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Item W16a has been moved to Friday, December 11, 2015, and is now being heard as F14.5a.

F14.5a

Filed:	11/09/15
180th Day:	05/07/16
Staff:	C. Kenyon-A
Staff Report:	11/25/15
Hearing Date:	12/09/15

STAFF REPORT: MATERIAL AMENDMENT

Amendment Application No.:	**A-1-DNC-09-048-A1**
Applicant:	**Border Coast Regional Airport Authority**
Project Location:	Del Norte County Regional Airport (CEC), 150 Dale Rupert Road, Del Norte County; and off-site mitigation along Porteck Street, within the Pacific Shores Subdivision at the north end of Lake Earl, Del Norte County.
Description of Previously Approved Project:	*Jack McNamara Field Terminal Replacement Project – "Alternative 10, Option 2"* – Development of a 17,867-square-foot passenger terminal complex, with ancillary aircraft apron, domestic and firefighting water supply utilities, onsite sewage disposal system, consolidated public and employee off-street parking lots, and round-about based access roadway facilities
Amendment Request:	Modifications to the approved airport terminal complex to (1) alter the design of the terminal building, (2) eliminate construction of a secondary access road, (3) modify the wetland mitigation requirements to reflect reduced impacts and authorize off-site mitigation, (4) relocate the airport beacon, and (5) modify approved demolition, utilities, paving, and construction access.
Staff Recommendation:	Approval with Special Conditions

SUMMARY OF STAFF RECOMMENDATION

The Border Coast Regional Airport Authority (BCRAA) proposes to amend Coastal Development Permit (CDP) A-1-DNC-09-048, approved by the Commission in May 2010, for the development of a replacement passenger terminal and related roadway, parking, utility, and community services improvements at the Jack McNamara Field (CEC) in Del Norte County. The amendment proposes a number of modifications to the previously approved but not yet constructed development, including: (1) the removal of a secondary access road from the project; (2) changes to the proposed septic system; (3) alteration to the design of the terminal building, including a reduction in the size of the building's footprint from 17,867 square feet to 13,813 square feet; (4) the extension of the aircraft apron 0.06 acres; (5) the installation of an additional drain inlet and drainage pipe; (6) the removal of an existing Quonset hut and approximately 0.16 acres of adjacent paving; (7) the removal of an existing water tank and the installation of a new 51-foot-high steel monopole; (8) the relocation of the airport beacon from its current location on the water tower to the top of the new monopole; (9) the installation of a temporary gravel bypass road to maintain access to the airport during project construction; and (10) the installation of a temporary 212-foot-long fence to maintain airfield security during project construction (**Exhibit 3 pg. 1**). This amendment also modifies the wetland mitigation requirements of the permit to reflect reduced impacts and authorizes a specific wetland mitigation project at the originally required 4:1 replacement ratio involving the removal and conversion to wetlands of a section of Porteck Street within the undeveloped Pacific Shores Subdivision.

Directly to the east of the project area is a large forest ESHA that is predominately comprised of shore pine (Pinus *contorta* var. *contorta*) and Sitka spruce (*Picea sitchensis*) trees and includes extensive wetlands. The project modifications do not result in any development closer to the adjacent ESHA or result in an intensification of use that could adversely affect coastal resources. The project modifications also significantly decrease the amount of wetland fill that will result from the project. The Commission attached **Special Condition 7** to the original permit to require BCRAA to compensate for wetland fill through the establishment of offsite wetlands habitat at a 4:1 replacement ratio. A July 2015 Mitigation and Monitoring Plan has been prepared for the project that proposes to create 0.12 acres of wetland habitat within the Pacific Shores Subdivision, mitigating for the remaining 0.029 acres of wetland fill at a 4:1 ratio. Staff believes that the proposed mitigation, involving the removal of an existing paved roadway segment outside of wetlands and other ESHA, will be sited and designed to prevent impacts to adjacent and nearby ESHA, as conditioned, meets the criteria of Special Condition 7 of the original permit and will be sited and designed to prevent impacts to adjacent and nearby ESHA, including the habitat of the federally threatened Oregon silverspot butterfly. Staff recommends the addition of **Special Condition 11** to ensure the mitigation plan and follow up monitoring and maintenance of the mitigation site will be implemented in a timely fashion. Staff also recommends the addition of **Special Condition 12** to ensure that BCRAA obtains the legal authority to remove the road segment, and **Special Condition 13** which requires mitigation measures to avoid potential impacts to archaeological resources.

Staff believes that the amended project, as conditioned, is consistent with all applicable Chapter 3 policies of the Coastal Act. The motion to adopt the staff recommendation of approval with special conditions is on page 4.

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APPENDICES

EXHIBITS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** the proposed amendment to Coastal Development Permit No. A-1-DNC-09-048-A1 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit 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 the coastal development permit amendment on the grounds that the development as amended and subject to conditions, will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit amendment complies with the California Environmental Quality Act because feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amended development on the environment.

II. STANDARD AND SPECIAL CONDITIONS

The original permit (CDP No. A-1-DNC-09-048) contains ten special conditions (Exhibit 11). The standard conditions and Special Conditions 4 and 10 of CDP No. A-1-DNC-09-048 remain in full force and effect. **Special Conditions 1, 2, 3, 5, 6, and 9 of the original permit are modified as shown below and reimposed as conditions of CDP Amendment No. A-1-DNC-09-048-A1. Special Conditions 7 and 8 of the original permit are entirely eliminated. Special Conditions 11, 12, and 13 are additional new special conditions attached to CDP Amendment No. A-1-DNC-09-048-A1.** The reimposed, modified, deleted, and new conditions are listed below. Deleted language is shown in **~~bold strikethrough type~~**; new language appears as **bold double-underlined font**.

1. **Scope of Authorization**. The development authorized under this permit **as amended** comprises that described in the **~~narrative and preliminary plans depicting "*Del Norte Regional Airport Passenger Terminal Replacement Amended Project – Alternative 10, Option 2*," attached as Exhibit Nos. 5 and 6, including the physical construction of the terminal, airport apron, roadway, and parking facilities, together with all associated utility and community service connections and upgrades, and amenities, and all related onsite and off-site mitigation measures~~** **adopted findings for Coastal**

Development Permit No. A-1-DNC-09-048 as amended by Coastal Development Permit Amendment Request No. A-1-DNC-09-048-A1 (including alteration of the terminal building design, elimination of the secondary access road, relocation of the airport beacon, and modification of approved demolition, utilities, paving and construction access), as further modified by the Special Conditions herein attached. Any proposed deviations from, or substitutions and additions to, the approved development, including provisions for phased or reduced building envelope construction, shall require the securement of a**n additional** permit amendment unless the Executive Director determines no amendment is legally required.

2. **Revised Design and Construction Plans.**

   A. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH ELEMENT (E.G., TERMINAL BUILDING, AIRCRAFT APRON, ACCESS ROADWAY, UTILITY INSTALLATIONS, ETC.) OF THE REPLACEMENT AIRPORT TERMINAL PROJECT AUTHORIZED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048 AS AMENDED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048-A1**, the applicant shall submit to the Executive Director for review and approval final design and construction plans for the project element ~~**which are consistent with the approved project narrative and preliminary site plans titled "Passenger Terminal Replacement Amended Project," dated April 19, 2010, as prepared by the Border Coast Regional Airport Authority and URS Airport Services, attached as Exhibit No. 6**~~, including site plans, floor plans, building elevations, roofing plans, foundation plans, structural plans, final exterior (roofing, siding, glazing) material specifications, signage, drainage facilities, site security / ESHA perimeter fencing and screening, and lighting plans, consistent with all special conditions of Coastal Development Permit Amendment No. A-1-DNC-09-048 **as amended by Coastal Development Permit Amendment No. A-1-DNC-09-048-A1.**~~**, including Special Condition Nos. 1, 3, 5, 6, and 10.**~~

   B. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF ANY PARKING LOT**, the applicant shall submit to the Executive Director for review and approval, a revised parking plan demonstrating conformity with Local Coastal Program Zoning Enabling Ordinance Chapter 21.44, including but not limited to the minimum number of spaces, minimum stall width and depth dimensions, minimum aisle widths, minimum wall-to-wall dimensions, and screening/landscaping parameters, consistent with the Commission's action on Coastal Development Permit No. A-1-DNC-09-048 **as amended by Coastal Development Permit Amendment No. A-1-DNC-09-048-A1**.

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

3. **Erosion and Run-Off Control Plan.**

A. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH ELEMENT (E.G., TERMINAL BUILDING, AIRCRAFT APRON, ACCESS ROADWAY, UTILITY INSTALLATIONS, ETC.) OF THE REPLACEMENT AIRPORT TERMINAL PROJECT AUTHORIZED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048 AS AMENDED BY COASTAL DEVELOPMENT PERMIT AMENDMENT NO. A-1-DNC-09-048-A1,** the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and run-off control.

1) EROSION CONTROL PLAN COMPONENT

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 "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be used during construction: EC-1 Scheduling, EC-2 Preservation of Existing Vegetation, EC-6 Straw Mulch, NS-4 Temporary Stream Crossing, SE-1 Silt Fence, SE-9 Straw Bale Barrier, and WE-1 Wind Erosion Control;

(3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and coastal resources; and

(4) The following permanent source control and treatment measures, as described in detail within in the "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be installed: SD-10 Site Design & Landscape Planning, SD-11 Roof Runoff Controls, Pervious Pavements, Vegetated Swale, and TC-31 Vegetated Buffer Strip.

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) Runoff from all roofs, patios, driveways and other impervious surfaces and slopes on the site shall be collected and discharged into an infiltration interceptor to avoid ponding or erosion either on or off the site. The system shall be designed to treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event;

(3) An on-site infiltration interceptor or retention basin system shall be installed to capture any pollutants contained in the run-off from parking lots and other paved areas. The system shall be designed to treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event;

(4) Site drainage shall be directed away from the bluff;

(5) The following temporary runoff control measures, as described in detail within in the "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be used during construction: *NS-3 Paving and Grinding Operations*, *NS-8 Vehicle and Equipment Cleaning*, NS-*9 Vehicle and Equipment Fueling*, NS-*12 Concrete Curing*, NS-*13 Concrete Finishing*, *SE-1 Silt Fence, SE-9 Straw Bale Barrier*, *SE-10 Storm Drain Inlet Protection*, *TR-1 Stabilized Construction Entrance/Exit*, *TR-2 Stabilized Construction Roadway*, *WM-1 Material Delivery and Storage*, *WM-2 Material Use*, *WM-3 Stockpile Management*, *WM-4 Spill Prevention and Control*, *WM-5 Solid Waste Management*, *WM-6 Hazardous Waste Management*, *WM-8 Concrete Waste Management*, and *WM-9 Sanitary/Septic Waste Management*; and

(6) The following permanent runoff control measures, as described in detail within in the "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be installed: *SC-10 Non-Stormwater Discharges*, *SC-11 Spill Prevention, Control & Cleanup*, *SC-20 Vehicle and Equipment Fueling*, *SC-34 Waste Handling & Disposal*, *SC-41 Building & Grounds Maintenance*, *SC-*

43 Parking/Storage Area Maintenance, *SC-70 Road and Street Maintenance*, *SC-71 Plaza and Sidewalk Cleaning*, *SC-73 Landscape Maintenance*, *SC-74 Drainage System Maintenance*, *SC-75 Waste Handling and Disposal*, *SC-75 Waste Handling and Disposal*, *SD-10 Site Design & Landscape Planning*, *SD-11 Roof Runoff Controls*, *SD-13 Storm Drain Signage*, *SD-20 Pervious Pavements*, *SD-30 Fueling Areas*, *SD-31 Maintenance Bays & Docs*, *SD-32 Trash Storage Areas*, *SD-35 Outdoor Work Areas*, *TC-30 Vegetated Swale*, *TC-31 Vegetated Buffer Strip*, *TC-32 Bioretention*, and *TC-40 Media Filter* (parking lots).

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, construction-phase erosion and runoff control measures;

(3) A schedule for installation and removal of the temporary runoff control measures;

(4) A site plan showing the location of all permanent runoff control measures;

(5) A schedule for installation and maintenance of the roof and parking lot drainage conveyance systems, and rain garden, tree box, swale and bio-filtration galleries, and perimeter stormwater diking and berming controls; and

(6) A site plan showing finished grades (at 1-foot contour intervals) and stormwater drainage improvements.

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

4. **Construction Responsibilities and Debris Removal.** The permittee shall comply with the following construction-related requirements:

A. No construction materials, debris, or waste shall be placed or stored where it may be subject to entry into coastal waters, including drainage courses, creeks, streams, and other water bodies;

B. Any and all debris resulting from construction activities shall be removed from the site within one week of completion of construction;

C. Expect as specifically stipulated herein, no construction equipment or machinery shall be allowed at any time within either the shore pine-Sitka spruce forested areas, riparian vegetation, or wetlands on the site;

D. Sand from the beach, cobbles, or shoreline rocks shall not be used for construction or landscaping materials;

E. Concrete trucks and tools used for construction of the approved development shall be rinsed at the specific wash-out area(s) described within the approved Erosion and Runoff Control Plan approved by the that Commission;

F. Expect as specifically stipulated herein, staging and storage of construction machinery or materials and storage of debris shall not take place on the beach or within public street rights-of-way.

5. **Design Restrictions.** All exterior materials, including the roofing materials and windows, shall be non-reflective to minimize glare. Terminal building siding and roofing materials shall be of naturally-occurring earth tones to blend harmoniously in hue and shade with the color of the surrounding landforms and vegetation. All exterior lights, including lights attached to the outside of any structures, shall be low-wattage, limited to levels necessary to provide adequate operational and site security illumination, non-reflective and have full cut-off shielding, hooding, or sconces to cast lighting in a downward direction and not beyond the boundaries of the property. ~~**With the exception of lighting incorporating the above design criteria to be installed at the intersection of the eastern secondary access road with the rear gate of the airfield and collocated lighting on existing poles behind the general aviation hangers, no additional roadside street lighting shall be installed along the portions of the facility's access roadway between the County agricultural department offices and the round-about at the intersection of the terminal, general aviation, and fire hall access routes. Instead, reflective stripping and signage shall be used to demarcate roadway margins and directional lane dividers as needed.**~~ Aircraft apron operational lighting shall be designed to be powered down when not in active use. All signage shall conform to the standards of Title 18 of the Del Norte County Code.

6. **Landscape Plan.**

A. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH ELEMENT (E.G., TERMINAL BUILDING, AIRCRAFT APRON, ACCESS ROADWAY, UTILITY INSTALLATIONS, ETC.) OF THE REPLACEMENT AIRPORT TERMINAL PROJECT AUTHORIZED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048 <u>AS AMENDED BY COASTAL DEVELOPMENT PERMIT AMENDMENT NO. A-1-DNC-09-048-A1</u>**, the applicant shall submit, for the review and approval of the Executive Director, a plan for landscaping to soften the appearance of the commercial visitor-serving facility, while assuring that the landscaping materials are located and sized so as not to obstruct views to and along the coast from designated view corridors and vista points. The plan shall be prepared by a licensed landscape architect.

1) The plan shall demonstrate that:

a. All proposed plantings site shall be limited to vegetation native to northern coastal habitats of Del Norte County obtained from local genetic stocks within Del Norte County. If documentation is provided to the Executive Director that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside the local area, but from within the adjacent region of the floristic province, may be used. 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 utilized within the propert~~y~~ **properties** that ~~**is**~~ **are** the subject of CDP No. A-1-DNC-09-048 **as amended by Amendment No. A-1-DNC-09-048-A1**.

b. ~~**All proposed plantings shall be obtained from local genetic stocks within Del Norte County. If documentation is provided to the Executive Director 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. 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 utilized within the property.**~~

c. All planting will be completed ~~**by**~~ within 60 days after completion of construction;

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

e. Except for clearing for site improvements authorized by Coastal Development Permit No. A-1-DNC-09-048 **as amended by Coastal Development Permit Amendment No. A-1-DNC-09-048-A1**, all existing mature native vegetation (i.e., pine-spruce forest and fringing riparian vegetation) shall be retained; and

f. The use of bio-accumulating rodenticides containing any anticoagulant compounds, including, but not limited to, Bromadiolone, Brodifacoum or Diphacinone, shall not be used.

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

a. A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features; and

b. A schedule for installation of plants.

