any new buildings except for a small restroom facility that could be inundated and destroyed by a tsunami. In addition, the project site is protected by an eight-foot-high levee that extends around most of the perimeter of the site. However, the recreational vehicles and their occupants that will seasonally occupy the site would be subject to the threat of tsunamis that are large enough to overtop or break through the 8-foot-high levee.

It is not feasible to construct the RV Park in a manner that raises all of the RV spaces above maximum tsunami inundation levels, which could reach 30 feet above mean sea level (the maximum height of the RV Park is approximately 12 feet). However, the risk to visitors to the RV Park can be minimized through tsunami warning and evacuation efforts. The project site has adequate siren broadcast coverage from facilities located on the nearby Cultural Center building to the northwest, and within the nearby Crescent City Harbor complex to the south of the site. In addition, the City has developed a community tsunami readiness program. Signs clearly mark tsunami evacuation routes and sheltering locations have been established on higher ground. Furthermore, as part of the 50th anniversary commemoration of the 1964 Gulf of Alaska Tsunami, the City of Crescent City plans to install throughout the city a series of temporary public informational kiosks with mobile device readable Quick Response (QR) matrix barcode strips containing addresses to Internet website pages where interpretative information on the tsunami event may be accessed. Locations for the interpretative kiosks include placing a station in proximity to the project site along the Harbor Trail near the U.S. 101 crossing of Elk Creek, where five people lost their lives as a result of the 1964 tsunami.

RV owners staying at the Shoreline RV Park will generally not be as familiar with the tsunami evacuation routes and procedures as local residents. Additional education about tsunami

evacuation routes and procedures is needed for visitors staying at the RV Park to further minimize tsunami hazard risks. Therefore, the Commission attaches [Special Condition No. 9.](#) [Special Condition No.9](#) requires that prior to issuance of the coastal development permit, the applicant must submit for the review and approval of the Executive Director, a tsunami safety plan. The plan would detail tsunami hazard response materials to be provided to visitors to the RV Park including hazard zone maps, evacuation routes, and a summary of local warning plans as developed by the City of Crescent City and the Del Norte County Office of Emergency Services. As conditioned, the Commission finds that adequate tsunami related warning and evacuation information will be provided to minimize risks to visitors of the hazards of tsunami inundation.

Conclusion

As discussed above, feasible mitigation measures necessary to minimize coastal flooding risks have been required to be incorporated into the development. Therefore, the Commission finds that the proposed project as conditioned, will minimize risk to life and property from hazards, and assure stability and structural integrity, and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area, consistent with Section 30253 of the Coastal Act.

H. PUBLIC ACCESS

Projects located between the first public road and the sea within the coastal development permit jurisdiction of a local government is subject to the coastal access policies of the Coastal Act. Coastal Act Sections 30210, 30211, 30212, and 30214 require the provision of maximum public access opportunities, with limited exceptions.

Section 30210 states:

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

Section 30211 states:

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

Section 30212 states, in applicable part:

- (a) *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*
 - (1) *It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*

- (2) *Adequate access exists nearby, or,*
- (3) *Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

Section 30214 states:

- (a) *The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:*
 - (1) *Topographic and geologic site characteristics.*
 - (2) *The capacity of the site to sustain use and at what level of intensity.*
 - (3) *The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*
 - (4) *The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*
- (b) *It is the intent of the Legislature that the public access policies of this article are carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.*
- (c) *In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.*

The project site is located between the first public road and the sea. Therefore, the Commission must consider the proposed project's conformity with the access requirements of the Coastal Act. In applying Sections 30210, 30211, 30212, and 30214, the Commission is also limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential access.

A trailhead of the California Coastal Trail is located at the entrance of the RV Park, at the northeast corner of the project site. This section of the trail is known locally as the Harbor Trail. The North Harbor Trail extends northwesterly from this trailhead and crosses lower Elk Creek before connecting with publicly accessible Beachfront Park, south of Front Street. Beachfront Park comprises nearly 180 acres of open sports fields, playgrounds, picnicking areas, and other development public recreational and assembly facilities. Immediately adjacent to the project site, the trailhead at this site is developed with a restroom, informational signage, and a 20 stall parking lot. The Coastal Trail has not yet been completed in the areas immediately south of the project site, although the Crescent City Harbor District is in the process of developing additional portions of the trail through the harbor area further south of the project site. Even without a completed coastal trail, pedestrians can travel down the coast from the project site currently via the sidewalk along U.S. Highway 101 or along the inner Crescent City Harbor strand along the immediate shoreline.

The Park itself is located on state lands and owned and operated by the City of Crescent City. As such, the Park is open to the general public so residents and visitors to the north coast have access to the harbor beach. Although parking within the RV Park is limited, visitors can park at the Coastal Trail trailhead for free and walk into the park and down to the beach access. The beach access is currently located at the southwest corner of the RV Park.

The beach access point and access through the RV Park will continue to be provided following redevelopment of the Park. However, due to safety concerns, the Park and all access points through the Park will be closed during construction. Construction activities planned under this development will require the use of heavy machinery, large trucks, and other construction equipment that could create hazardous conditions for public access users. Therefore, the Park and all access to the shoreline through the Park will be closed during construction.

However, this temporary impact on public access use will not be significant. The interruption of access will only occur over a relatively short duration of the project. The City anticipates that construction will last two to three months and the construction period is targeted for October during November, which typically is considered low occupancy months. Once construction activities are completed, access to the Park and all shoreline access points through the Park will be re-opened. In addition, during closure of the Park the extensive public access available in the surrounding area will remain open to public access and recreational use, including the majority of Beach Front Park, the inner harbor beach areas, the "B" Street Fishing Pier, and the Battery Point Lighthouse. In addition, alternate routes to and along the shoreline and adjacent beaches are available along the sidewalk of Highway 101 or along the immediate shoreline edge of Elk Creek and the harbor waters outboard of the berm along the northern and western perimeter of the project site. To ensure that the project's impact on public access is temporary and minimized, the Commission attaches [Special Condition No. 7](#). This condition requires submittal of a public access protection plan prior to permit issuance for the Executive Director's review and approval. The access plan must demonstrate that (a) the areas of the site to be temporarily closed to the public for construction-related public safety purposes shall be minimized; (b) the

duration of closure of the public access area shall be minimized and shall not exceed 120 days total, unless the Executive Director grants in writing for good cause additional time as needed to ensure public safety not to exceed 180 days total without an amendment to this coastal development permit; and (c) adequate signage shall be maintained at the entrance to the RV Park during all times when the Park is closed during project construction that includes information about the closure of public access areas and alternatives for public access.