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

7. ~~**Final Compensatory Wetlands Mitigation and Monitoring Program**~~

~~A. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT A-1-DNC-09-048, the applicant shall submit for review and written approval of the Executive Director in consultation with the U.S. Department of Fish and Game and the Fish and Wildlife Service, a final detailed compensatory wetlands mitigation and monitoring program designed by a qualified wetland biologist for the construction and monitoring of compensatory wetlands mitigation site(s). The mitigation and monitoring program shall at a minimum include the following:~~

~~1. Provision for the creation of a minimum of 1.92 acres of riverine and palustrine wetlands (.48-acre project-filled wetlands @ 4:1 in-kind, off-site replacement ratio) at a suitable location within Del Norte County meeting all of the following criteria:~~

~~a. An area having significant contiguous land base for undertaking the subject replacement wetlands mitigation, as contrasted with a series of smaller detached sites, where there is the greatest likelihood that the wetland values and functions being lost at the project can be replicated at the mitigation site;~~

~~b. An area having similar submerged, emergent, or near-surface saturated hydrologic conditions to those on the portions of the project site (i.e., non-tidally influenced, perched and/or seasonal shallow groundwater conditions within the Smith River Plan Hydrologic Sub-area);~~

~~c. An area having similar wetland plant community composition to those on the wetlands portions of the project site to be filled (i.e., forested palustrine wetlands and palustrine emergent wetlands adjoining beach pine, Sitka spruce and beach pine-Sitka spruce forested areas) ; and~~

~~d. An area having similar soil and substrate conditions to those on the wetlands portions of the project site to be filled (uplifted marine terrace with sand dune derived course soil clastics).~~

~~2. Quantitative and qualitative performance standards that will assure achievement of the mitigation goals and objectives of no net loss of wetlands, taking into account temporal loss associated with the time-lag in establishing compensatory wetlands at off-site locales, as set forth in Coastal Development Permit Application No. A-1-DNC-09-048, as summarized in Findings Section IV.D, "Protection of Coastal Wetlands," including but not be limited to the following standards: (a) timely initiation of the compensatory wetlands plan within six (6) months of the initiation of construction of the authorized replacement terminal improvements; (b) milestones and timelines for successful establishment of the compensatory wetlands; and~~

~~3. A compensatory wetlands mitigation plan consisting of: (a) dimensioned, to-scale mapping of compensatory wetlands site(s); (b) assessment of hydrologic, soil, and vegetative conditions at the mitigation site(s); (c)~~

grading plan; (d) planting schedule, detailing species, sizes, installation standards; (d) short- and long-term irrigation and watering requirements; (e) measures for the removal and/or management of proximate non-native, exotic-invasive species; and (f) thinning, pruning, and other on-going maintenance needs

4. **Provisions for annual monitoring the following attributes: (1) cover; (2) density; (3) species diversity; and (4) habitat utilization, using the following methods, as applicable, to the particular plant stratum or habitat: (1) basal area and/or stem counts; (2) transect sampling; (3) stocking and stand density; (4) point-intersect surveys; and (e) trap & release population studies.**
5. **Provisions for assessing the initial biological and ecological status of the "as built" mitigation site within 30 days of establishment of the mitigation site in accordance with the approved mitigation program. The assessment shall include an analysis of the attributes that will be monitored pursuant to the program, with a description of the methods for making that evaluation.**
6. **Provisions to ensure that the mitigation site will be remediated within ninety (90) days of a determination by the permittee or the Executive Director that monitoring results indicate that the site does not meet the goals, objectives, and performance standards identified in the approved mitigation program.**
7. **Provisions for monitoring and remediation of the mitigation site in accordance with the approved final mitigation program for a period of five (5) years.**
8. **Provisions for submission of annual reports of monitoring results to the Executive Director for the duration of the required monitoring period, beginning the first year after submission of the "as-built" assessment. Each report shall include copies of all previous reports as appendices. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the wetland mitigation project in relation to the performance standards.**
9. **Provisions for submission of a final monitoring report to the Executive Director at the end of the five-year reporting period. The final report must be prepared in conjunction with a qualified wetlands biologist. The report must evaluate whether the mitigation site conforms with the goals, objectives, and performance standards set forth in the approved final mitigation program. The report must address all of the monitoring data collected over the five-year period.**

B. **If the final report indicates that the mitigation project has been unsuccessful, in part, or in whole, based on the approved performance standards, the applicant shall submit a revised or supplemental mitigation program to compensate for those portions of the original program which did not meet the approved performance standards. The revised mitigation program shall be processed as an**

amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

C. The permittee shall construct, monitor, and remediate as necessary the wetland mitigation site in accordance with the approved mitigation and monitoring program. Any proposed changes to the approved mitigation and monitoring program shall be reported to the Executive Director. No changes to the approved mitigation and monitoring program shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

8. **Amphibian Underpass Systems Roadway Design Plan.**

A. PRIOR TO THE ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048, the applicant shall submit, for review and approval of the Executive Director, a plan for the incorporation of sub-grade passageways into the design of the approximately 600-lineal-foot portion of replacement terminal project's eastern access road between the County agricultural department facilities and the rear gate to McNamara Field adjoining the row of general aviation aircraft hangers. The plan shall include, at a minimum the following design features:

1. A minimum of six (6) sub-grade passages, each spaced approximately 100 to 200 feet from each other, appropriately sized to allow for the passage of northern red-legged frogs (*Rana aurora*) and other related amphibians endemic to the project environs;

2. The sub-grade crossings shall include permeable, natural substrates which retain moist conditions while allowing for receiving sunlight and rainfall, but not be completely inundated;

3. Flared, minimum ten-foot wide funnel entrances, bounded by minimum 18-inch-high winged retaining walls, tapering toward the underpasses to facilitate amphibians finding the under-crossings;

4. Minimum 18-inch-high fencing with mesh fine enough to prevent the passage of red-legged frogs through the fence, along both sides of the roadway segment between the underpasses to prevent at-grade crossings;

5. Signage at either end of the access roadway segment, advising motorists of the potential presence of rare amphibians and urging their care in preventing impacts.

B. The permittee shall monitor the access roadway for determining the success of the amphibian undercrossings and roadside barriers. Prior to April 1 of each year for a period of five years, the permittee shall submit for the review of the Executive Director, an annual monitoring report for the preceding calendar year disclosing the number and locations of Northern red-legged frog (*Rana Aurora*) and other amphibian carcasses encountered on the roadway during daily security /maintenance patrols of the airport. Based upon the monitoring program data, the Executive Director shall determine whether substantial mortality of sensitive amphibians is occurring warranting the need for the permittee to substitute or augment of the amphibian habitat mitigation measures

~~either administratively or formally through the securement of a permit amendment.~~

~~C. 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.~~

9. **Notification/Imposition of Permit Conditions Agreement. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048-A1**, the County of Del Norte ("County") as fee-simple owner of the airport facility ("Property"), and the Border Coast Regional Airport Authority ("Authority"), as delegated facility operator, shall enter into an agreement with the Coastal Commission, in a form and content acceptable to the Executive Director indicating that, pursuant to this permit, the County and the Authority each acknowledge and agree that: (1) the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that Property; and (2) all rental, lease, and franchise contracts entered into with tenants of the Property shall incorporate the Special Conditions of this permit as covenants, conditions and restrictions on the renter's, lessee's, franchisee's, and/or tenant's use and enjoyment of the Property. The agreement shall include a legal description of the entire parcel or parcels governed by this permit. The agreement shall also indicate that, in the event of an extinguishment or termination of the agreement for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

10. **Conditions Imposed by Local Government.** This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act.

11. Revised Final Compensatory Wetlands Mitigation and Monitoring Plan. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT AMENDMENT NO. A-1-DNC-09-048-A1, the permittee shall submit, for the review and written approval of the Executive Director, a revised final compensatory wetland mitigation and monitoring plan that substantially conforms, in applicable part, to the plan entitled "Border Coast Airport Authority, Del Norte County Regional Airport, Jack McNamara Field (CEC) Terminal Replacement Project, Crescent City, California, Mitigation and Monitoring Plan, California Coastal Commission" dated July 2015 and prepared by GHD, except the revised final plan shall include the following requirements:

A. Timing of mitigation: The grading and other development needed to establish the mitigation site shall be completed prior to occupancy of the authorized airport terminal building.

B. "As built" plans: Within 30 days of establishment of the mitigation site, documentation shall be provided to the Executive Director assessing the initial biological and ecological status of the "as built" mitigation site in accordance

with the July 2105 Mitigation and Monitoring Plan and the conditions of this coastal development permit amendment.

C. Interim remediation: Remediation of the mitigation site shall occur within ninety (90) days of a determination by the permittee or the Executive Director that monitoring results indicate that the site does not meet the goals and performance standards identified in the July 2105 Mitigation and Monitoring Plan.

D. Annual monitoring reports: Monitoring reports shall be submitted to the Executive Director by December 31st of each year for the duration of the five-year monitoring period, beginning the first year after the submission of the "as-built" assessment. Each report shall include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the wetland mitigation project in relation to the performance standards.

E. Final monitoring report: A final monitoring report shall be submitted for the review and approval of the Executive Director by December 31st of the last year of annual monitoring. The final report shall be prepared in conjunction with a qualified wetlands biologist. The report shall evaluate whether the site conforms to the goals and performance standards outlined in the July 2105 Mitigation and Monitoring Plan. The report shall address all of the monitoring data collected over the five-year period.

F. Remediation: If the final monitoring report indicates that the mitigation project has been unsuccessful, in part, or in whole, based on the approved performance standards, the permittee shall submit a revised or supplemental restoration program to compensate for those portions of the original program which did not meet the approved goals and objectives. The revised restoration program shall be processed as an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

12. Evidence of sufficient property interest. PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048-A1, the applicant shall submit, for the review and approval of the Executive Director, for the segment of Porteck Street at Pacific Shores where mitigation activities will occur, copies of the recorded Resolution of Vacation and recorded deed transferring ownership of the vacated road segment from the County of Del Norte to the BCRAA.

13. Protection of Archaeological Resources.

A. AT LEAST TWO WEEKS PRIOR TO COMMENCEMENT OF GROUND-DISTURBING ACTIVITIES AT PACIFIC SHORES, the Permittee shall notify the Smith River Rancheria THPO and the Elk Valley Rancheria THPO of the construction schedule and arrange for tribal representative(s) to be present to observe ground-disturbing activities if deemed necessary by the THPO(s).

B. No ground-disturbing invasive plant removal or other ground-disturbing activities shall occur at Pacific Shores in the vicinity of the documented archaeological sites as recommended in the archaeological report "*A Cultural Resources Investigation of the Pacific Shores Subdivision, Mitigation Area for the*

***Del Norte County Regional Airport – RSA Improvement Project, Located in Del Norte County, CA*," prepared by Roscoe and Associates Cultural Resources Consultants and dated March 2013.**

C. If an area of cultural deposits or human remains is discovered during the course of project construction at either the Del Norte County Regional Airport or at the Pacific Shores Subdivision mitigation site, all construction shall cease and shall not re-commence until a qualified cultural resource specialist, in conjunction with the Smith River Rancheria and Elk Valley Rancheria Tribal Historic Preservation Officers, 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 additional amendment to Coastal Development Permit Amendment No. A-1-DNC-09-048-A1.

III. FINDINGS AND DECLARATIONS

A. AMENDMENT DESCRIPTION

Originally Approved Project and Proposed Amendment

The Border Coast Regional Airport Authority proposes to amend Coastal Development Permit (CDP) A-1-DNC-09-048, approved by the Commission in May 2010, for the development of a replacement passenger terminal and related roadway, parking, utility, and community services improvements at the Jack McNamara Field (CEC) in Del Norte County. The development, as originally approved by the Commission, involved (1) the construction of a new approximately 17,869-square-foot, 32-foot-high, two-story replacement passenger terminal to the southwest of the existing airport parking lot; (2) the construction of a new roughly 200-foot by 400-foot aircraft apron adjacent to the new terminal building; (3) the construction of a new 143-space parking lot immediately to the south of the replacement terminal site; (4) the realignment and widening of Dale Rupert Road; (5) the installation of a roundabout at the north end of Dale Rupert Road; (5) the creation of a secondary alternate access road ("Loop Road") involving the construction of a road segment along the south side of a row of hangers and the improvement of Ag Road; and (6) the installation of new infrastructure and utility connections (i.e., electrical connections, water/wastewater piping, drainage systems, lighting, parking meters/machines, etc.) to support construction and/or operation of the new terminal building, parking facility, and aircraft apron area, including the construction of a new approximately 3,000-gallon-capacity onsite septic system (See **Exhibit 10** for the approved project plans for the original permit).

The Commission imposed ten special conditions on the original permit, including a condition requiring the creation of riverine and palustrine wetlands to offset the project's wetland fill impacts at a 4:1 in-kind, offsite replacement ratio (See **Exhibit 11** for the adopted findings of the

original permit). A number of the special conditions require compliance prior to permit issuance and/or commencement of construction of individual elements of the project. The original CDP has not been issued pending condition compliance, and none of the approved development has been constructed.

The amendment proposes a number of modifications to the previously approved but not yet constructed development, including: (1) the removal of Loop Road from the project; (2) changes to the proposed septic system; (3) alteration to the design of the terminal building, including a reduction in the size of the building's footprint from 17,867 square feet to 13,813 square feet; (4) the extension of the aircraft apron to the west, resulting in an additional 0.06 acres of concrete pavement adjacent to the new terminal; (5) the installation of an additional drain inlet and an additional drainage pipe; (6) the removal of an existing Quonset hut and approximately 0.16 acres of adjacent paving; (7) the removal of an existing water tank and the installation of a new 51-foot-high steel monopole; (8) the relocation of the airport beacon from its current location on the water tower to the top of the new monopole; (9) the installation of a temporary gravel bypass road to maintain access to the airport during project construction; and (10) the installation of a temporary 212-foot-long fence to maintain airfield security during project construction (See **Exhibit 3 pg. 1** for a site map highlighting project changes under the proposed amendment). This amendment also approves mitigation work at an offsite location in the Pacific Shores Subdivision near Lake Earl to compensate for the wetland fill impacts of the project at a 4:1 replacement ratio. The proposed revisions to the terminal replacement project and the wetland mitigation work are described in more detail below:

Removal of the Loop Road portion of the project

The approved project included the creation of a secondary access route to the terminal. The approved secondary access road (to be named Loop Road) would have run from the current parking lot at the north end of Dale Rupert Road, along the back side of a row of hangers ("Hanger Row") to the airport's rear gate, where it would have turned south down Ag Road to Washington Boulevard (See **Exhibit 10** for the approved site plan that includes Loop Road). The installation of this secondary access would have required the construction of a new segment of road behind Hanger Row and improvements to Ag Road. Originally the Transportation Security Administration (TSA) wanted Loop Road for airport access; however, the Federal Aviation Administration (FAA) would not fund the necessary improvements to the existing Ag Road because there is a covenant along Ag Road at the former location of the Del Norte Pesticide Storage Area. The covenant, required by the Department of Toxic Substance Control, precludes grading for road improvements. Therefore the amendment proposes to remove Loop Road from the project, leaving Ag Road in its current state. Because Loop Road is no longer part of the project, **Special Condition 8**, which required the incorporation of sub-grade amphibian passageways into the design of Loop Road, and portions of **Special Condition 5**, which imposed specific restrictions on the illumination of Loop Road, are no longer relevant to the project and have been deleted.

Changes to the approved wastewater treatment system

Under the original CDP, a new on-site sewage disposal treatment system was approved for construction in a currently disturbed area along Dale Rupert Road. Due to the shallow groundwater table and maintenance issues associated with septic system leach fields, the

applicant is now proposing to install a Septic Tank Effluent Pumping (STEP) system instead of the originally proposed septic system. The newly proposed system would result in all wastewater from the new terminal being transported to a new 5,000 gallon septic tank by way of piping in Dale Rupert Road (See **Exhibit 3, pg. 2**). The six-foot diameter, 25-foot-long fiberglass septic tank would be buried on the west side of Dale Rupert Road in a grassy median between the southern end of the approved airport parking lot and the road. The top of the tank would be located approximately 18 inches below the ground surface, and access to the tank would be through three PVC risers with gasketed fiberglass lids that would extend to the grass median ground surface. The tank would have two chambers; the first would collect all fats, oils, grease, and solids, while the second would contain liquid waste. Liquid waste would be pumped out of the tank through a two-inch diameter force sewer main to the Crescent City collection system for processing at the Crescent City wastewater treatment plant.[1] Solids would be held in the septic tank and pumped approximately every decade.

Alterations to the terminal building design

Under the proposed amendment, the terminal structure would be located in the same general area, but would be reconfigured and reduced in size from 17,867 square feet to 13,813 square feet. The new bi-level terminal would be an elongated structure, having an approximately rectangular building footprint, with the structure's longest axis having a north-south orientation, parallel to Dale Rupert Road (See **Exhibit 3, pg. 3**).

Extension of the aircraft apron

Under the proposed amendment, the approved fillet (concrete pavement) would be extended to the south to allow for more efficient aircraft movement from taxiway to apron and vice versa. The fillet extension would be approximately 10 feet wide on the north side, extend 80 feet, and taper down to less than one foot on the south side, resulting in an additional 2,651 square feet of pavement. The expanded footprint of the fillet would be located entirely in uplands that are currently covered in ruderal herbaceous vegetation.

Installation of an additional drain inlet and drainage pipe

An additional drain inlet is proposed just south of the BCRAA office, and an additional stormwater drainage pipe is proposed directly south of the existing Quonset hut on Dale Rupert Road. The 24-inch-wide drainage pipe would begin at the southeast corner of the existing Quonset hut and connect to another pipe that runs south under the west side of Dale Rupert Road to an existing storm drain manhole installed over an existing 24-inch culvert under an access road from Dale Rupert Road to the security fence. The pipe would be buried approximately 2.5 feet underground.