Therefore, the Commission finds that the project, as conditioned, to only temporarily exclude public access through the project site during construction activities will not have any significant adverse effect on public access, and the project as proposed without new public access is consistent with the requirements of Coastal Act Sections 30210, 30211, and 30212.

I. VISUAL RESOURCES

Coastal Act Section 30251 states:

the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and requires in applicable part that permitted development be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to restore and enhance where feasible the quality of visually degraded areas, and to be visually compatible with the character of surrounding areas.

The project site is located in an existing RV Park that is located on the shoreline of Crescent City, CA. The Park has been at its current location and configuration for 30 years and is located on a flat 10-acre parcel of land with an 8-foot-high levee separating the site from the mouth of Elk Creek to the west and from the Crescent City Harbor to the south. The area setting is that of a mixture of visitor-serving and commercial-recreational uses, coastal-dependent / coastal related industrial uses, public facilities (harbor marina and small boat basin) public parklands, and resource area open space situated on an embayment surrounded by a coastal plain of low topographic relief.

The project site is visible from several public recreational areas and roads, including Beach Front Park, from the Coastal Trail and other harbor shoreline trails, and from portions of Highway 101, Sunset Drive, Citizens Dock Road, RV Park Road, Anchor Way, and Huston Street. Views of the water are afforded through the site from vantage points along the Coastal Trail, which extends currently to the northeast corner of the site and may eventually be extended around other portions of the RV Park. These water views from the trail are affected by the existing RV Park facilities and the 8-foot-high levee that separates the RV Park from the harbor waters. Distant views of the site are afforded from the waters of the harbor. Because of the relatively flat topography, intervening development and vegetation, and angles of view, the site does not afford uninterrupted views of harbor waters from vantage points along Highway 101 and the other roads mentioned above.

The ten-acre site will continue to be used as a recreational vehicle park. The proposed development does not include any new development that is significantly different from what

currently exists in the RV Park. Although the development includes some grading, the project will not result in significant alterations of land forms. A narrow continuous stormwater detention basin will be excavated along the northern, western, and portions of the southern boundaries of the site and roads and some RV sites will be slightly raised with earthen fill to promote drainage. However, these features will not significantly change ground elevations and will not change the predominantly flat nature of the site. Therefore, the Commission finds that the development minimizes the alteration of natural land forms consistent with Section 30251 of the Coastal Act.

The primary effects of the development on coastal visual resources are the potential view blockage from the Coastal Trail and the compatibility of the proposed above-grade site improvements with the character of the surrounding area. The proposed development project includes the construction of a new restroom facility on the west side of the property, the installation of 89 new power pedestals, and the construction of a new power panel cabinet.

Restroom Facility

The proposed restroom facility is a relatively small, one-story 136-square-foot structure. Although the new restroom facility will be located near the shoreline, due to the building's small size and the relatively large expanse of the project site, coastal views will be adequately protected. As proposed, the restroom facility will be visually compatible with the character of the surrounding area. The proposed restroom facility will be a precast concrete structure which will be of similar size and architectural style to the restroom that is located at the California Coastal Trail by the entrance to the RV Park. The restroom will be painted a neutral color so as to blend into the surrounding area and will not contain any reflective windows or other distinct visual features.

Power Pedestals

The City proposes to replace the existing power pedestals. The new power pedestals will be approximately 44" in height. Following the upgrade, the number of RV sites in the Park will be reduced from 192 to 89. Given the relative short height of the pedestals and the large spacing between the pedestals, coastal views are adequately protected. Further, decreasing the number of pedestals needed and allowing the new pedestals to be spaced further apart, will leave ample room for views. Additionally, the new pedestals are of the same make and model as those recently installed at the RV Park within the nearby Crescent City Harbor. Therefore, the pedestals are visually compatible with the character of the surrounding area.

Power Panel Cabinet

The proposed power panel cabinet will be a similar size, shape, and configuration as the existing power panel cabinet that is on the site. The panel will be located in the same place as the existing panel (alongside of the office) and the utility lines from the panel will be buried underground along with all of the utilities on the site. Therefore, the power panel cabinet will not affect views of harbor waters and will be compatible with the character of the surroundings.

Tree Removal

To accommodate the reconfiguration of the RV Park, 14 Beach pine trees within the eastern portion of the Park will be removed. The trees were originally planted in the Park to provide landscaping and a windbreak for guests and many of the trees are leaning to one side and are diseased. The trees do not constitute a sensitive habitat area and given the condition of the trees, are believed to be hazardous to Park guests and visitors. The current configuration of the trees does not provide screening of the Park and the trees do not improve the visual quality and aesthetics of the Park. No trees or vegetation will be removed from the Elk Creek riparian area along the western edge of the park or along the eastern edge of the Park adjacent to the wetland area on the adjacent parcel to the east. Therefore, removal of these trees will be compatible with the character of the surrounding area.

Conclusion

The proposed project primarily involves low-lying, at-grade development that will not obstruct views to and along the shoreline of the Crescent City harbor, will not entail significant landform alteration, or be visually incompatible with the character of the surrounding area. In addition, as the proposed project will reduce the overall density of development by reducing the total number of RV spaces and will modernize RV Park facilities, the project will improve the aesthetics of the current RV Park. The Commission therefore finds that as: (1) the project will not result in significant landform alteration, (2) views to and along the ocean will not be significantly affected, and (3) the new development would be visually compatible with the character of surrounding areas, the proposed project as conditioned is consistent with Coastal Act Section 30251.