[1] The Del Norte County Planning Commission issued a combined Grading Permit and Coastal Development Permit for a new 12-inch-diameter water line and a new two-inch-diameter force sewer main that will provide connections from the new airport terminal down Pebble Beach Drive to the City of Crescent City's municipal water and sewer systems. As the water and sewer lines are a separate project and have received a CDP from the County, they are not included in this CDP amendment.

Removal of an existing Quonset hut and adjacent paving
An existing 3,600 square-foot Quonset hut[2] on Dale Rupert Road would be removed to accommodate the approved parking lot. In addition, approximately 0.16 acres of paving located immediately adjacent and to the west of the existing Quonset hut would be removed. Pavement removal would be performed with concrete saws and backhoes, or by grinding and backhoe. Following pavement removal, the area would be revegetated with native grass species for erosion control (See **Exhibit 3, pg. 4**).

Relocation of a beacon
The airport beacon would be relocated from its current location on top of a water tower on the east side of Dale Rupert Road to a newly proposed adjacent monopole. The 51-foot-high, steel monopole would have a 28-inch wide baseplate and would be drilled into the ground approximately 20-feet (See **Exhibit 3, pg. 5**). Underground electrical conduits would be extended from the existing airfield electrical vault to this monopole. The pole would be painted orange and white, per FAA regulations. After the rotating beacon is moved from the water tank and is functioning at its new location on the monopole, the water tank would be removed.

Installation of a temporary gravel bypass road
During construction, a temporary gravel bypass road would be constructed to maintain access to the airport while improvements are being made to Dale Rupert Drive (See **Exhibit 3, pg. 6**). The bypass road would be located in the project footprint west of Dale Rupert Road and would be 24-feet wide. The road would be created by mowing vegetation, grading and compacting the existing ground, and then covering the ground with six inches of compacted base material.

Installation of temporary fencing
A temporary 10-foot-high, 212-foot-long, galvanized chain link construction fence would be erected for security purposes and would be located approximately 10 feet west of the proposed terminal parking lot. Support fence posts would be spaced approximately every 7.5 feet along the length of the fence. The fencing would be in place for the entirety of the construction of the terminal project, which will be approximately two years.

Offsite wetland mitigation
The original project required that a wetland mitigation plan be developed that provided for compensatory off-site wetland mitigation meeting certain criteria, but did not specify the exact location where the off-site mitigation would occur. The amended project includes a specific off-site mitigation proposal to be located along a segment of Porteck Street in the Pacific Shores Subdivision. To mitigate for the fill of 0.029 acres of palustrine emergent wetlands at the airport, the applicant is proposing to create 0.12 acres of wetland habitat. Mitigation work would include removing approximately 7,000 square feet of pavement and base rock, grading, seeding and planting the site, and removing targeted invasive species on adjacent parcels and right-of-way within 50 feet of the site (See Finding IV-D below and **Exhibits 8 & 9** for information on the proposed wetland mitigation). The proposed mitigation is similar to wetland mitigation performed along other roadways in the Pacific Shores Subdivision for the separate and previously approved BCRAA runway safety area project.

[2] The Quonset Hut is currently leased to Del Norte Ambulance for a hanger and storage. Prior to project construction, the lease with Del Norte Ambulance will be terminated (the company has already sold their plane).

Project Phasing
Phase I of the project is anticipated to begin in 2016 and end by 2017, followed by Phase II which is anticipated to begin in 2017 and end in early 2018. Phase I would generally consist of the installation of utilities (sewer and water), improvements to Dale Rupert Road, and construction of the parking lot. Phase II would generally consist of the construction of the passenger terminal building and aircraft apron. Wetland creation at Pacific Shores, including clearing, road removal, grading, seeding, and planting, would occur during the first year of project impacts between August and December (See **Exhibit 4** for more information on project phasing)

Airport Setting
The Del Norte County Regional Airport, Jack McNamara Field (CEC), is located in close proximity to the Pacific Ocean approximately two miles northwest of Crescent City and 15 miles south of the California/Oregon border (See **Exhibits 1 & 2**). The airport, which encompasses approximately 575 acres of land, is situated on Point Saint George, an uplifted marine terrace that protrudes into the Pacific Ocean southwest of the coastal water bodies known as Dead Lake, Lake Earl, and Lake Talawa.

Land uses in the immediate vicinity of the property are primarily public parklands and wildlife refuge areas to the north, northeast, and west, comprising Tolowa Dunes State Park and the County-owned Point Saint George Management Area. Areas to the south of the airport across Washington Boulevard are in a mixture of agricultural grazing and low-density rural residential uses. The project site's primary frontage is along Washington Boulevard which conveys traffic from the airport to State Route 101 approximately three miles further to the east.

The airport was originally developed by the United States Army during World War II and first opened in 1942. Del Norte County Regional Airport is now a non-hub commercial service airport operated and maintained by the Border Coast Regional Airport Authority (BCRAA, the applicant) and owned by the County of Del Norte. The six member entities of the BCRAA include the City of Crescent City, County of Del Norte, Elk Valley Rancheria, Smith River Rancheria, City of Brookings, Oregon, and the County of Curry, Oregon.

Features of the airport property include a fenced airfield with two intersecting runways with full-length parallel taxiways, the existing terminal building and adjacent double-wide modular building, the BCRAA office, a FedEx sorting facility, various aircraft hangars, air ambulance station, weather station, car rental facility, transient aircraft parking, and short- and long-term parking spaces for passengers and employees. There are also various navigational aids/equipment, security/deer fencing, paved and unpaved maintenance roads, and extensive natural vegetation, which in some areas is regularly mowed.

Despite a history of disturbance and routine vegetation maintenance within the actively used portions of the airfield, significant expanses of environmentally sensitive habitat occur at the airport property, including forested, lacustrine, and emergent wetlands, riparian vegetation, and coastal dune and prairie habitats. The wetland-upland dune-prairie-forest mosaic on the airport property supports several species of plants and animals listed as rare, threatened, or endangered

on state and/or federal lists. Listed sensitive species with known occurrences on or adjacent to the airport include northern red-legged frog (*Rana aurora*), western pond turtle (*Emys marmorata*), northern harrier (*Circus cyaneus*), white-tailed kite (*Elanus leucurus*), Aleutian cackling goose (*Branta hutchinsii leucopareia*), western lily (*Lilium occidentale*), short-leaved evax (*Hesperevax sparsiflora* var. *brevifolia*), sand dune phacelia (*Phacelia argentea*), Del Norte buckwheat (*Eriogonum nudum* var. *paralinum*), Alaska violet (*Viola langsdorfii*), seaside pea (*Lathyrus japonicas*), Siskiyou checkerbloom (*Sidalcea malviflora* ssp. *patula*), and others. Various other more common species also sited on the airport property include, but are not limited to, river otter, beaver, porcupine, coastal black-tailed deer, and Roosevelt elk. Elevations at the property range from 50 to 60 feet above mean sea level.

The airport and the immediate surrounding area are relatively flat, but gently slope west toward the Pacific Ocean. Surface water and stormwater in the project vicinity generally drains towards the Pacific Ocean and/or infiltrates and contributes to the water table.

The portion of the airport where the amended development is proposed includes Dale Rupert Road, a few existing structures including the Quonset hut and water tower, and surrounding ruderal grassland. This mowed grassland has extensive cover from Pacific reedgrass (*Calamagrostis nutkaensis*) and tufted hairgrass (*Deschampsia cespitosa*), and also includes other perennials such as salt rush (*Juncus lesueurii*), yellow-eyed grass (*Sisyrinchium californicum*), velvet grass (*Holcus lanatus*), and vernal grass (*Anthoxanthum odoratum*). The vast majority of the grasslands in the project area are uplands, with three linear swale-like low topographic features (152, 857, and 269 square feet in size) delineated as palustrine emergent wetlands (**Exhibit 5**).

Directly to the west of the project area is a portion of the active airfield which is covered in pavement and mowed grassland similar to the project site, while directly to the east of the project area is a large forest that is predominately comprised of shore pine (Pinus *contorta* var. *contorta*) and Sitka spruce (*Picea sitchensis*) trees and includes extensive wetlands. This forested area, along with a seasonal pond at the northern end of the forest and associated riparian vegetation, meet the definition of Environmentally Sensitive Habitat Area (ESHA) under the Coastal Act.

Terminal Replacement Project Background

On October 14, 2009, the Del Norte Planning Commission approved the *Jack M. McNamara Airfield Terminal Replacement Project*, specifically, the construction of Alternative "C" comprising a new approximately 20,800-square-foot replacement airport terminal building with associated 350-ft. x 190-ft. aircraft apron, new and realigned access roadways, 1.44-acres of off-street parking facilities, an onsite sewage disposal system, other related utility, drainage, lighting, and site improvements, and the relocation of existing emergency response and hanger facilities and offsite water supply system reservoir improvements, within an approximately 10-acre project area situated along both sides of Dale Rupert Road on a portion of Jack M. McNamara Airfield.

The County's approval of the project was appealed to the Coastal Commission by the Friends of Del Norte and Commissioner's Shallenberger and Wan. On April 15, 2010, the Commission determined that the project as approved by the County raised a substantial issue of conformance with the County's certified LCP regarding: (1) the conversion of approximately 5.74 acres of

ESHA for terminal, roadway, and parking facilities; (2) the adequacy of the approved onsite wastewater disposal system; and (3) the approved developments impacts on coastal visual resources.

For purposes of the Commission's *de novo* review, the applicant made significant changes to the development in response to the concerns raised by the appeals. These changes entailed: (1) relocating all portions of the development outside of ESHAs; (2) reducing the overall size of the terminal structure by 14%; (3) reducing the amount of wetlands to be unavoidably filled from .62 acre to .48 acre; (4) incorporating sub-grade passageways for amphibian migration in the design of Loop Road; and (5) including fencing and/or screening around the perimeter of the forest, wetlands, and riparian vegetation ESHAs to shield these area from impacts from adjacent airport activities. On May 12, 2010, the Commission approved CDP No. A-1-DNC- 09-048 with ten special conditions.

On July 7, 2015, the North Coast District Office received the application from BCRAA for the current CDP amendment request proposing the changes to the project described above as well as seeking authorization to perform the specific mitigation work proposed at the Pacific Shores Subdivision to satisfy the wetland fill mitigation obligations of the permit.

Mitigation Site Setting and Background

The Pacific Shores Subdivision and the Del Norte County Regional Airport are both located within the same coastal dune/prairie/wetland complex that is part of an 11-mile-long ecoregion extending from the mouth of the Smith River to Point Saint George. In the midst of this stretch is the largest coastal lagoon complex on the Pacific coast south of Alaska – Lake Earl, a primarily freshwater lagoon, and its western, smaller, brackish lobe, Lake Talawa. The Pacific Shores Subdivision is located on the northern shores of Lakes Earl and Talawa (See **Exhibit 2, pg. 1**).

Pacific Shores is an unfinished planned community development project that was subdivided into 1,535 lots of approximately 0.5-acres each in the 1960s. Shortly after the subdivision was approved in 1963, approximately 27 lineal miles of roadway were offered for dedication and subsequently accepted by the County and constructed with paved, chip-sealed, and/or gravel surfaces. However, except for the road system, the subdivision remains essentially undeveloped with no water or sewage treatment systems. The majority of the land area within the subdivision can be characterized as a coastal dune system, interspersed with emergent, scrub-shrub, and palustrine wetlands that form a mosaic of environmentally sensitive habitats for a wide assortment of threatened, endangered, and/or rare plants and animals. Because of the shallow water table and the rapid percolation rate associated with the sandy soils that underlie the area, the feasibility of relying upon individual lot onsite sewage disposal treatment systems to support any proposed permanent residential development at Pacific Shores is doubtful.

The extensive road complex within the subdivision is owned by Del Norte County. Many of the roads are in various stages of deterioration, and some are overgrown or occasionally completely blocked by woody vegetation. Removal of these roads, where feasible, and preservation of adjacent right-of-way and parcels acquired from willing sellers, offers one of the largest and potentially one of the most valuable opportunities for habitat restoration in coastal Del Norte County. The State has acquired approximately half of the lots in a patchwork distribution across

the subdivision[3], and BCRAA has acquired a number of parcels and road segments for use as mitigation for airport projects[4] (See **Exhibit 9, pg. 5** for a map of parcel ownership and BCRAA road removal mitigation sites).

There are numerous rare, threatened, and endangered species on state and/or federal lists known to occur within the Pacific Shores Subdivision and on surrounding lands or waters immediately adjacent to the subdivision. These include, but are not limited to, Oregon silverspot butterfly (*Speyeria zerene hippolyta*), Northern red-legged frog, western snowy plover (*Charadrius alexandrinus nivosus*), tidewater goby (*Eucyclogobius newberryi*), Coho salmon (*Oncorhynchus kisutch*), Yontocket satyr (*Coenonympha tullia yontockett*), Northern harrier (*Circus cyaneus*), Sharp-shinned hawk (*Accipiter striatus*), Coopers hawk (*Accipiter cooperii*), Bald eagle (*Haliaeetus leucocephalus*), Osprey (Pandion *haliaetus*), Merlin (*Falco columbarius*), Prairie falcon (*Falco mexicanus*), American peregrine falcon (*Falco peregrinus anatum*), White-tailed kite (*Elanus leucurus*), Short-eared owl (*Asio flammeus*), Burrowing owl (*Athene cunicularia*), Great egret (*Ardea alba*), Great blue heron (*Ardea herodias*), Snowy egret (*Egretta thula*), California brown pelican (*Pelecanus occidentalis californicus*), Black-crowned night heron (*Nycticorax nycticorax*), Black-capped chickadee (*Poecile atricapillus*), Bank swallow (*Riparia riparia*), Purple martin (*Progne subis*), Willow flycatcher (*Empidonax traillii*), Yellow Warbler (*Setophaga petechia*), Yellow-breasted chat (*Icteria virens*), Oregon vesper sparrow (*Pooecetes gramineus*), Vaux's swift (*Chaetura vauxi*), Rocky coast Pacific sideband snail (*Monaderia fidelis pronotis*), Seaside hoary elfin (*Incisalia polia maritima*), Coastal greenish blue (*Plebejus saepiolus littoralis*), Aleutian violet (*Viola langsdorffii*), Pink sand verbena (*Abronia umbellata* ssp. *brevifolia*), Marsh pea (*Lathyrus palustris*), Thurber's reedgrass (*Calamagrostis crassiglumis*), Western lily (*Lilium occidentale*), Wolf's evening primrose (*Oenothera wolfii*), Sand dune phacelia (*Phacelia argentea*), Great burnet (*Sanguisorba officinalis* ssp. *microcephala*), Pacific gilia (*Gilia capitata* ssp. *pacifica*), and Arctic starflower (*Trientalis arctica*).

B. STANDARD OF REVIEW

As the proposed airport improvements are located between the first public road and the sea within an area for which the Commission has certified a Local Coastal Program (LCP), the applicable standard of review for the Commission is the Del Norte County certified LCP and the public access policies of the Coastal Act. The proposed mitigation work at the Pacific Shores

[3] To date the CDFW's Wildlife Conservation Board, with the Smith River Alliance serving as its outreach intermediary, and in coordination with the Coastal Conservancy, has purchased 779 of the 1,524 half-acre lots within Pacific Shores for inclusion within CDFW's Lake Earl Wildlife Area.

[4] Under CDP 1-14-0820, as mitigation for the airport's runway safety project (CDP 1-13-009), the Commission approved the removal of 44 discrete segments of existing 24-foot-wide paved road segments ranging in length from approximately 160 feet to 1,850 feet, and reestablishment of wetland and dune habitats within these former roadway areas. Road removal was only approved on land owned by the BCRAA and only where adjacent parcels are also in the BCRAA's ownership (having been recently acquired from willing sellers) or where adjacent areas already are owned by the State (Lake Earl Wildlife Area or Tolowa Dunes State Park). After requisite mitigation monitoring, BCRAA is planning to convey all acquired parcels and restored habitat areas at Pacific Shores to the State of California (California Department of Fish and Wildlife). On December 11, 2013, the California Fish and Game Commission approved the CDFW's ultimate acquisition in fee title of the acquired properties and restoration areas to add to the Lake Earl Wildlife Area for long-term management and protection under Section 1525(b) of the Fish and Game Code.

Subdivision is within an area of deferred certification where the policies of Chapter 3 of the Coastal Act provide the legal standard of review.

C. OTHER AGENCY APPROVALS

U.S. Army Corps of Engineers. The Corps issued a permit for the proposed amended project on October 30, 2015 (File No. 2006-301420N). The project qualified for authorization under Department of the Army Nationwide Permit (NWP) 39 – *Commercial and Institutional Developments*, 77 Fed. Reg. 10,184, February 21, 2012, pursuant to Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 *et seq*.).

U.S. Fish and Wildlife Service. As a part of the informal consultation under Section 7 of the federal Endangered Species Act, a Biological Assessment (BA) was submitted to the USFWS on January 17, 2008. The BA describes the terminal replacement project and environmental setting, and analyzes the potential effects of the terminal replacement project on the western lily (*Lilium occidentale*), which is listed as endangered under the Federal and California Endangered Species Acts. On March 27, 2008 the USFWS concurred with the FAA determination that the terminal replacement project is "not likely to adversely affect" the western lily.

California Department of Fish and Wildlife. The Department issued a Streambed Alteration Agreement (SAA) pursuant to Section 1603 of the California Fish and Game Code for the original airport terminal replacement project (SAA No. 1600-2012-0334-R1 issued August 28, 2013). The portions of the project covered by the SAA include: (1) the installation of three culverts and one 1,125-foot long retaining wall along an Unnamed Tributary to the Pacific Ocean adjacent to Hanger Road (under the currently proposed project amendment, these culverts and retaining wall will no longer be installed); and (2) the installation of a stream culvert across North Pebble Beach Road 150-feet west of the junction of Dale Rupert Road and Washington Boulevard. The proposed amended project does not require any additional authorization from the Department.

North Coast Regional Water Quality Control Board. The RWQCB issued a water quality certification for the proposed amended project on November 4, 2015 (WDID No. 1A12196WNDN). The RWQCB is also responsible for ensuring that the project complies with the state's General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (General Permit) Order No. 2009-0009-DWQ. The applicant has prepared a Stormwater Pollution Prevention Plan (SWPPP, dated September 2015) to comply with the state general 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.

Del Norte County. County grading and encroachment permits will need to be obtained prior to the start of construction on the amended project.

D. WETLANDS AND WATER QUALITY

Section 30233 of the Coastal Act and Section VII.D.4 of the LUP's *Marine and Water Resources* chapter limit the allowable uses for fill in wetlands to certain categories of uses, and require that

no feasible less environmentally damaging alternative exists and that feasible mitigation measures are provided to minimize any of the project's adverse environmental effects. Section 30230 and 30231 of the Coastal Act and Policies 1, 3, and 4 of the LUP's *Marine and Water Resources* chapter also require maintenance and where feasible enhancement of marine and water resources and protection of the quality and biological productivity of coastal waters (See Appendix B for a list of relevant policies).

The majority of the wetland fill calculated for the original CDP would have resulted from the construction of Loop Road behind a row of hangers on the northern edge of the beach pine-Sitka spruce forest (See **Exhibit 10, pg. 5** for a map of wetland fill impacts under the original CDP). By eliminating Loop Road from the project, the proposed amendment substantially reduces wetland fill impacts. In addition, all newly proposed features at the airport including the extension of the fillet and the installation of a new drainage pipe will occur entirely in uplands, and the proposed mitigation work at Pacific Shores will occur in an area that is currently an upland roadway.

On October 28, 2015 GHD reevaluated onsite wetlands, supplementing previous delineations conducted at the site and adjacent areas by the URS Corporation (2008, 2010) and GHD (2012). The recent survey verified previous wetland delineation results within and adjacent to the most current project footprint. Based on these delineations, wetlands to be filled consist of three separate, seasonally-ponding, linear depressions in the grassy fields within the footprint of the approved future parking lot and aircraft apron (See **Exhibit 5** for a map of the project footprint as amended relative to coastal wetlands). The filling of these three wetland features totaling 1,278 square feet (0.029 acres) was assessed in the adopted findings for the original permit.

Allowable Use

The first test for a proposed project involving fill is whether the fill is for one of the seven allowable uses under Section 30233(a) of the Coastal Act (which is referenced by Section VII.D.4 of the LUP's *Marine and Water Resources* chapter). The adopted findings for the original permit determined that the fill of wetlands for the terminal replacement project is allowable as an incidental public service purpose under Section 30233(a)(4) of the Coastal Act (See **Exhibit 11, pgs. 27-31** for the relevant findings). The proposed amendment does not include any new wetland fill not analyzed under the original permit.

Least Environmentally Damaging Feasible Alternative

The second test for approvable wetland fill projects under Section 30233 of the Coastal Act and Section VII.D.4 of the LUP's *Marine and Water Resources* chapter is that there is no feasible less environmentally damaging alternative to the proposed fill project. In the adopted findings of the original permit, the Commission considered seven project alternatives and found no feasible less environmentally damaging alternatives to the proposed "Alternative 10, Option 2" project as conditioned. Alternatives assessed included a "no action" alternative, rehabilitation of the existing terminal building, construction of a new terminal adjacent to the existing terminal, and a number of alternatives that involved siting portions of the project in the beach pine-Sitka spruce forest ESHA inconsistent with the certified LCP and Coastal Act Section 30240 which limit development within ESHAs to resource-dependent uses (See **Exhibit 11, pgs. 31-33** for the relevant findings).

The alternative approved under the original permit, "Alternative 10, Option 2," included the construction of Loop Road to provide secondary access to the terminal from Washington Boulevard (See **Exhibit 10**). As originally approved, the secondary access road would have run north from Washington Boulevard through the beach pine-Sitka spruce forest along Ag Road to the airport's rear gate and then would have turned west and run along the edge of the forest through wetlands behind a row of hangers ("Hanger Row"), ending at the existing parking lot at the north end of Dale Rupert Road. Under the proposed amendment, Loop Road will be removed from the project, resulting in a reduction in wetland fill from 0.48 acres to 0.029 acres (See **Exhibit 3, pg. 1**).

At the time the original permit was approved, it was determined that a loop road configuration would be necessary for more efficient traffic circulation and for secondary access and adequate maneuvering space in case of emergency consistent with TSA guidelines.[5] However, the FAA would not fund the necessary improvements for Loop Road because there is a covenant along the route on Ag Road at the former location of the Del Norte Pesticide Storage Area. The covenant, required by the Department of Toxic Substance Control, precludes grading for road improvements. The secondary access cannot be rerouted away from Ag Road to avoid this grading restriction because any other location would require construction of a new road through ESHA, inconsistent with the resource protection policies of the certified LCP. Therefore a secondary access loop cannot be constructed. The applicant has consulted with TSA and has determined that given the circumstances, an airport circulation design without a secondary access road meets federal requirements and is feasible. Removing the secondary access road from the project not only reduces the amount of wetland fill but also avoids routing airport traffic through the beach pine-Sitka spruce forest which would further fragment the ESHA and impact the rare northern red-legged frog who utilizes the wet forest habitat for breeding, foraging, and dispersal. As the amended project without Loop Road is less environmentally damaging then all the previously assessed alternatives, including the originally approved alternative, the Commission finds that the amended project as conditioned is the least environmentally damaging feasible alternative.

Feasible Mitigation Measures

The third test set forth by Section 30233 of the Coastal Act and Section VII.D.4 of the LUP's *Marine and Water Resources* chapter is that feasible mitigation must be provided to minimize adverse environmental impacts. The proposed project could have a number of potential adverse effects, including the filling of seasonal wetlands and construction-related and post-construction impacts to aquatic habitat and water quality from sedimentation and runoff. These potential adverse impacts and their mitigation are discussed in the following sections:

[5] The necessity of Loop Road was discussed in the project narrative for the original CDP: "*This new access road and more efficient traffic flow design will allow for TSA security checks of vehicles before entering the parking area and during high alert conditions maintaining recommended blast protection zones and allowing for a 300-foot restricted zone from the terminal without closing Airport access to other facilities. At the same time, a loop road limits circulation through the parking lot, which is compliant with current TSA guidelines for adequate maneuvering space in the case of an emergency. This design layout is recommended in the FM and TSA design guidelines*."

Filling of seasonal wetlands

As described above, the construction of the new airport parking lot and aircraft apron will result in 0.029 acres of wetland fill. The Commission attached **Special Condition 7** to the original permit to require BCRAA to compensate for the direct spatial and indirect temporal loss of wetlands at the airport through the establishment of emergent, riverine, and palustrine wetland habitat at a 4:1 replacement ratio. The FAA does not recommend airport onsite wetland establishment or re-establishment because wetlands can create wildlife attractants that are hazardous to aviation operations; therefore the Commission required offsite mitigation. The Commission did not name a specific off-site location for establishing the compensatory wetlands, but did require as part of Special Condition 7 that the chosen mitigation site be: (1) an area having significant contiguous land base for undertaking the subject replacement wetlands mitigation; (2) an area having similar submerged, emergent, or near-surface saturated hydrologic conditions to those on the portions of the project site (i.e., non-tidally influenced, perched and/or seasonal shallow groundwater conditions within the Smith River Plan Hydrologic Sub-area); (3) an area having similar wetland plant community composition to those on the wetlands portions of the project site to be filled; and (4) an area having similar soil and substrate conditions to those on the wetlands portions of the project site to be filled (uplifted marine terrace with sand dune derived course soil clastics).

Special Condition 7 of the original permit also specified that the applicant create a plan for wetland mitigation that includes quantitative and qualitative performance standards, a plan for grading and planting the site, provisions for assessing the initial biological and ecological status of the "as built" site, provisions for monitoring and maintenance of the site for a period of five years, provisions for submission of annual reports of monitoring results to the Executive Director for the duration of the required monitoring period and a final monitoring report at the end of the five-year reporting period, and provisions for remediation if the mitigation project is unsuccessful in part or in whole based on the approved performance standards. Special Condition 7 also required that the plan be reviewed and approved by the Executive Director in consultation with USFWS and CDFW.

Since Commission approval of the original project, a July 2015 Mitigation and Monitoring Plan has been prepared for the project by GHD that proposes compensatory wetland mitigation at a 4:1 ratio at the Pacific Shores Subdivision (See **Exhibit 8** for excerpts from the plan). The Pacific Shores Subdivision and the Del Norte County Regional Airport are both located within the same coastal dune/prairie/wetland complex that is part of an 11-mile-long ecoregion extending from the mouth of the Smith River to Point Saint George (See Findings Section IV-A for background information on the Pacific Shores subdivision).

Under the proposed plan, BCRAA proposes to reduce habitat fragmentation and reestablish 0.12 acres of palustrine emergent freshwater wetlands at Pacific Shores through the removal of a 270-foot-long segment of road (to be acquired by BCRAA).[6] A segment of Porteck Street just north of Ocean Drive was selected for road removal because it is adjacent to existing functional

[6] Because the amended project results in less wetland fill than the approved project, the total amount of wetland mitigation necessary to achieve a 4:1 replacement ratio is less than specified in the original Special Condition 7 (which required a minimum of 1.92 acres of riverine and palustrine wetlands creation to mitigate for 0.48 acres of project-filled wetlands).

wetlands and because removal of this segment of road will not limit access to remaining privately owned parcels (See **Exhibit 9, pgs 1-2** for a site map of the proposed mitigation). The mitigation work includes: (1) removal of scotch broom (*Cytisus scoparius*), an invasive plant species with a California Invasive Plant Council high ranking status, within 50 feet of re-established wetlands; (2) clearing of trees, shrubs, and herbaceous vegetation and debris from the existing 24-foot-wide road surface and from selected areas of adjacent right-of-way; (3) removal of approximately 7,000 square feet of asphalt concrete road surface and base rock; (4) scarifying soils beneath removed roads to a depth of at least 10 inches to loosen compacted material; (5) grading to create wetland re-connections and topographic variation in road removal areas; (6) creation of barriers at removed roadway entries to discourage ATV access through the stacking of pines and planting of willow stakes; and (7) planting of areas of removed roadway and adjacent invasive plant management areas with a diverse mix of native wetland species. The proposed mitigation work is similar to the mitigation approved under CDP 1-14-0820 for the BCRAA runway safety area project.

The proposed wetland fill mitigation along Porteck Street within the Pacific Shores Subdivision will provide 4:1 mitigation for the reduced wetland fill impacts of the amended project. The proposed mitigation conforms with the locational criteria of Special Condition 7 outlined above that the mitigation site be one contiguous site and have similar hydrologic, vegetative, soil, and substrate conditions as the wetland fill area at the airport. In addition, the mitigation plan includes measures to ensure the greatest chance for successful implementation of the mitigation proposal including (a) measurable performance standards, (b) requirements for pre-construction surveys to identify, flag, and avoid rare plants, (c) provisions for the installation of temporary erosion control measures, (d) details for conducting the mitigation work to ensure the greatest chance for success, (e) provisions for monitoring and reporting over five years, and (f) provisions for maintaining planted vegetation and removing invasive plants. The mitigation plan has been reviewed and found adequate by USFWS and CDFW. Therefore, the Commission finds that the proposed wetland mitigation plan as modified by the conditions discussed below will provide feasible mitigation to minimize adverse environmental effects of the wetland fill associated with the amended project. Furthermore, the Commission authorizes the development needed to carry out the wetland mitigation as conditioned.

The Commission replaces Special Condition 7 of the original permit with new **Special Condition 11.** Special Condition 11 requires that the mitigation is performed consistent with the proposed July 2015 Mitigation and Monitoring Plan with certain additional requirements. These additional requirements include, among other provisions, requirements that: (1) all grading and other development needed to establish the mitigation site shall be completed prior to occupancy of the authorized airport terminal building; (2) documentation shall be submitted to the Executive Director within 30 days of establishment of the mitigation site assessing the initial biological and ecological status of the "as built" mitigation site; (3) remediation of the mitigation site shall occur within 90 days of a determination by the permittee or the Executive Director that monitoring results indicate that the site does not meet the goals and performance standards identified in the July 2105 Mitigation and Monitoring Plan; and (4) a supplemental restoration program shall be submitted if the final monitoring report indicates that the mitigation project has been unsuccessful, in part, or in whole, based on the approved performance standards.

The proposed road segment to be removed at Pacific Shores is currently owned by Del Norte County. A resolution will be proposed for adoption at the Board of Supervisors' January 2016 meeting to vacate the road segment and transfer the abandoned road segment parcel to BCRAA. As required by Section 30601.5 of the Coastal Act, the applicant must demonstrate the authority to comply with all conditions of approval, including **Special Condition 11** which requires the removal of a segment of Porteck Street immediately north of Ocean Drive. The applicant is relying on its pending acquisition of fee ownership of the road segment to demonstrate its authority to comply with the conditions of approval. Therefore, the Commission imposes **Special Condition 12** requiring that the applicant submit copies of the recorded Resolution of Vacation and recorded deed transferring ownership of the vacated street segments from the County of Del Norte to the permittee.

Impacts to aquatic habitat and water quality

The project area currently drains in a southern direction towards an existing culvert near the intersection of Dale Rupert Road and Washington Boulevard. The culvert in turn drains to a ditch that conveys the water west to the Pacific Ocean. Sedimentation and polluted runoff from both project construction activities and long-term commercial aviation and related commercial-industrial operations at the site could result in degradation of water quality of the nearshore environment.

Since the Commission's approval of the original CDP, a Stormwater Pollution Prevention Plan (SWPPP) and a Stormwater Facilities Plan have been prepared for the terminal replacement project. The SWPPP proposes a number of erosion control measures during construction including proper construction scheduling, the preservation of existing vegetation, and the use of straw mulch, as well as a number of sediment control measures including the installation of silt fences, fiber rolls, and storm drain inlet protections, street sweeping, and the stabilization of construction entrances and exits. During construction, all wetlands and ESHA adjacent to project work will be protected using silt fences. In addition, all project staging will occur within the footprint of the new parking lot, all stockpiles will be surrounded by silt fencing and covered, and all graded and disturbed areas that are not being paved will be reseeded (See **Exhibit 7** for a map of erosion and control measures proposed during construction).

Post construction, permanent measures proposed to reduce or eliminate pollutant discharges from the site include new oil water separators, a new Continuous Deflective Separator unit, and an existing vegetated swale. Drainage from terminal facilities will be collected and conveyed through subsurface pipes and open channels to an existing 30-inch high density polyethylene (HDPE) cross culvert located west of Dale Rupert Road approximately 200 feet northwest of the intersection with Washington Boulevard. The culvert will discharge to a channel that drains to the Pacific Ocean approximately 150 feet west of the intersection of Dale Rupert Road with Washington Boulevard. According to the SWPPP, a new Continuous Deflective Separator unit will be installed upstream of the proposed system outfall drain pipe to remove trash, oil, settleable solids, and other debris from the stormwater. The stormwater that leaves the outlet drain pipe will then enter a 430-foot long vegetated swale, which will provide further filtration as well as infiltration for stormwater runoff to prevent contamination and/or discharge to nearby water bodies. In addition, two oil water separators will be installed downstream of the aircraft apron to mitigate any potential fuel spills or leakages from aircraft and other vehicles and

equipment on the apron. In this proposed design, all runoff accumulated in the new parking area, terminal building, and aircraft apron will undergo at least one method of stormwater treatment prior to entering the vegetated swale.

To ensure protection of coastal waters from sedimentation and polluted discharge, the Commission attached **Special Conditions 3 and 4** to the original permit, requiring the applicant to develop the project consistent with an erosion and runoff plan and subject to specified construction performance standards that contain established and proven water quality best management practices developed by the California's Stormwater Quality Task Force and the state water resources and water quality regional boards. To ensure that the mitigation measures proposed in the SWPPP and Stormwater Facilities Plan are implemented as proposed, these special conditions are reimposed to the project as amended to minimize adverse environmental effects on the quality of coastal waters in the project site vicinity.