J. ARCHAEOLOGICAL RESOURCES

Coastal Act Section 30244 states:

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

The project area includes lands formerly occupied by the Tolowa. The Tolowa territory included the area from the mouth of the Winchuck River (in southern Oregon) to the mouth of Wilson Creek (approximately 17 miles south of Crescent City). A records search conducted by the California Historical Information System did not uncover any previously recorded archaeological or known historic resources within the project site. However, the records search indicated that known archaeological sites were noted in the vicinity. Therefore, a limited test excavation was conducted in consultation with the Elk Valley and Smith River Rancherias. A total of six test pits were excavated to a depth of approximately six feet. The test pits did not uncover any archaeological materials and the archaeologist, in consultation with the Rancherias, did not recommend any further testing or monitoring during construction.

Given that (a) no known archaeological resources have been discovered at the site, (b) the area has been severely modified by grading associated with past tsunami restoration, and (c)

the ground disturbing activities of the proposed development will be limited to shallow grading work (no more than 50 cu. yds.) in limited areas for grading of the existing roads and RV sites the potential for the development to adversely affect archaeological or paleontological resources is very low. However, as the site is adjacent to the mouth of Elk Creek and the mouths of streams and rivers were often used by indigenous peoples as places for hunting, fishing, food gathering, and camping, the potential exists for impacts to archaeological resources. Therefore, to ensure protection of any archaeological resources that may be discovered at the site during construction of the proposed project, the Commission attaches [Special Condition No. 5](#). This special condition requires that if an area of cultural deposits is discovered during the course of the project, all construction must cease and a qualified cultural resource specialist must analyze the significance of the find. To recommence construction following discovery of cultural deposits the permittee is required to submit a supplementary archaeological plan for the review and approval of the Executive Director, who determines whether the changes are de minimis in nature and scope, or whether an amendment to this permit is required.

Therefore, the Commission finds that the proposed project is consistent with Coastal Act Section 30244, as the proposed development includes reasonable mitigation measures to ensure that construction activities within the project area will not result in significant adverse impacts to archaeological resources.

K. PROTECTION OF RECREATIONAL AND VISITOR-SERVING USES

Section 30213 of the Coastal Act states, in applicable part, as follows:

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

Section 30221 of the Coastal Act states as follows:

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

Section 30222 of the Coastal Act states as follows:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223 of the Coastal Act states as follows:

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

The Coastal Act establishes provisions for the protection and reservation of areas for development of facilities for a variety of high-priority coastal-dependent, coastal-related, and visitor-serving uses. Priority is to be given to such highly desired uses, especially those functionally dependent upon locations on or near open coastline and watercourses.

The Shoreline RV Park is a lower-cost visitor-serving facility that provides an option for transient overnight use. The Shoreline RV Park charges between twenty-one and thirty-one dollars per night for lodging depending on the site. The City has indicated to staff that these prices will remain the same following completion of Park upgrades. These overnight rates are very low compared to rates charged for overnight accommodations in other kinds of transient habitation facilities along the California coast which can range upward to hundreds of dollars per night. This lower cost visitor serving recreational use is consistent with the requirements of Coastal Act Sections 30213, 30221, 30222, and 30223.

The rehabilitation of the RV Park will provide a total of 89 RV spaces, 103 spaces less than the 192 spaces currently provided. The City is proposing to reconfigure the Park to provide RV sites that will accommodate the demand for sites large enough to be utilized by large RV units, to make the Park more spacious and less crowded, to accommodate new facilities and to provide greater ESHA buffers where needed. The City believes that although they will have fewer spaces the improvements to the Park will make it more attractive for RV Park uses and should actually increase usage of the Park.

Occupancy rates throughout the year are only approximately 50%. A review of occupancy rates for 2013 indicates that with the exception of 4th of July the RV Park is never at full occupancy. An average count for the peak summer months of June and July revealed that 80 RV sites are actually occupied on average. Therefore, the proposed 89 RV spaces in the rehabilitated RV Park more accurately reflects the actual demand for RV spaces at this facility, and the reduced number of RV sites should be sufficient.

In addition, there are a large number of RV sites at other parks in the vicinity that provide low cost visitor habitation. Four other seasonal RV Parks are located within 0.7 miles of the Shoreline RV Park and several more are located within two miles. These other four parks provide a total of 323 RV spaces. These RV Parks are comparable in size and price to the Park and will be available for low cost visitor use and overnight accommodations if the RV Park becomes full.

| Park | Location | Price Range | # of Sites |
|---------------------|--|---------------------------|------------------------------|
| Shoreline RV Park | 900 Sunset Circle | \$20.90-\$30.80 per night | 89 (following redevelopment) |
| Bayside RV Park | Crescent City Harbor | \$30.00-\$34.00 per night | 113 |
| Harbor RV Anchorage | Crescent City Harbor | \$28.00-\$33.00 per night | 117 |
| Sunset Harbor | 205 King St. across from harbor | \$28.00 per night | 69 |
| Sea View | 100 Elk Valley Road across from harbor | \$20.00-\$30.00 per night | 24 |
| | | | Total 412 |

Therefore, although the project will result in an overall decrease in the number of RV sites in the area, given the current demand and the availability of additional RV sites in the immediate vicinity, the proposed 89 RV sites will provide sufficient low cost visitor and recreational facilities and will continue to support activities consistent with the priority use policies of the Coastal Act.

In the future, the introduction or substitution of new uses at the site could adversely affect lower-cost visitor-serving overnight accommodations or preclude the establishment of other priority uses at the site. For example, the conversion of the transient overnight use RV spaces to mobile homes in the future could result in the privatization of the areas that are planned and zoned for priority visitor-serving and commercial recreational uses. Accordingly, to prevent displacement of priority uses and the uses that facilitate such priority uses inconsistent with the requirement of the Coastal Act, the Commission attaches [Special Condition No. 3](#). This condition sets restrictions on future development at the project site, requiring that any change in the legally authorized use of the approved development including, but not limited to, use of the transient habitation RV spaces for residential purposes, or any other changes to the proposed project shall require a new CDP or permit amendment. In its review of any coastal development permit application submitted pursuant to this special condition, the Commission will be able to review whether any proposed change in a legally authorized use is consistent with the priority use policies of the Coastal Act.

Therefore, as the development as conditioned will (a) ensure protect commercial visitor-serving recreational use of the site, and (b) not allow changes to legally authorized uses without a new CDP or an amendment to this permit, the Commission finds the development as conditioned is consistent with Sections 30213, 30221, 30222, and 30223 of the Coast Act.

L. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The applicant served as the lead agency for the project for CEQA purposes. The City's Planning Commission approved a Mitigated Negative Declaration for the project on November 14, 2013 (*SCH No. 2013092058*).

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

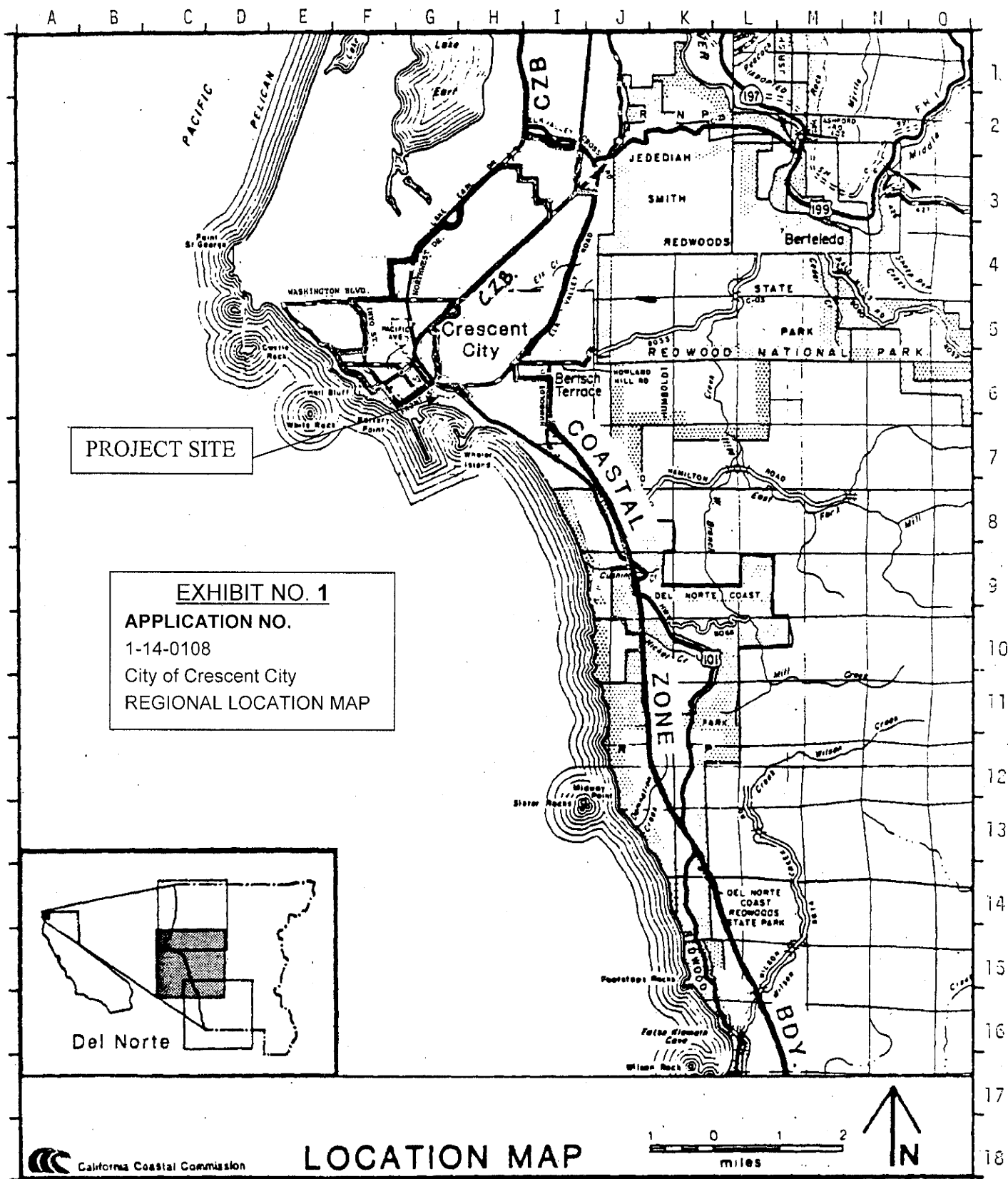
The Commission incorporates its findings on conformity with Coastal Act policies at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed herein, in the findings addressing the consistency of the proposed project with the Coastal Act, the proposed project has been conditioned to be found consistent with the Coastal Act. Mitigation measures which will minimize all adverse environmental impacts have been made requirements of project approval. As conditioned, there

are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

Application File for Coastal Development Permit No. 1-14-0108



PROJECT SITE

EXHIBIT NO. 1
APPLICATION NO.
 1-14-0108
 City of Crescent City
 REGIONAL LOCATION MAP

Del Norte

California Coastal Commission

LOCATION MAP

1 0 1 2
 miles



County of Del Norte



EXHIBIT NO. 3

APPLICATION NO.

1-14-0108

City of Crescent City

SITE PLAN

SHORELINE RV PARK Rehabilitation Project

SITE PLAN

CITY of CRESCENT CITY

377 J Street
Crescent City, CA 95531
(707) 464-9506 phone
(707) 465-4405 fax

ERIC WIER Director of Public Works

DESIGNED BY
K. Tupperman
CHECKED BY
E. Taylor

May 6th 2014

AS SHOWN

SHEET NUMBER 1 of 1



GALEA WILDLIFE CONSULTING

200 Raccoon Court Crescent City California 95531

Tel: 707-464

E-mail: frankgalea@charter.net

EXHIBIT NO. 4

APPLICATION NO.

1-14-0108 - City of Crescent City

DEVELOPMENT BUFFER

ANALYSIS (1 of 6)

ANALYSIS OF DEVELOPMENT BUFFER REQUIREMENTS TO PROTECT NATURAL RESOURCES, SHORELINE R.V. PARK PROJECT, CRESCENT CITY, CA. MARCH 2014.