Therefore as proposed and further conditioned as described above, the Commission finds that feasible mitigation is included within the project design as amended to minimize all significant adverse impacts associated with the proposed filling of coastal waters, consistent with Section 30233 of the Coastal Act and Section VII D.4 a and d of the LUP's *Marine and Water Resources* chapter. The Commission also finds that the amended project as conditioned will protect the quality and biological productivity of coastal waters consistent with Sections 30230 and 30231 of the Coastal Act and the LUP's *Marine and Water Resources* Policy Nos. 1, 3, and 4.

E. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Section 30240 of the Coastal Act and Policy No. 6 of the County LUP's *Marine and Water Resources* chapter requires that uses within environmentally sensitive habitat areas (ESHA) be limited to uses dependent upon the resources therein, and requires development adjacent to ESHA to be sited and designed to prevent impacts that would significantly degrade the ESHA and be compatible with the continuance of the ESHA (See Appendix C for a full list of relevant policies).

On November 10, 2009, Commission staff biologist John Dixon PhD, together with California Department of Fish and Wildlife staff, visited the project site and determined that the forest, associated riparian vegetation, and the adjacent seasonal pond[7] to the east of the project footprint meet the definition of ESHA under the Coastal Act and certified LCP. The area in question is composed of a composite of wetland and upland areas with a predominant vegetative cover of shore pine (Pinus *contorta* var. *contorta*) and Sitka spruce (*Picea sitchensis*). This forest type, while seemingly abundant within the immediate area, is rare in its overall geographic extent and provides habitat for a variety of wildlife including the Northern red-legged frog (*Rana aurora*), a species of critical concern. Based on these observations, the ESHA boundary was determined to follow the line of contiguous forest trees and to include the wetland at the northwestern edge of the forest.

[7] Identified by CDFW biologist Michael Van Hattem as breeding habitat.

Development at Airport

The project as originally approved by the Commission and under the subject amendment avoids development in the pine-spruce wet forest ESHA. In addition, the proposed removal of Loop Road from the amended project will result in less development adjacent to ESHA.

The improvements to Dale Rupert Road approved under the original permit and retained under the proposed amendment result in the eastern edge of the road ranging between 12 and 35 feet from the pine-spruce forest ESHA (See **Exhibit 6** for a map of the project footprint relative to ESHA). In addition, under the proposed amendment, the relocated beacon will be sited approximately 42 feet to the west of the ESHA. As discussed in the adopted findings for the original permit, BCRAA will avoid impacts to the adjacent ESHA in part by constructing protective fencing and screening around the perimeter of the ESHA to prevent encroachment into the area. BCRAA also will prevent sediments and polluted runoff from entering the forested ESHA by constructing curbs and gutters on the road to trap runoff and direct it towards treatment mechanisms (a new Continuous Deflective Separator unit and an existing vegetated swale) prior to discharge away from the ESHA (See "*Impacts to aquatic habitat and water quality*" above for more information on erosion and sediment control and stormwater management BMPs).

Development of Off-Site Mitigation Area

The mitigation work proposed at Pacific Shores as part of this amendment is also adjacent to ESHA, including dune mat and wetland habitats as well as habitat for the Oregon silverspot butterfly (*Speyeria zerene hippolyta*) which was listed as a threatened species under the federal Endangered Species Act in 1980. Currently only five populations of the butterfly species are known to exist, including four in Oregon and one in California (USFWS 2013). The California population is believed to be comprised of a few hundred individuals occupying approximately 42 acres of habitat in the Lake Earl area and is the second-largest known population of the species (USFWS 2011). Central to the life cycle of the butterfly is the abundance of the caterpillar host plant, the early blue violet (*Viola adunca*). Surveys in 2012 and in May-June 2015 documented a small patch of the early blue violet near the eastern edge of Porteck Street within the segment to be removed. The surveys also documented the presence of the plant species in the right-of-way adjacent to the mitigation site and on nearby parcels. As recommended by USFWS, the mitigation work will avoid impacts to the patch of violets within the project area by leaving the subject segment of pavement and a two-foot perimeter buffer intact. In addition, prior to ground disturbance, additional pre-construction surveys will be completed to identify any sensitive species presence, including Oregon silverspot butterfly host or nectar plants. Occurrences of sensitive species will be flagged and then protected with exclusion fencing. To further avoid impacts to adjacent ESHA during mitigation work at Pacific Shores, the applicant proposes to install temporary erosion control measures including the placement of straw waddles and silt fencing downslope of soil disturbance (See **Exhibit 9, pg. 4** for a map of proposed sediment and erosion control BMPs).

Not only will the proposed mitigation project avoid impacts to adjacent ESHA during construction, but the project will create new ESHA and enhance nearby ESHA in the long term. The mitigation project will create an additional 0.12 acres of palustrine emergent wetlands planted with a mix of native wetland, coastal prairie, and upland vegetation including a number of Oregon silverspot butterfly host plants on wetland edges. The mitigation will also reestablish

wetland hydrologic connectivity and reduce habitat fragmentation through road segment removal, and will enhance adjacent butterfly habitat through the removal of Scotch broom and other invasive species which lack nectar and outcompete plants that do offer nectar sources for the Oregon silverspot butterfly.

As the project avoids development in ESHA and is sited and designed to both prevent impacts which would significantly degrade adjacent ESHA and to ensure compatibility with adjacent ESHA, the Commission finds the amended development as conditioned is consistent with Section 30240 of the Coastal Act and the ESHA protection policies of the certified LCP.

F. PLANNING AND LOCATING NEW DEVELOPMENT

The LUP's *New Development* chapter includes the following policies relevant to the proposed development:

> *1. Proposed development within the urban boundary shall meet land use criteria described in each area plan and in Land Use Plan policies.*
>
> *2. Proposed development within the urban boundary may be approved only after it has been adequately proven that the location of the proposed development will accommodate the development. These factors include but are not limited to sewage disposal, water supply and street system capacity.*

The potential direct and cumulative impacts of the proposed development on water supply, wastewater treatment capabilities, and traffic capacity, and their relative capacities to serve the project, were addressed as part of the project's original environmental document, which, in turn, identified specific water system and street improvements needed to ensure adequate support infrastructure for the replacement terminal project. The proposed changes to water, septic, and traffic circulation under the current amendment were assessed in Addendum III to the project's EIR, published June 2015.

Water and Septic Capacity

Currently, the airport has a 900 gallon on-site septic system tank to handle wastewater. Under the originally approved project, wastewater from the replacement terminal would have been accommodated by a new approximately 6,000-gallon capacity individual septic disposal system to be located on open field areas adjacent to the terminal building. At the time of permit approval, the County Department of Environmental Health and the North Coast Regional Water Quality Control Board had indicated that this preliminary sewage disposal plan was feasible at the project site. However, additional groundwater monitoring since the time of approval has demonstrated that the groundwater table is too shallow in the project area to support an onsite leach field. Therefore the project as amended will instead be served in part by the City of Crescent City wastewater treatment plant. The amended project includes a new Septic Tank Effluent Pumping (STEP) system. The new system will separate solids from liquids, with the solids held in a six-foot diameter, 25 feet long fiberglass septic tank that will be buried on the west side of Dale Rupert Road, and the effluent pumped out of the tank through a two-inch diameter force sewer main offsite to the Crescent City collection system. In order to

accommodate this new system, a new municipal sewer line will need to be extended from the septic system at the terminal approximately 0.8 miles down Pebble Beach Drive to the Crescent City lift station. The sewer line will be installed underground approximately two feet southwest of the Pebble Beach Drive west fog line.

The existing potable water supply for the airport area is provided by a 4-inch diameter distribution main, which reduces to several 2-inch service mains that branch off to supply the various existing buildings. This potable water distribution piping is supplied from a connection to an eight-inch supply main located at the West Washington Boulevard/Airport Road intersection. The project as originally approved utilized the existing pressures and distribution system with a reroute of the existing 4-inch-diameter line. Under the amended permit, the BCRAA is now planning to install a new 12-inch diameter water line to convey municipally supplied water to the new terminal and airport facilities. The water line will be installed underground approximately two feet northeast of the eastern Pebble Beach Drive fog line. The alignment of the water line will generally parallel that of Pebble Beach Drive and Dale Rupert Road and will connect to an existing eight-inch line approximately 70 feet northwest of the Pebble Beach Pump Station. Because of the long distance the line must travel, a 12-inch diameter water line is needed to maintain fire-flow requirements.

The Coastal Element of Del Norte County's LCP includes a Public Works policy that states public services, such as sewer and water lines, cannot be extended outside of the designated Urban Services Boundary unless specifically exempted from this restriction by the LCP. Though situated in an unincorporated area, the Del Norte County Regional Airport is located within the Urban Services Boundary of the City of Crescent City. However, in order to connect the airport terminal to the City's water and sewer systems, the new water and sewer lines will need to be extended along Pebble Beach Road through areas that are not within the Urban Services Boundary. To address this issue, in January 2014 the County adopted and the Commission certified an LCP Amendment that adds an exception to the existing policy to allow for the extension of public utilities to the Del Norte County Regional Airport (LCP Amendment No. LCP-1-DNC-13-0210-1). According to the CEQA Initial Study and Mitigated Negative Declaration (SCH# 2013032068, adopted May, 2013) prepared by Del Norte County for the Local Coastal Program (LCP) Amendment, the City of Crescent City has sufficient sewer and water capacity available to serve the airport terminal replacement project. In September 2015, the Del Norte County Planning Commission issued a combined Grading Permit and CDP for the new water and sewer lines.

Traffic Capacity

The proposed amendment removes the secondary access road (Loop Road) from the project, so that airport circulation patterns will remain largely the same as what exists currently with vehicles entering and exiting on Dale Rupert Road. Improvements to Dale Rupert Road approved under the original permit and still proposed, such as the addition of a turn pocket and lane striping at the intersection of Dale Rupert Road and Washington Boulevard, sidewalks along the road, a third lane in front of the terminal building, and a roundabout at the north end of the road, will provide for more efficient and safe circulation. As the terminal project will not result in a significant influx of people and will maintain the same general circulation pattern as currently exists, the amended project will not disrupt the local traffic patterns nor reduce the levels of

service of the roads serving the Del Norte County Regional Airport and the surrounding community.

Therefore, the proposed development as amended will not adversely impact transportation or public service infrastructure capacities consistent with applicable provisions of the *New Development* chapter of the certified LUP.

G. VISUAL RESOURCES

Section 30251 of the Coastal Act requires that development be sited and designed to protect views to and along the ocean and scenic coastal areas, minimize the alteration of natural land forms, be visually compatible with the character of surrounding areas, and be subordinate to character of its setting in highly scenic areas.

The LUP's *Visual Resources* chapter provides an inventory of specific areas with significant scenic resources, lists criteria for the designation of "highly scenic areas," and sets forth policies requiring that the scenic and visual qualities of coastal areas be considered and protected by siting and designing permitted development to, among other efforts, protect open views in highly scenic areas, be visually compatible with its surroundings; minimize natural landform alteration, and require post-development restoration of disturbed areas to a natural appearance.

While the County's LCP contains several policies relating to the protection of visual resources within "highly scenic areas," the LCP does not formally designate any areas as highly scenic (See Appendix D for a list of relevant policies). Although the development in not located in a designated highly scenic area, the development is consistent with the framework of Coastal Act Section 30251. The amended development as conditioned minimizes visual impacts and is the least environmentally damaging feasible alternative.

Development at Airport

The adopted findings for the original permit found that the proposed terminal complex would be visible from several vantage points along segments of the adjoining public streets as well from recreational areas, and would affect the lateral inland-oriented views of the forested areas on the uplifted marine terrace portions of the Smith River/Crescent City coastal plain. The Commission therefore attached **Special Condition 5** to the original permit to require that the terminal building siding and roofing materials be comprised of naturally-occurring earthtones to blend with the relatively dark earth-toned pine-spruce forest area to the east of the terminal that acts as a backdrop to the terminal when viewed from the coast. Special Condition 5 also requires that (1) all exterior materials for the replacement terminal building, including the roofing materials and windows, be non-reflective to minimize glare; (2) all exterior lights be of low-wattage, limited to levels necessary to provide adequate operational and site security illumination, non-reflective, and cast in a downward direction and not beyond the boundaries of the property; (3) aircraft apron operational lighting be designed to be powered down when not in active use; and (4) all related signage conform to the standards of County's sign regulations.

The proposed amendment reduces the visual impact of the project as the terminal building will be reduced in size, Loop Road will not be constructed, and the Quonset hut and adjacent paving will be removed. The terminal building as amended will be in the same general location as the

approved building but its footprint will be reduced by approximately 4,000 square-feet and slightly rotated to take better advantage of spectacular coastal views of nearby headlands and numerous offshore sea stacks and islands from a mezzanine passenger waiting area. The Commission reimposes Special Condition 5 of the original permit discussed above to ensure that the amended project's colors, materials, lighting, and signage remain consistent with the certified LCP's visual resource policies.

As part of the project changes proposed under the amendment, the airport beacon will be moved from the top of an existing water tank on the east side of Dale Rupert Road to the top of a new 51-foot-tall monopole, and the water tank will be removed. The new monopole will be located in the same general vicinity as the water tower to be removed, and while the monopole will have less bulk than the water tower, it will be painted with orange and white stripes and therefore may be more visually prominent (the water tower to be removed is a light bluish green color). Nevertheless, the monopole will fit with the visual character of the area as the airport is presently developed with a number of miscellaneous airport structures in a variety of shapes and sizes, and a number of safety elements such as signs that are brightly colored.

Development of Off-Site Mitigation Area

The proposed mitigation at Pacific Shores does not raise any visual resource issues as the work will occur on a paved roadway segment and will result in the removal of pavement and invasive species and the planting of regionally appropriate native species that will be visually compatible with the character of surrounding areas. The finished grade of the proposed restored wetland habitat will be similar to the existing site topography. As part of the proposed maintenance for the site, BCRAA proposes to remove and dispose of any existing dumped garbage and debris, which will further restore and enhance the visual quality of visually degraded areas.

The Commission therefore finds that the amended project, as conditioned, (1) is consistent with Section 30251 of the Coastal Act and with the policies of the certified LUP's *Visual Resources* chapter, (2) minimizes visual impacts, and (3) is the least environmentally damaging feasible alternative.

H. PUBLIC ACCESS

Projects located between the first public road and the sea and within the coastal development permit jurisdiction of a local government are subject to the coastal access policies of both the Coastal Act and the LCP. Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects, except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or where adequate access exists nearby. Section 30211 of the Coastal Act requires that development not interfere with the public's right to access gained by use or legislative authorization. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into account the capacity of the site and the fragility of natural resources in the area. 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.

Development at Airport

The subject property is situated on a portion of an uplifted coastal terrace that is between the first through public road (Highway 101) and the sea (see **Exhibits 1 & 2**). The adopted findings for the original CDP found the approved airport development consistent with the public access policies of the Coastal Act and the County's certified LCP, and none of the minor modifications proposed under this amendment affect public access. The approximately 340-acre Point St. George headlands adjacent to the airport is owned by the County and is a popular coastal access point. The amended project will not adversely affect the availability of this or any other coastal access points in the area. According to the applicant, there are approximately 12,000 deplanements per year at the existing airport, and of the approximately 20,000 tourists per year who visit this portion of the coast (as tallied by the County Visitor's Bureau, the National Park Service, and the Oregon Welcome Center in Brookings), at least some of these visitors access the coast via air travel through the subject airport. To the extent the airport is used by coastal access users, the terminal replacement project will facilitate continued use of the coast for public access as it will replace an outdated terminal that is not in conformance with current seismic codes or the requirements of the Americans with Disabilities Act (ADA), and has been determined by Del Norte County and the FAA to be effectively nonfunctional under current airport operational standards.

Development of Off-Site Mitigation Area

The subject amendment also proposes the removal of a 270-foot-long segment of Porteck Street immediately north of Ocean Drive in the Pacific Shores Subdivision as offsite mitigation for the airport terminal replacement project's wetland fill impacts. The proposed road removal will not affect public access to public land. The road segment to be removed is located between two other segments of Porteck Street that have been vacated by the County and transferred to BCRAA for use as mitigation sites for the airport's runway safety area project (CDP 1-14-0820). The isolated road segment to be removed is overgrown with vegetation and provides no through-connection to public access points. Other public roads exist nearby that run through and adjacent to the subdivision including Kellogg Road and Tell Boulevard that provide adequate public access to the sea, to public beaches, and to Lakes Earl and Talawa. These roads will not be affected by the project.

Therefore, the Commission finds that the proposed project does not have any significant adverse effect on public access, and that the project as proposed without new public access is consistent with the public access policies of the Coastal Act and the County's LCP.