Introduction

The City of Crescent City owns and manages the Shoreline RV Park, located on the north edge of the harbor of Crescent City, immediately east of the mouth of Elk Creek. The RV Park was originally constructed in 1971 and is in need of improvement. The city plans improvements to the RV park, all of which would occur within the current "footprint" of existing development.

Project Description

Currently the Shoreline RV Park is developed with 192 RV Sites, approximately one mile of gravel roads, a 400 square foot office and a 2,400 square foot restroom and shower facility. The RV Park will be modernized and brought up to current standards. Upgrades include the replacement of all of the utilities in the park including water, sewer, power, and cable television. The utility lines will be re-located in a new trench adjacent to the roadways. Roads will be realigned and re-graded, during grading base rock will be added and the roads will be paved with asphalt. The RV parking pads will be graded and paved with asphalt. RV pads on average will measure 30' wide by 60' deep. The access road along the east boundary will be moved approximately 20 feet to the west, and RV pads with accompanying utilities along the east boundary will be moved approximately 20 feet east as well, in order to maximize the distance between pads and ESHA.

A new drainage plan will be developed for the park which includes valley gutters in the roadways. The roads will be graded to move the water to the southwest portion of the RV Park. The new drainage plan will incorporate portions of the existing drainage system, all of which is designed to drain away from the Elk Creek estuary.

Other improvements include the future addition of a restroom and shower facility which will be co-located in a single structure, a new storage shed by the existing restroom facility, screening for the trash bins and landscaping (refer to attached design plan for further details). Any new buildings would be located at least 100 feet from any ESHA.

Environmental Setting Relative to Environmentally Sensitive Habitat Areas (ESHA)

The RV park is located within a highly developed area, with the harbor to the south and Highway 101 immediately north. Across Elk Creek is the cities' swimming pool and Cultural Center, along with a river-edge walkway with no buffer to Elk Creek. To the east is a vacant lot with wetlands approximately 580 feet wide. On the other side of the lot are settling ponds used for harbor dredging purposes. North of the RV park is a parking lot, Highway 101 and associated businesses.

The RV park is also adjacent to ESHAs, such as Elk Creek to the immediate west, wetlands to the east and the bay itself to the south. Normally, ESHA areas within the coastal zone are protected where possible with 100 foot non-development buffer zones. For the RV park, however, development has already occurred immediately adjacent to ESHA areas, and buffers therefore will be less than preferred.

Elk Creek

The Elk Creek watershed is an important system for anadromous fish, including the federally-listed coho (*Oncorhynchus kisutch*) salmon. The Elk Creek drainage is relatively flat, lacking in slope throughout, and is therefore comprised of large areas of freshwater marsh, palustrine (seasonally flooded) and other wetlands, and habitat for many wetland- dependant species. The lower end of Elk Creek was historically impacted by filling, pond creation (for timber mills) and diversion of natural hydrology. The California Department of Fish and Game (CDF&G) considers the Elk Creek watershed as a critical area of concern, especially considering the importance of protecting the coho salmon.

The following are recommendations for protecting the Elk Creek Special Study Area as listed in the Del Norte County Local Coastal Plan:

Elk Creek Special Study Area (ECSSA)

1. Performance standards shall be developed and implemented which will guide development adjacent to upland marsh areas identified in the Elk Creek Special Study so as to permit utilization of land areas compatible with other policies while providing adequate maintenance of the subject marsh area.
2. A buffer strip shall be maintained in natural conditions around the Elk Creek wetlands where adjacent land uses are found incompatible with the productivity or maintenance of the wetlands.
3. New development adjacent to the Elk Creek wetlands shall not result in adverse levels or additional sediment, runoff, noise, wastewater or other disturbances.
4. Snags shall be maintained within the Elk Creek wetland for their value to wildlife.
5. No motorized vehicle traffic shall be permitted within the Elk Creek wetlands except for agriculture and forestry.

Shoreline RV Park Improvement Project

Galea Wildlife Consulting May 2014

6. Riparian vegetation along the course of Elk Creek and its branch streams shall be maintained for their qualities of wildlife habitat and stream buffer zones.
7. In areas where the boundary of the Elk Creek wetland is in doubt, a detailed survey of a parcel and the location of the marsh shall be required to determine the suitability of said parcel for dwelling or other building site and sewage disposal system before a permit is issued.
8. In that the pasturelands in the lower portion of Elk Creek are subject to extensive flooding and provide valuable habitat for wildlife, they should be maintained in their existing use as agricultural grazing.
9. Vegetation and debris removal in the Elk Creek wetland shall be limited to that necessary to maintain the free flow of the drainage courses and only when excessive impediment creates flooding hazards on adjacent lands.
10. The County should encourage and support educational programs in schools, park programs and community organizations which seek to increase public awareness and understanding of sensitive habitats and the need for their protection.
11. The County should investigate the feasibility and seek funds to establish a bicycle/hiking trail along the old Hobbs-Wall railroad right-of-way in the lower portions of Elk Creek.

Existing Conditions

Currently, there is an artificial berm of concrete slabs and fill separating the RV park from Elk Creek, averaging 20 feet in width. The developed RV park begins immediately adjacent to the berm, therefore there is no potential for an additional buffer width.

There is also an artificial berm of concrete slabs and fill separating the RV park from the waters of the bay. This berm is approximately 30 feet in width, and an access road is located immediately north of the berm, therefore there is no potential for an additional buffer width.

The RV park is also developed up to the edge of potential wetland habitats located within the empty lot located due east of the park. No additional buffer width is possible along this edge due to the proximity of the existing RV spaces to the property edge and existing road alignments.

Sandy Intertidal

The sandy intertidal area lies between mean high water and mean low water. While devoid of terrestrial vegetation, marine algae is washed up onto this area. The sandy intertidal area supports a variety of invertebrates, many of which are a food source for shorebirds. Thus, this habitat has some value at this location for certain bird species and clams, but relatively low value for mammals and vegetation.

Adjacent Undeveloped Parcel

Immediately east of the RV park is an undeveloped parcel. The 2006 CNDDDB recorded pink sand verbena as occurring on the property. This plant is on List 1B of the California Native Plant Society (CNPS) and is a Federally-listed Candidate 2 species. Several other sensitive plant species were recorded as occurring either on the property or in the general area (the CNDDDB map includes records which are not site-specific). There were no records of the western lily (federally listed as threatened) occurring on or near the property, nor in the immediate area (within 1/4 mile), however this species is noted to occur to the east in the marsh along Highway 101. No habitat for the western lily was noted on this property.

A 1992 botanical survey of the general area, including the undeveloped property, made note of finding pink sand verbena at several locations along the littoral strip. Wolf's evening primrose was noted as occurring just east of the property and hybrid species (not protected) were found in the rubble behind the Vita-Sea building, along with dune grass. Both pink sand verbena and Wolf's evening primrose are included on List 1B of the CNPS and both are Federally-listed Candidate 2 species.

Proposed Mitigations

Shoreline RV park has obtained ownership of approximately .5 acres of the adjacent parcel along the east boundary. This land transfer will aid in ESHA protection as the RV park will utilize this strip of land as a buffer and leave it undeveloped. The planting of willow and other riparian trees between the RV park and the adjacent parcel will add in resource protection, as it will prevent park visitors from encroaching on the adjacent parcel and any sensitive habitats located within it.

The RV park also plans to move existing pads away from this east property edge in order to maximize the distance between occupied trailer pads and ESHA habitats located along the east boundary.

Criteria for Reduced Buffer Widths to ESHA

The Shoreline RV Park was developed well before implementation of the California Coastal Act. Although buffers to ESHA are preferred, limited buffers are available between the park and existing ESHA due to the early development and location of the park.

As per section VII.D.4 of the LUPs Marine and Water Resources chapter, section f: *A buffer of less than one-hundred feet may be utilized where it can be determined there is no adverse impact on the wetland.*

The following criteria are used to determine if significant impacts to resources would occur.

1. Biological significance of adjacent lands: The RV park is located within a highly developed area, with the harbor to the south and Highway 101 immediately north. Although ESHA are located in proximity to the RV park, such as the Elk Creek estuary and the sandy intertidal, improvements to the RV Park as proposed will have no adverse effects on these ESHA. The undeveloped parcel to the east has little biological significance except for the potential for sensitive plant species. No impacts to the parcel would occur from improvements at the RV park.

2. Sensitivity of species to disturbance: Except for fisheries resources of Elk Creek and the bay, this area has little potential for use by terrestrial wildlife due to limited habitats and a high degree of disturbance. No sensitive species are known to occur in the immediate area, which is in a busy area of town. Sensitive plant species may be located in the empty parcel adjacent; however this project does not project into sensitive plant species habitats.

3. Susceptibility of parcel to erosion: The RV park is located on a flat terrace of land adjacent to the harbor. A new drainage plan will facilitate proper drainage, with all drainage designed to flow southeast away from the Elk Creek estuary. There is no potential for increased erosion from this project.

4. Use of natural, topographic features to locate development: There are no topographic features to utilize as the entire area is very flat. The footprint of the RV park is already established and will not be increased.

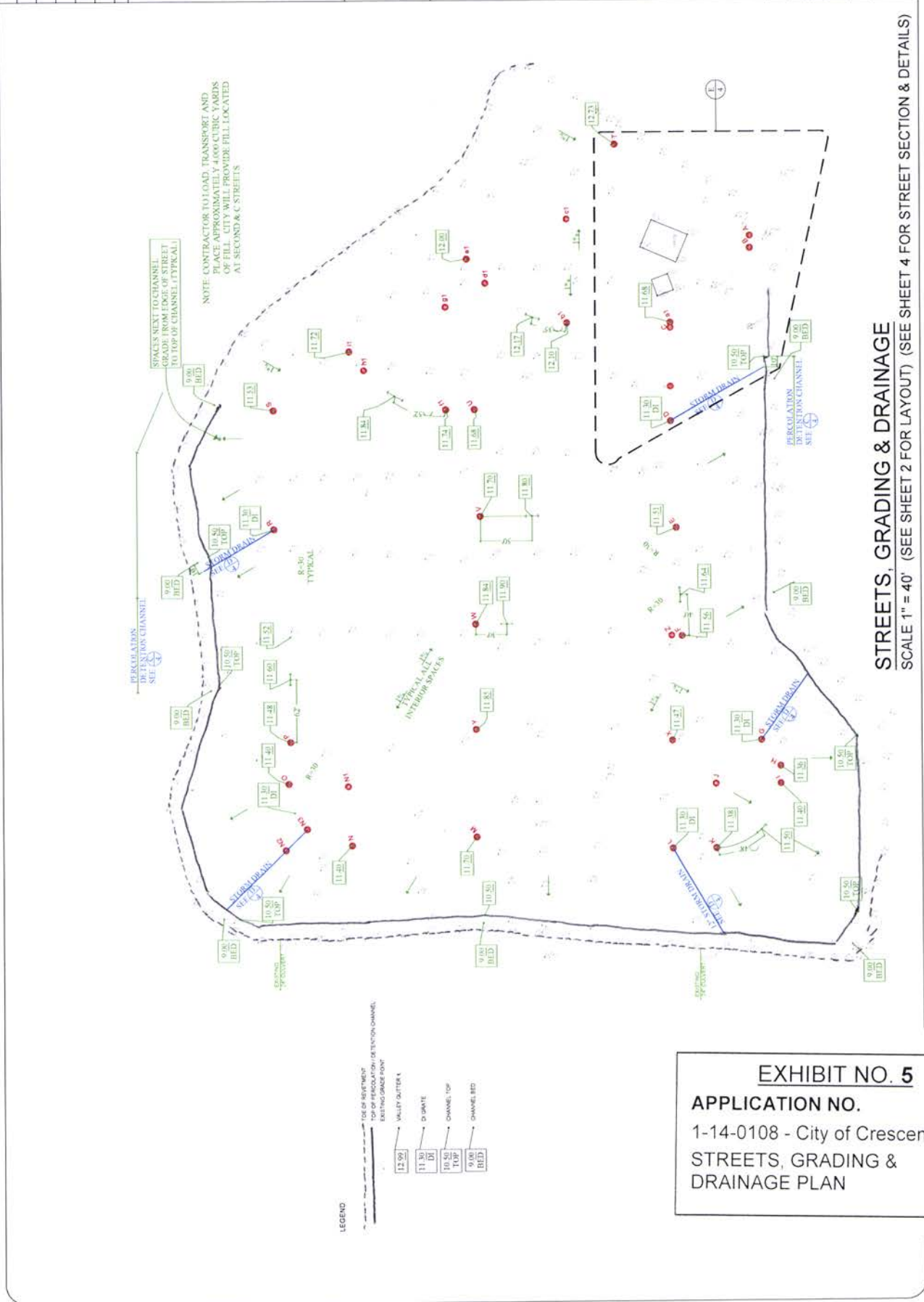
5. Use of existing cultural features to locate buffer zones: There are no existing cultural features to aid in screening any resources.