I. ARCHAEOLOGICAL RESOURCES

Section 16.04.031 of the Del Norte County's Land Division Ordinance, which is a component of the certified Implementation Plan of the LCP, states that:

> *In cooperation with the State Historic Preservation Office, where it is determined development would adversely affect archaeological resources, reasonable mitigation measures shall be required. The State Historical Preservation Office*

> *shall have up to fifteen days upon receipt of county notice to provide review. Reasonable mitigation measures shall be required as a condition of any permit. If in the course of development any archaeological or cultural remains are encountered, work shall cease and the county shall be contacted immediately. An evaluation of the site shall be conducted by the county and any reasonable mitigation measures shall be required prior to commencement of development. (Ord. 83-03 (part), 1983.)*

Section 30244 of the Coastal Act states:

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

The original project required that a wetland mitigation plan be developed that provided for compensatory off-site wetland mitigation meeting certain criteria, but did not specify the exact location where the off-site mitigation would occur. The amended project includes a specific off-site mitigation proposal to be located along Porteck Street in the Pacific Shores Subdivision. Both the airport construction site and the off-site mitigation area are located within the traditional territory of the Tolowa Tribe, which currently have two separate federally recognized governments: the Smith River Rancheria and the Elk Valley Rancheria.

Development of Off-Site Mitigation Area

The native Tolowa people lived in the Lake Earl area prior to European settlement of the region commencing in the 1850s. Previous archaeological surveys conducted in the area have documented Tolowa sites at numerous locations around the lagoon above the +10′ MSL elevation, including near the Pacific Shores Subdivision mitigation site. A cultural resources field survey of Pacific Shores that included the mitigation site was completed by Roscoe and Associates on December 28 and 31, 2012 and January 1, 2013 for the BCRAA as part of the separately and previously approved mitigation for the airport runway safety project (CDP 1-14-0820). The archaeological report recommends that any proposed road removal work in proximity to known archaeological sites at Pacific Shores be limited to operations on and adjacent to the existing road surface only and that proposed invasive plant removal activities avoid areas near known archaeological sites. Further, the report recommends that a Tolowa cultural observer be present to monitor ground disturbing activities within 100 meters of the recorded boundaries of the documented archaeological sites. The archaeological report notes that the Smith River Rancheria and Elk Valley Rancheria Tribal Historic Preservation Officers (THPOs) have requested notification two weeks prior to the start of construction in this area so that tribal representative(s) can be present to observe ground disturbing activities.

Development at Airport

An archaeological inventory report was prepared for the terminal replacement project by URS in 2007, and an addendum was prepared by Roscoe and Associates-Cultural Resources Consultants during December 2010 and January 2011. No cultural resources were identified in the airport project area during either investigation.

To ensure protection of any archaeological or cultural resources that may be unearthed either at the airport development site or at the off-site mitigation area during construction, the Commission attaches new **Special Condition 13** requiring that no ground disturbing activities shall occur at the mitigation site in the Pacific Shores Subdivision in the vicinity of documented archaeological sites. In addition, the condition requires that the applicant arrange for tribal representatives to be present to observe ground-disturbing activities at the mitigation site in the Pacific Shores Subdivision if deemed necessary by the THPOs. Furthermore the condition requires that if an area of cultural deposits is discovered during the course of the project at either the Pacific Shores Subdivision or the Del Norte County Regional Airport, all construction must cease and a qualified cultural resource specialist, in consultation with the Smith River Rancheria and Elk Valley Rancheria THPOs, must analyze the significance of the find. To recommence construction following discovery of cultural deposits, the applicant is required to submit a supplementary archaeological plan for the review and approval of the Executive Director to determine whether the changes are de minimis in nature and scope, or whether an additional amendment is required.

Therefore, the Commission finds that the amended project, as conditioned, is protective of archaeological resources consistent with Section 30244 of the Coastal Act and Section 16.04.031 of the certified Implementation Plan of the Del Norte County LCP.

J. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Final Environmental Impact Report (EIR) for the Terminal Replacement Project at Del Norte County Regional Airport, Jack McNamara Field (State Clearinghouse Number 2006112120) was certified on April 2, 2009 by BCRAA. In May 2009 the First Addendum to the Final EIR was adopted by the BCRAA. The First Addendum responded to a letter dated April 2, 2009 from the Friends of Del Norte and further clarified the alternatives analysis conducted for the EIR. An Addendum II to the Final EIR was completed and adopted by BCRAA in April 2011, after the Commission approved the original CDP. The second Addendum made modifications to the Final EIR project layout associated with improvements to an existing roadway required for airport access, a reduction in the terminal structure size, possible demolition of hangars, and relocation of certain facilities to better avoid environmentally sensitive areas. An Addendum III was completed and adopted by BCRAA in June 2015 for the purpose of identifying minor project changes made to the proposed project since the adoption of Addendum II, including new sewer and water lines, an additional drainage pipe south of the Quonset hut, the removal of paving west of the Quonset hut, the relocation of the airport beacon, and the extension of the fillet.

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

The Commission incorporates its findings on conformity with Coastal Act and certified Del Norte County LCP policies at this point as if set forth in full. As discussed above, the project as proposed to be amended has been conditioned to be consistent with the policies of the Coastal Act and the certified Del Norte County LCP. No public comments regarding potential significant adverse environmental effects of the project amendment were received prior to preparation of the staff report. As specifically discussed in these above findings, which are hereby incorporated by reference, mitigation measures that will minimize or avoid all significant adverse environmental impacts have been required. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the activity may have on the environment. Therefore, the Commission finds that the proposed amended development, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A
SUBSTANTIVE FILE DOCUMENTS

Adopted Findings for Coastal Development Permit No. 1-14-0820 (BCRAA).

Adopted Findings for Coastal Development Permit No. 1-13-009 (BCRAA).

Bauer, R.D, CDFG and U.S. Bureau of Sport Fisheries and Wildlife. 1974. *Acquisition priorities for the coastal wetlands of California: a joint report*. University of California. 38 pp.

County of Del Norte Local Coastal Program (LCP)

County of Del Norte Coastal Building / Development Permit No. B308031C

County of Del Norte Coastal Use / Development Permit No. UP0736C

County of Del Norte Engineering & Surveying Division. September 29, 2015. Infrastructure Improvements for the New Terminal Project at Del Norte County Regional Airport.

Del Norte County Community Development Department Notice of Action on GP2015-20C

Del Norte County Community Development Department. March 20, 2013. CEQA Initial Study and Proposed Mitigated Negative Declaration for the Coastal Land Use Amendment to Extend Public Water and Sewer beyond the Urban Services Boundary for the Del Norte County Regional Airport Terminal Project.

File for Coastal Development Permit No. A-1-DNC-09-048.

File for Coastal Development Permit No. A-1-DNC-09-048-A1.

GHD. June 2013. Stormwater Facilities Plan for Del Norte County Regional Airport, Jack McNamara Field (CEC) – Terminal Replacement Project. Prepared for BCRAA.

GHD. June 2015. Mitigation and Monitoring Plan; California Coastal Commission (June 2015). Prepared for BCRAA.

GHD. September 2015. Stormwater Pollution Prevention Plan Del Norte County Regional Airport, Jack McNamara Field (CEC) New Terminal Project. Prepared for BCRAA.

URS. May 21, 2013. Del Norte County Regional Airport New Passenger Terminal – Permit Review Set. Prepared for BCRAA.

Websites:

California Coastal Records Project: http://www.californiacoastline.org/

CDFW Species of Special Concern: http://www.dfg.ca.gov/wildlife/nongame/ssc/.

National Audubon Society Important Bird Areas: http://netapp.audubon.org/iba/site/42

Smith River Alliance: http://smithriveralliance.org/lake-earl-wildlife-area/

APPENDIX B
Coastal Act and Del Norte County LCP Policies Regarding Wetlands and Water Quality

Section 30230 of the Coastal Act states, in applicable part, as follows:

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

Section 30231 of the Coastal Act states as follows:

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

Section 30233 of the Coastal Act states, in applicable part, as follows:

> *(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*
>
> *(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
>
> *(2) Maintaining existing, or restoring previously dredged depths on existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
>
> *(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
>
> *(4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*

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

(6) Restoration purposes.

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

...

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary…

Policy No. 1 of the Del Norte County LUP's *Marine and Water Resources* chapter states:

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

Policy No. 3 of the LUP's *Marine and Water Resources* chapter states:

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

Policy No. 4 of the LUP's *Marine and Water Resources* chapter states:

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

Section VII.D.4 of the LUP's *Marine and Water Resources* chapter sets policy directives for the review of development in a variety of biologically significant areas and types, including wetlands, stating with particular regard to permissible uses, conditional approval of such development therein or in proximity thereto, and the establishment of wetland buffers, as follows:

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

d. Performance standards shall be developed and implemented which will guide development in and adjacent to wetlands, both natural and man-made, so as to allow utilization of land areas compatible with other policies while providing adequate protection of the subject wetland…

f. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which could significantly degrade

such areas, and shall be compatible with the continuance of such habitat areas. The primary tool to reduce the above impacts around wetlands between the development and the edge of the wetland shall be a buffer of one-hundred feet in width. A buffer of less than one-hundred feet may be utilized where it can be determined that there is no adverse impact on the wetland. A determination to utilize a buffer area of less than one-hundred feet shall be done in cooperation with the California Department of Fish and Game and the County's [or the Commission's on appeal] *determination shall be based upon specific findings as to the adequacy of the proposed buffer to protect the identified resource*…

APPENDIX C
Coastal Act and Del Norte County LCP Policies Regarding Environmentally Sensitive Habitat Areas

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

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

Coastal Act Section 30240 states 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.*

Section VI.A of the County of Del Norte LUP's *Marine and Water Resources* chapter describes the overarching legal impetus for its policies and standards, stating in applicable part:

> *A major objective of the Coastal Act is to maintain and enhance the quality of coastal waters and marine resources and to mitigate potential adverse impacts of land uses adjacent to sensitive coastal habitats. To this end the following policies were enacted by the legislature:…*
>
> *30240. (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 such areas, and shall be compatible with the continuance of such habitat areas.*

Coastal Act Section 30240 is reiterated in <u>*LCP Policies*</u> Section VI.C.6 of the LUP's *Marine and Water Resources* chapter:

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

Designation Criteria Section IV.B of the County of Del Norte LUP *Marine and Water Resources* chapter provides that:

> *The following criteria are proposed for designating biologically sensitive habitats in the marine and coastal water environments and related terrestrial habitats of Del Norte County:*
>
> *1. Biologically productive areas important to the maintenance of sport and commercial fisheries.*
> *2. Habitat areas vital to the maintenance and enhancement of rare and/or endangered species.*
> *3. Fragile communities requiring protective management to insure their biological productivity, species diversity and/or continued maintenance.*
> *4. Areas of outstanding scientific or educational value that require protection to insure their viability for future inquiry and study.*
>
> *Coastal habitat areas meeting one or more of these criteria may be considered biologically sensitive and therefore given particular attention in the planning process.*

Section IV.D.1.f of the LUP's *Marine and Water Resources* chapter's *Specific Area Policies and Recommendations* sub-section establishes other standards for buffers, stating that:

> *Natural vegetation buffer strips may be incorporated to protect habitat areas from the possible impacts of adjacent land uses. These protective zones should be sufficient along water courses and around sensitive habitat areas to adequately minimize the potential impacts of adjacent land uses.*

APPENDIX D
Coastal Act and Del Norte County LCP Policies Regarding Visual Resources

Section 30251 of the Coastal Act states in applicable part:

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

The County of Del Norte's certified LCP contains several policies relating to the protection of visual resources within those portions of the coastal zone meeting the criteria for designations as "highly scenic areas."

LUP *Visual Resources* Policy No. 1 states:

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

LUP *Visual Resources* Policy No. 2 states:

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

LUP *Visual Resources* Policy No. 5 states:

> *The alteration of natural landforms in highly scenic areas shall be minimized, where feasible, in construction projects by:*
>
> *a. Designing roadways, driveways and other corridors to blend with the natural contours of the landscape by avoiding excessive cuts and fills.*
>
> *b. Concentrating development on relatively level areas over steep hillsides. Provisions to be considered include: clustering; density exchange and open space dedication.*

With regard to areas qualifying for recognition as "highly scenic areas," Section II.A & B of the LUP's *Visual Resources* chapter state, in applicable parts:

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

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

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

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

Views within the coastal region of Del Norte County with particular visual distinctiveness, integrity, harmony and/or of special interest to the general public include the following:

1. View of water bodies (e.g., ocean, estuary, streams);

2. Views of sensitive habitats and open space (e.g., wetland, rocky intertidal);

3. View of expressive topographic features (i., offshore rocks, sea cliffs);

4. View of special cultural features (e.g., historical, maritime settings).

Areas identified as having present one or more of the above elements are enventoried [sic] *and evaluated by this study for their value as significant visual resources.*

In addition, the visual inventory within LUP *Visual Resources* Section III.C.6 identifies and described the following "view points" (alternately referred to as "vista points") and "view corridors," within the vicinity of the project site:

VIEWPOINTS: (**V**)

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

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

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

LUP's *Visual Resources* Policy No. 6 also directs that:

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

APPENDIX E
Coastal Act and Del Norte County LCP Policies Regarding Public Access

Coastal Act section 30210 states:

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

Coastal Act section 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 (a) in part states:

> *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects ...*

Coastal Act section 30214(a) 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.

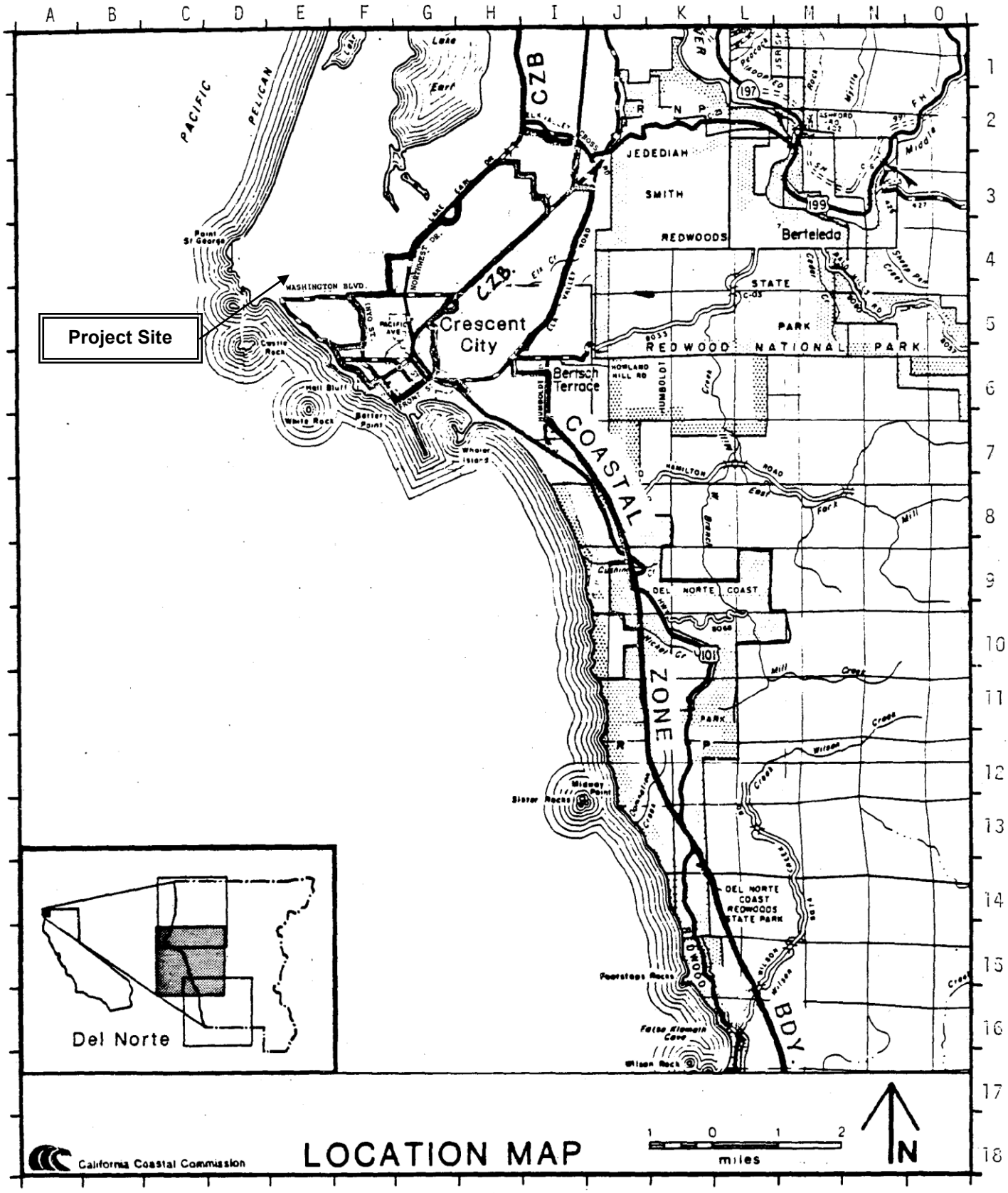
(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

The Del Norte County LUP includes a number of policies regarding standards for providing and maintaining public access:

Section III.C of the LUP's *Public Access* chapter states that:

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

However, much of the focus of the LCP's policies and standards address the protection, acquisition, and improvement of lateral and vertical accessways in immediate shoreline settings, rather than in more inland locales such as where the subject property is situated.



County of Del Norte

EXHIBIT NO. 1

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority
REGIONAL LOCATION MAP

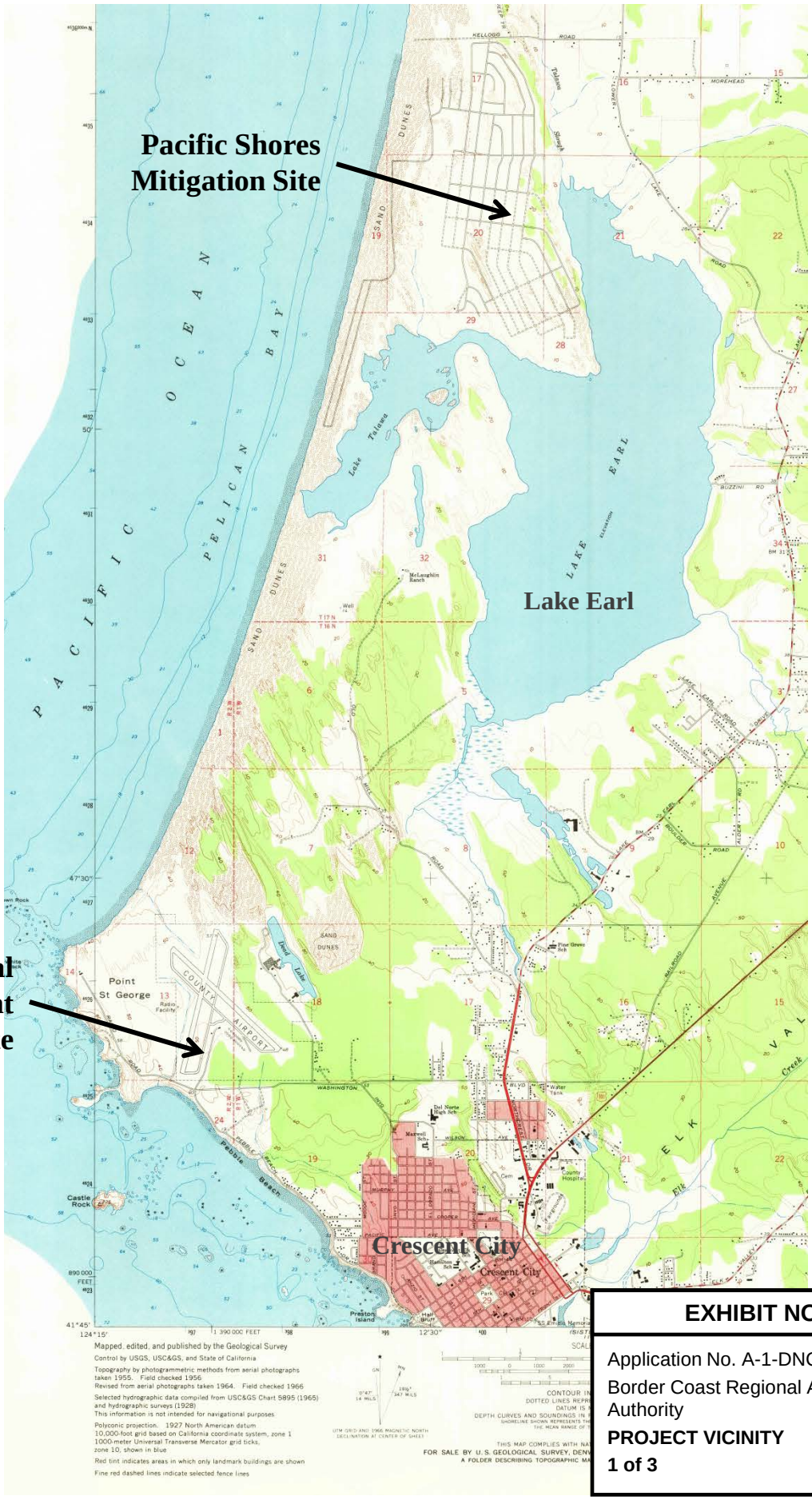


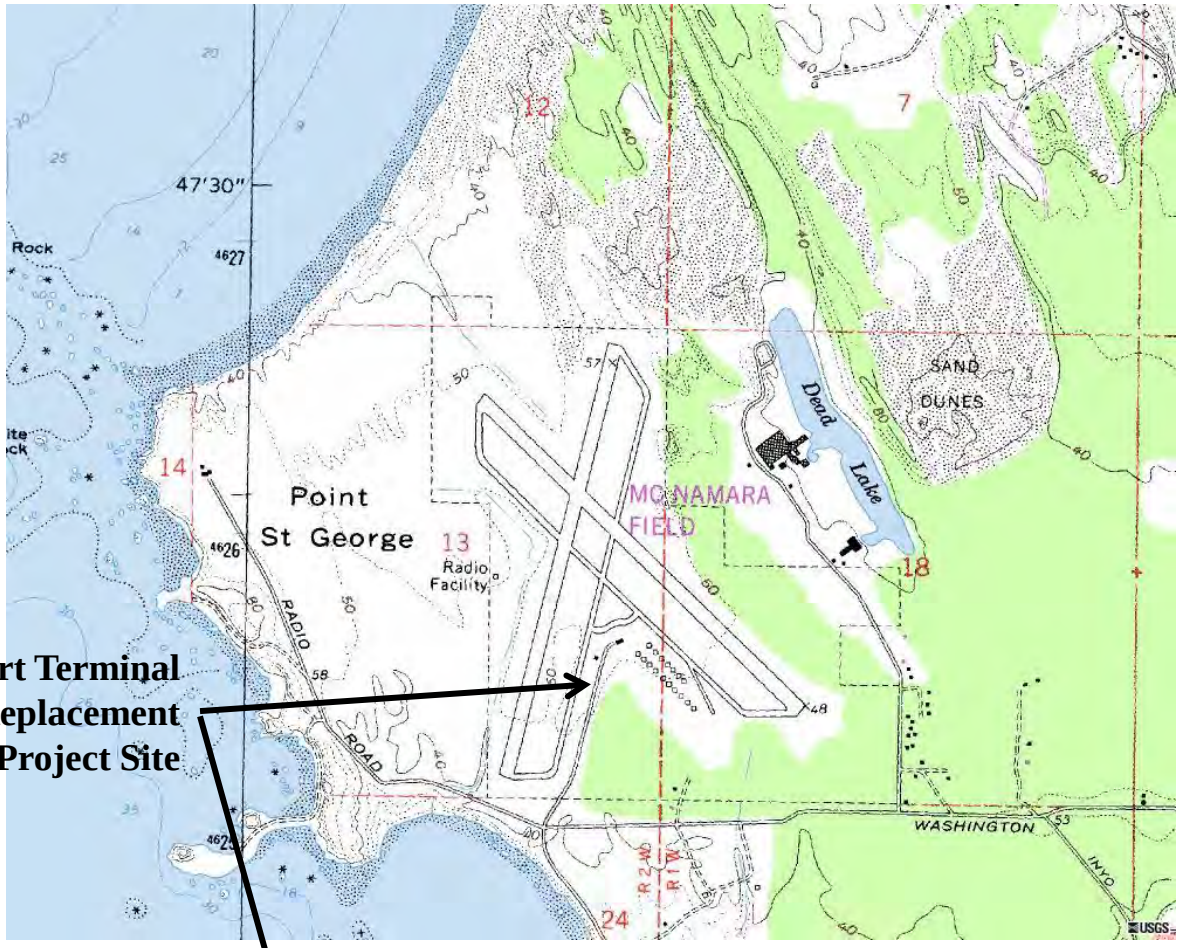
EXHIBIT NO. 2

Application No. A-1-DNC-09-048-A1

Border Coast Regional Airport Authority

PROJECT VICINITY

1 of 3



Airport Terminal Replacement Project Site

Bing Maps

(Image taken 09/27/2013)

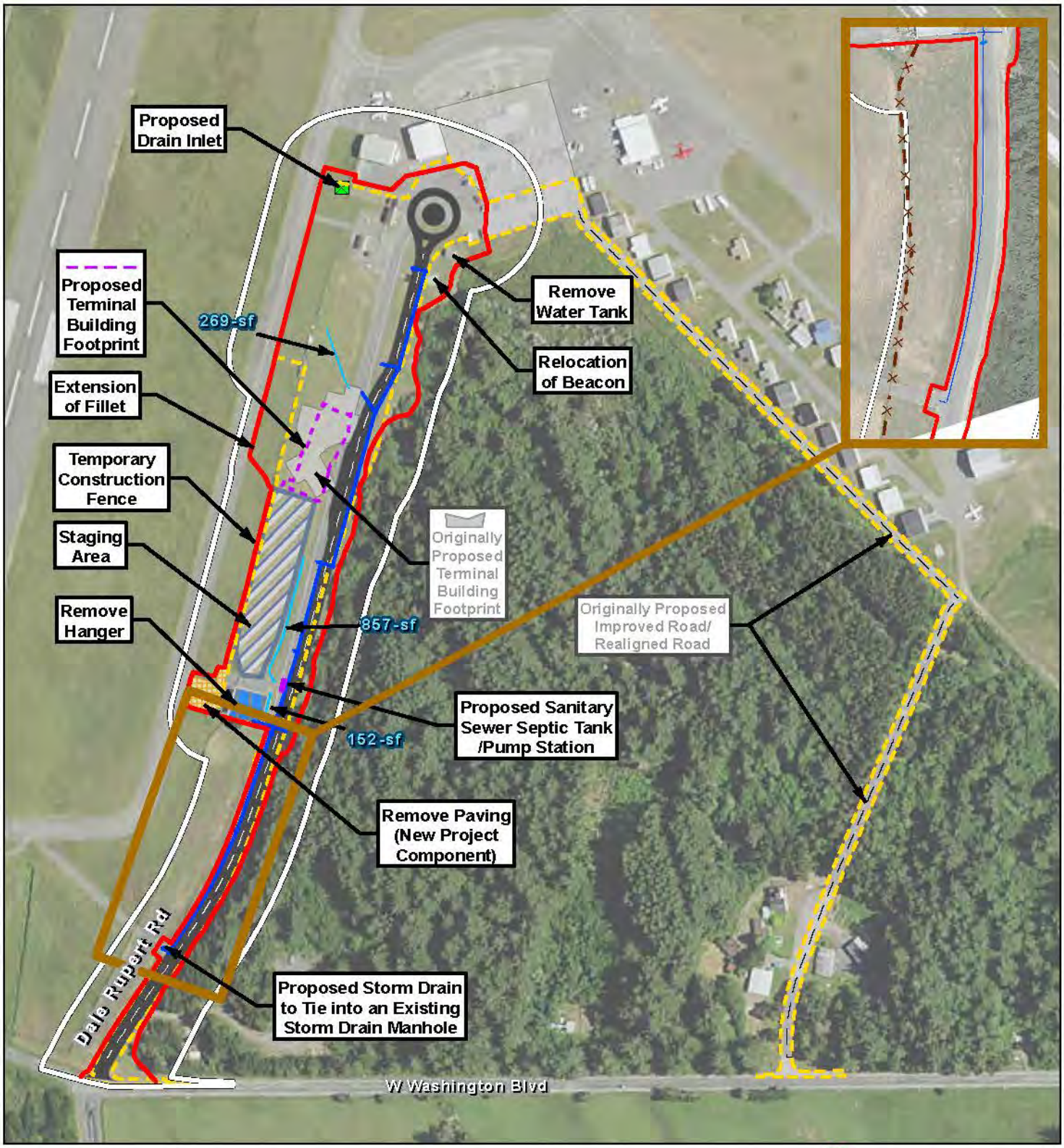


EXHIBIT NO. 3

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority
AMENDED PROJECT PLANS
1 of 7

Paper Size 8.5" x 11" (ANSI A)
0 60 120 180 240 300
Feet
Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet

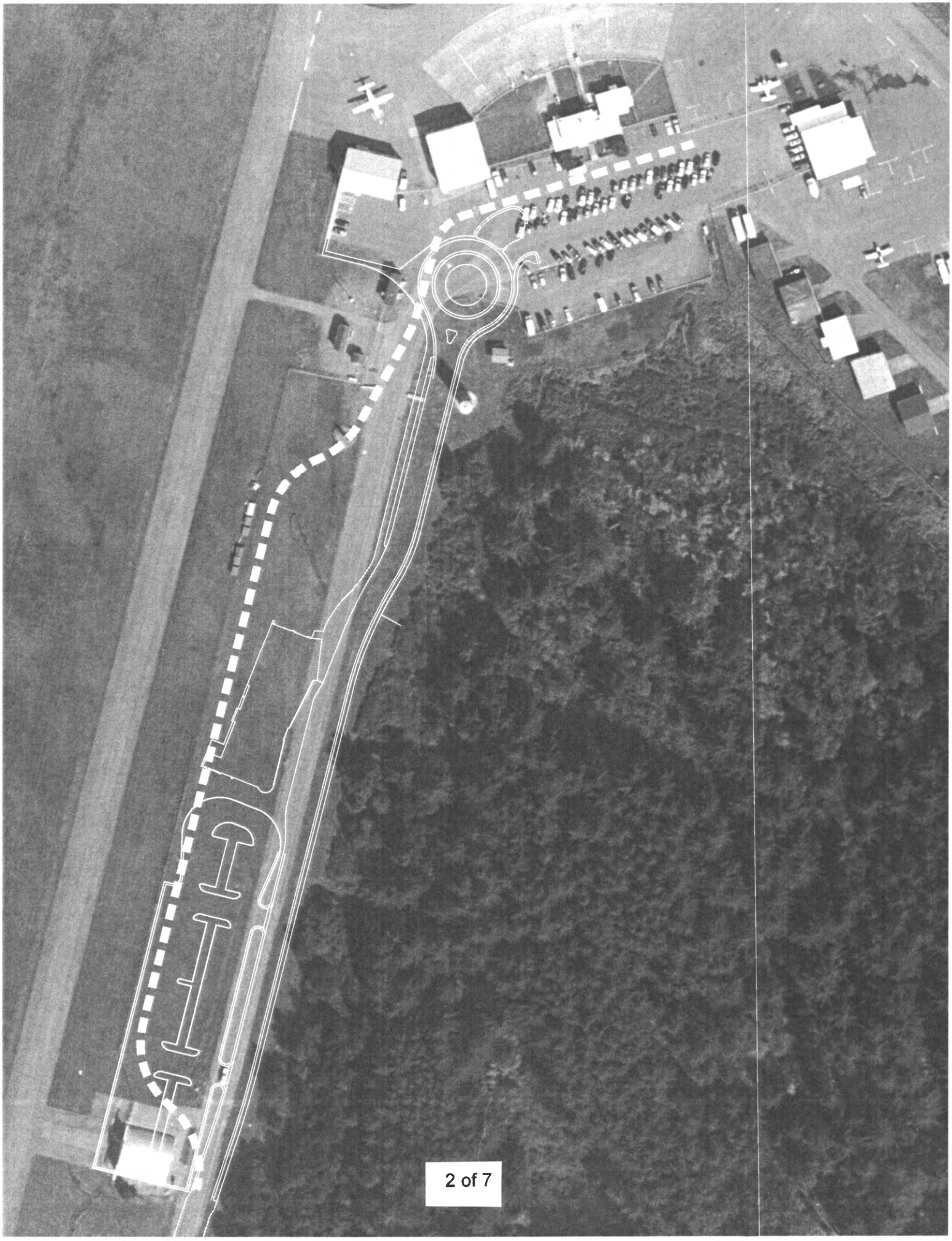
Border Coast Regional Airport Authority
Response Letter to California Coastal Commission