6. Lot configuration and location of existing development: The RV park is already existing and configured and no large improvements are to be made. Any new buildings would be located at least 100 feet from any ESHA. Some pad locations are being re-designed to move them farther from sensitive ESHA areas. This project will not increase the overall footprint of development and no improvement over total area configuration can otherwise be made.

7. Type and scale of development proposed: The scale of the project is minimal considering the RV park is already in existence. There is no increase in overall development scale, only in improvements to already existing facilities. Therefore there will be no increased impacts to natural resources.

Summary

This RV park is already in existence and has been in place for decades. The proposed project to improve facilities at the existing RV park will not increase impacts to sensitive species or their habitats. Pads and roads of the RV park are being moved away from ESHA to mitigate where possible. Additional mitigations include a land transference to better protect ESHA on the east boundary, and the planting of vegetation along this line. Preferred buffers to ESHA are not possible due to pre-existing site conditions and RV park placement.



STREETS, GRADING & DRAINAGE
 SCALE 1" = 40' (SEE SHEET 2 FOR LAYOUT) (SEE SHEET 4 FOR STREET SECTION & DETAILS)

EXHIBIT NO. 5
APPLICATION NO.
 1-14-0108 - City of Crescent City
STREETS, GRADING & DRAINAGE PLAN

(E) ENLARGED PLAN
SCALE 1" = 20'

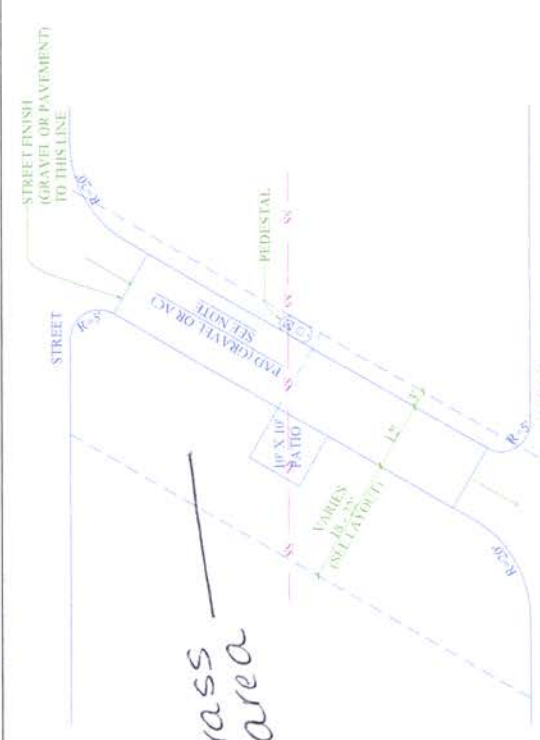
ORELINE RV PARK
habilitation Project

DETAILS

EXHIBIT NO. 7

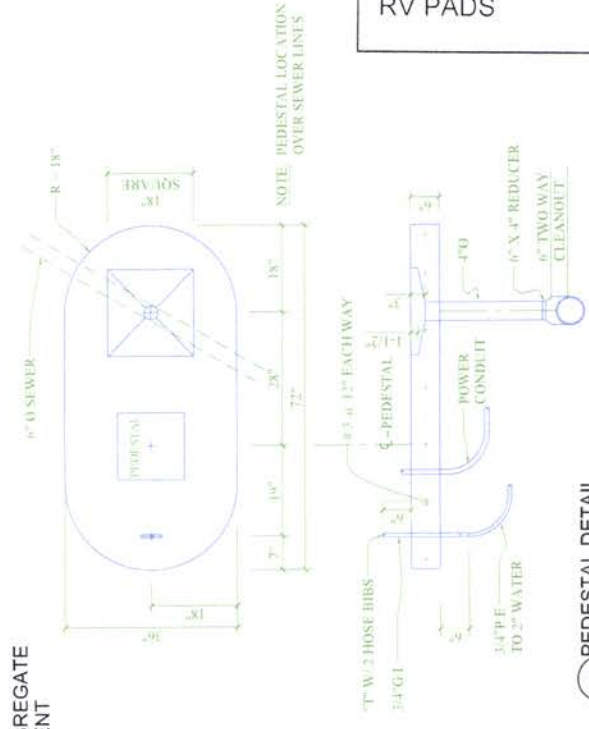
APPLICATION NO.
 1-14-0108 - City of Crescent City

DETAILED DIAGRAM OF NEW RV PADS



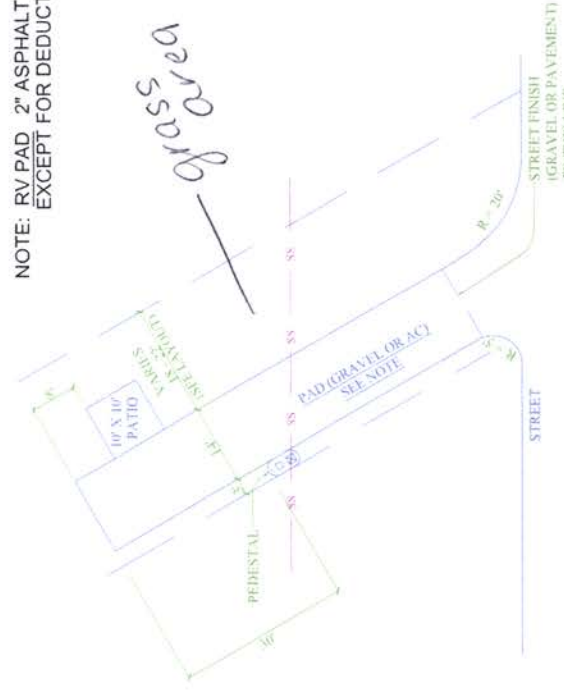
N TYPICAL PULL-THROUGH SITE SPACE # 47 THRU # 89
 SCALE 1" = 10'

NOTE: RV PAD 2" ASPHALT PAVEMENT OVER 4" AGGREGATE EXCEPT FOR DEDUCT A NO ASPHALT PAVEMENT



P PEDESTAL DETAIL
 SCALE 1" = 1'

R TYPICAL PULL-IN SITE SPACE # 19 THROUGH SPACE # 46
 SCALE 1" = 10'



M TYPICAL BACK-IN SITE SPACE # 1 THROUGH # 18
 SCALE 1" = 10'

BOTTOM OF CHANNEL



Looking south from Elk Creek toward the north side of the RV Park.



Looking southwest from Elk Creek toward the RV Park.

1 of 8

EXHIBIT NO. 8

APPLICATION NO.

1-14-0108

City of Crescent City

SITE PHOTOS (1 of 8)



Berm along Elk Creek – taken from the south looking north



Berm along Elk Creek – taken from the north looking south.



Berm along Elk Creek. Taken from the North looking at the harbor to the South.

30+ 8



Southern Edge of park looking at berm and harbor behind it.



Panoramic view of the RV Park looking west from approximately 300' from the entrance.



Panoramic view of the RV Park looking west from approximately 500' from the park entrance.



Looking northwest toward the RV Park revetment from the Harbor beach.



Looking southeast toward the RV Park from the Harbor beach.

6 of 8

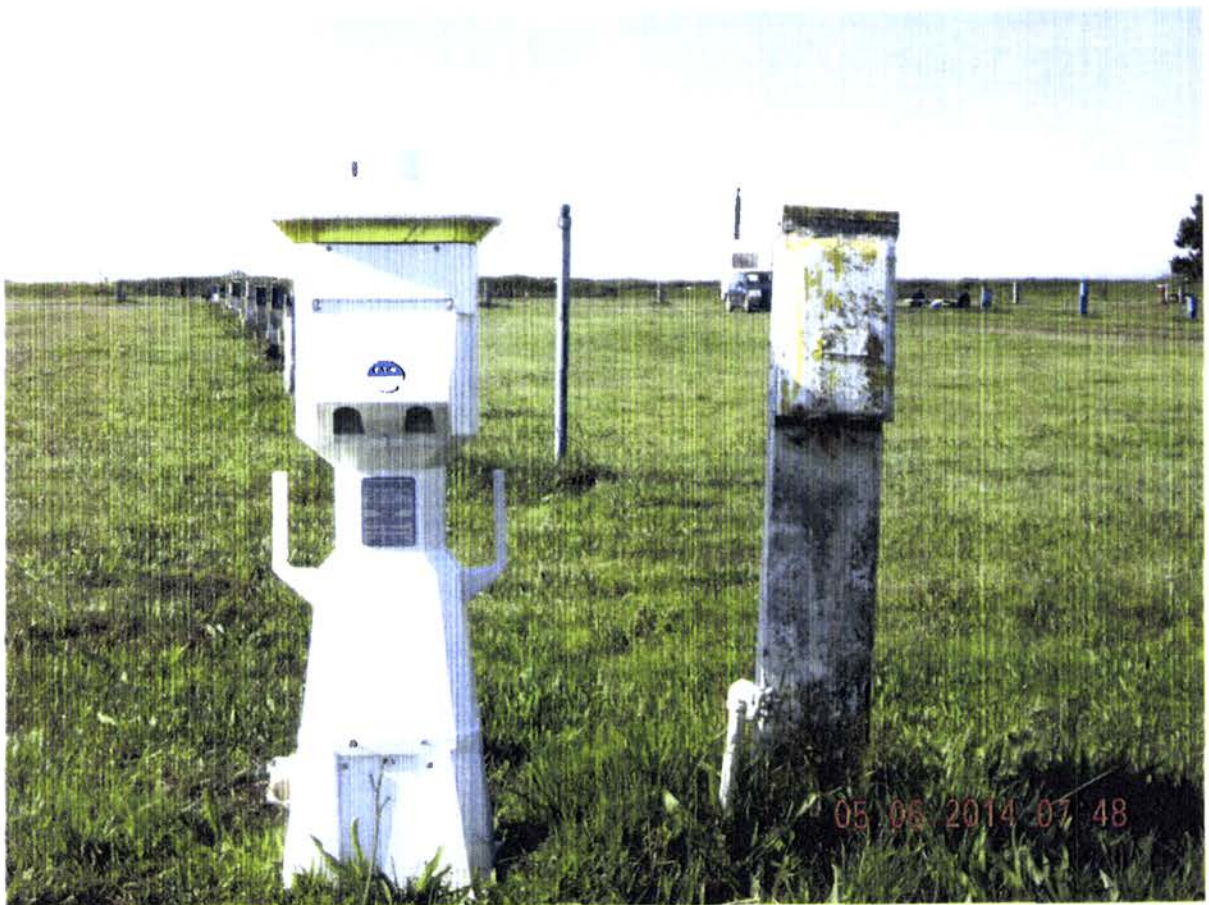


Eastern edge of RV Park – along adjacent property containing wetlands

7 or 8



Eastern Edge of RV Park property – Beach pines that separate Park from adjacent wetland property



Close up of existing power pedestal on the right and proposed power pedestal on the left.

EXHIBIT NO. 9

APPLICATION NO.

1-14-0108

City of Crescent City

NEW POWER PEDESTAL

EXHIBIT NO. 10

APPLICATION NO.

1-14-0108

City of Crescent City

DEPICTION OF RESTROOM