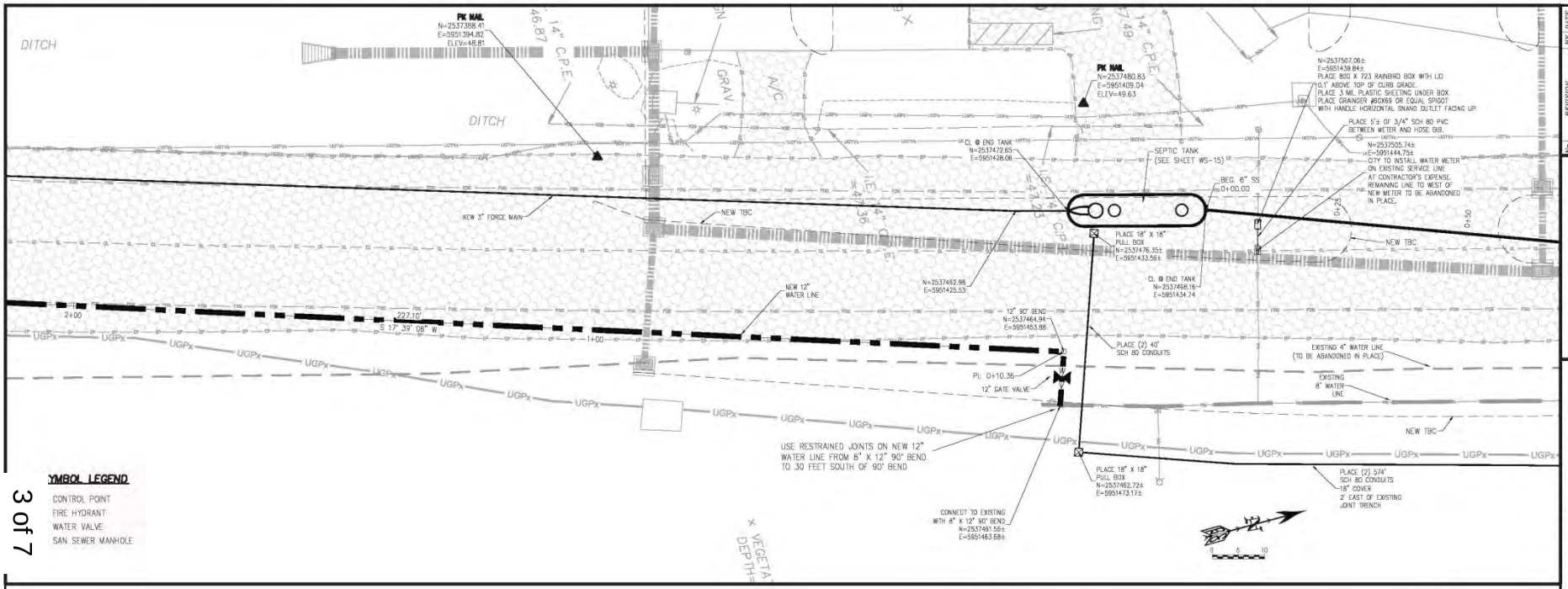
Job Number 8410130
Revision B
Date 10 Nov 2015

Site Map of Original Project and Proposed Project Components

Figure 2a

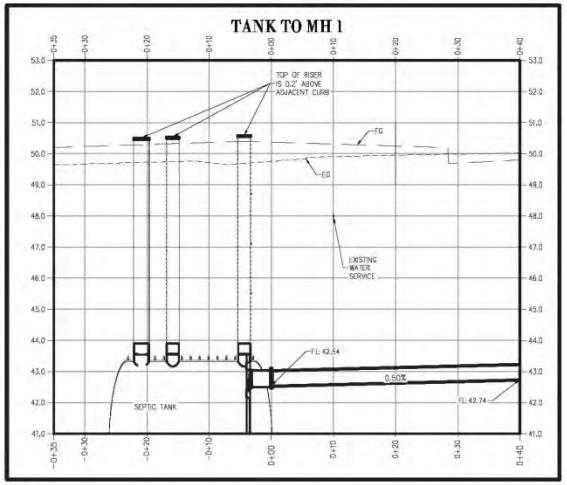
Third Street Eureka CA 95501 USA T 707 443 8326 F 707 444 8330 E eureka@ghd.com W www.ghd.com





SYMBOL LEGEND

- CONTROL POINT
- FIRE HYDRANT
- WATER VALVE
- SAN SEWER MANHOLE



REVISION	BY	DATE

County of Del Norte
Engineering & Surveying Division
981 "H" Street, Suite 110
Crescent City CA 95531
Ph. (707) 464-7229
Fax 465-0340

WATER & SEWER IMPROVEMENTS
AT
DEL NORTE COUNTY REGIONAL AIRPORT

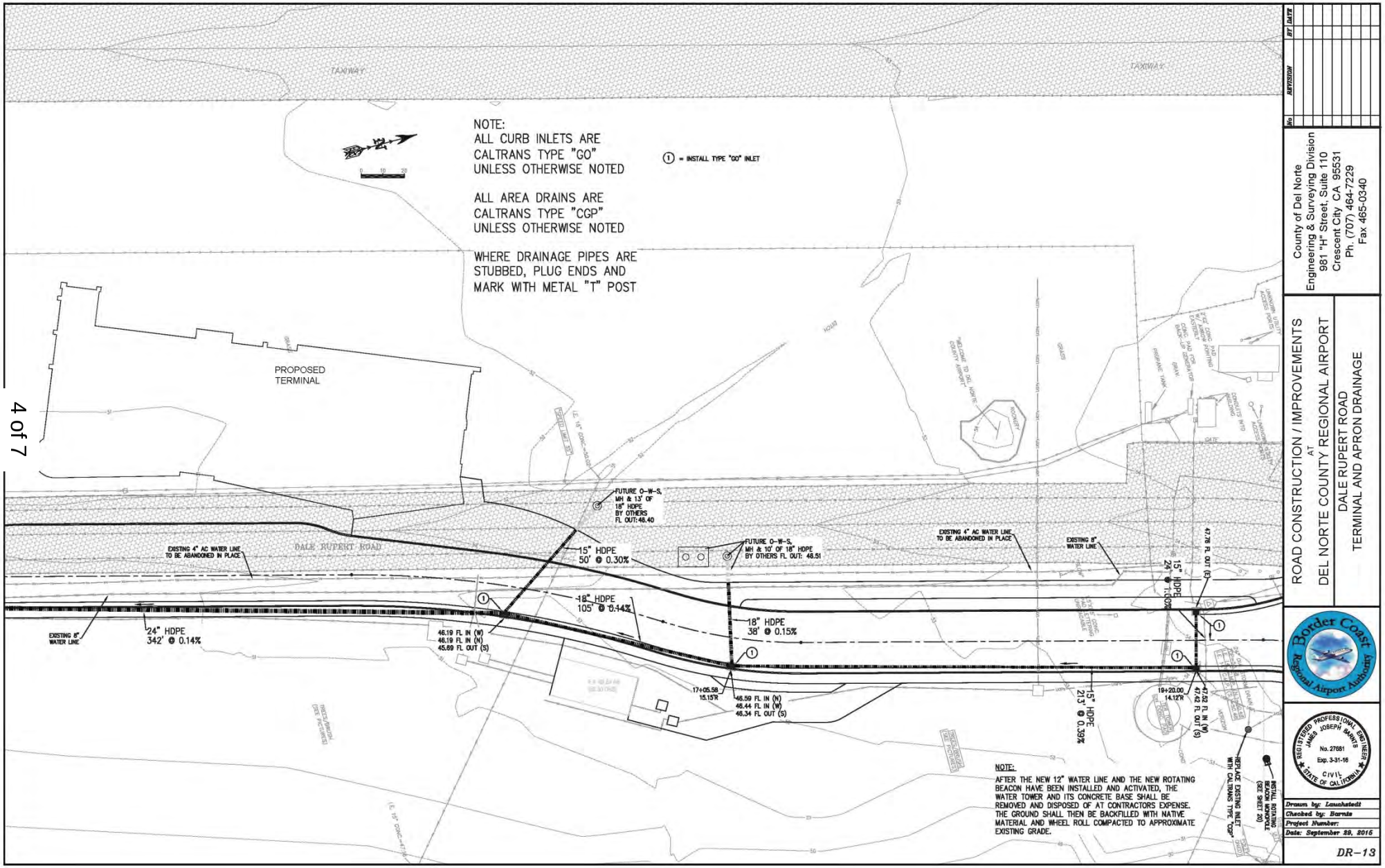
SEWER: TANK - MH 1 - MH 2 & WATER

Border Coast Regional Airport Authority

REGISTERED PROFESSIONAL ENGINEER
JAMES JOSEPH BARNES
No. 27681
Exp. 3-31-12
CIVIL
STATE OF CALIFORNIA

Drawn by: Lauchstedt
Checked by: Barnes
Project Number:
Date: July 16, 2015

WS-5



No	REVISION	BY	DATE

County of Del Norte
Engineering & Surveying Division
981 "H" Street, Suite 110
Crescent City CA 95531
Ph. (707) 464-7229
Fax 465-0340

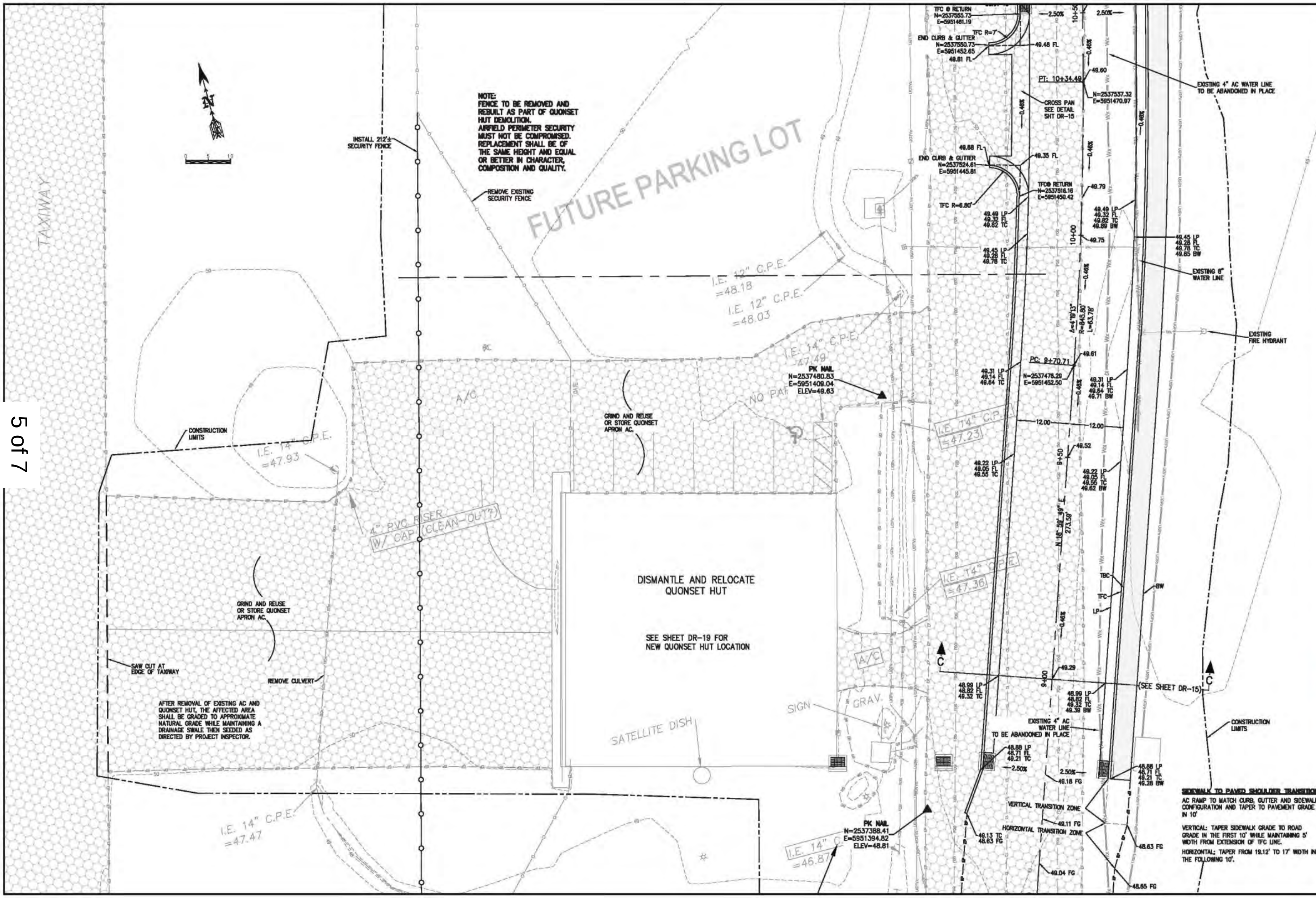
ROAD CONSTRUCTION / IMPROVEMENTS
AT
DEL NORTE COUNTY REGIONAL AIRPORT
DALE RUPERT ROAD
TERMINAL AND APRON DRAINAGE

Border Coast Regional Airport Authority

REGISTERED PROFESSIONAL ENGINEER
JAMES JOSEPH BARNES
No. 27681
Exp. 3-31-16
CIVIL
STATE OF CALIFORNIA

Drawn by: Leuchstedt
Checked by: Barnes
Project Number:
Date: September 29, 2015

DR-13


NOTE:
FENCE TO BE REMOVED AND REBUILT AS PART OF QUONSET HUT DEMOLITION. AIRFIELD PERIMETER SECURITY MUST NOT BE COMPROMISED. REPLACEMENT SHALL BE OF THE SAME HEIGHT AND EQUAL OR BETTER IN CHARACTER, COMPOSITION AND QUALITY.
FUTURE PARKING LOT
TAXIWAY
INSTALL 212'± SECURITY FENCE
REMOVE EXISTING SECURITY FENCE
DISMANTLE AND RELOCATE QUONSET HUT
SEE SHEET DR-19 FOR NEW QUONSET HUT LOCATION
GRIND AND REUSE OR STORE QUONSET APRON AC.
SAW CUT AT EDGE OF TAXIWAY
REMOVE CULVERT
CONSTRUCTION LIMITS
AFTER REMOVAL OF EXISTING AC AND QUONSET HUT, THE AFFECTED AREA SHALL BE GRADED TO APPROXIMATE NATURAL GRADE WHILE MAINTAINING A DRAINAGE SWALE THEN SEEDED AS DIRECTED BY PROJECT INSPECTOR.
4" PVC RISER W/ CAP (CLEAN-OUT?)
I.E. 12" C.P.E. =48.18
I.E. 12" C.P.E. =48.03
I.E. 14" C.P.E. =47.49
I.E. 14" C.P.E. =47.93
I.E. 14" C.P.E. =47.47
I.E. 14" C.P.E. =47.23
I.E. 14" C.P.E. =47.36
I.E. 14" C.P.E. =46.87
PK NAIL N=2537480.83 E=5951409.04 ELEV=49.63
PK NAIL N=2537388.41 E=5951394.82 ELEV=48.81
SATELLITE DISH
SIGN
GRAV.
A/C
EXISTING 4" AC WATER LINE TO BE ABANDONED IN PLACE
EXISTING 8" WATER LINE
EXISTING FIRE HYDRANT
CROSS PAN SEE DETAIL SHT DR-15
PT: 10+34.49
PC: 9+70.71
(SEE SHEET DR-15)
SIDEWALK TO PAVED SHOULDER TRANSITION
AC RAMP TO MATCH CURB, GUTTER AND SIDEWALK CONFIGURATION AND TAPER TO PAVEMENT GRADE IN 10'
VERTICAL: TAPER SIDEWALK GRADE TO ROAD GRADE IN THE FIRST 10' WHILE MAINTAINING 5' WIDTH FROM EXTENSION OF TFC LINE.
HORIZONTAL: TAPER FROM 19.12' TO 17' WIDTH IN THE FOLLOWING 10'.
VERTICAL TRANSITION ZONE
HORIZONTAL TRANSITION ZONE

County of Del Norte
Engineering & Surveying Division
981 "H" Street, Suite 110
Crescent City CA 95531
Ph. (707) 464-7229
Fax 465-0340

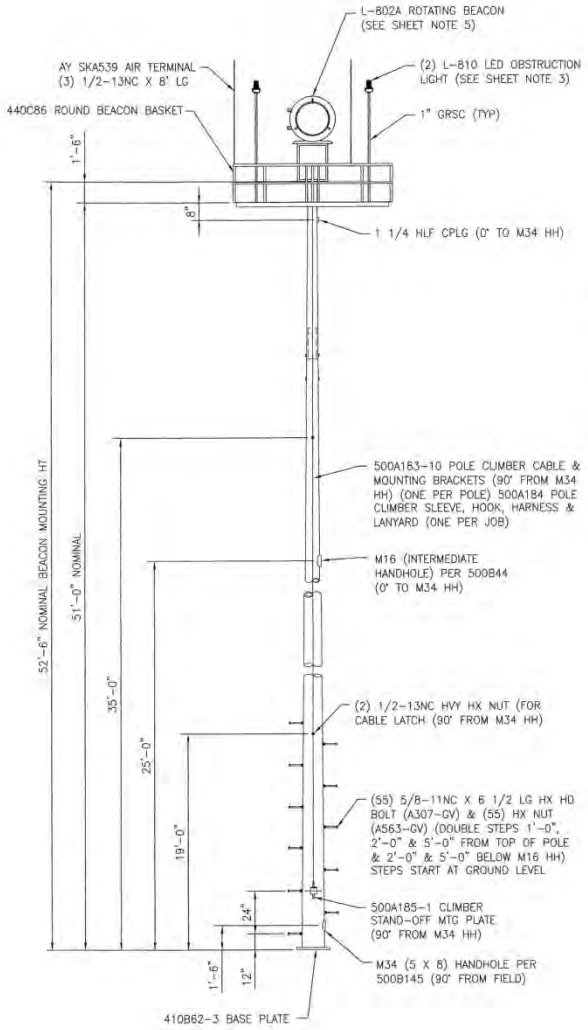
ROAD CONSTRUCTION / IMPROVEMENTS
AT
DEL NORTE COUNTY REGIONAL AIRPORT
DALE RUPERT ROAD CONSTRUCTION & GRADING
FROM
8+70 TO 10+50

Border Coast Regional Airport Authority

REGISTERED PROFESSIONAL ENGINEER JAMES JOSEPH BARNTS No. 27681 Exp. 3-31-16 CIVIL STATE OF CALIFORNIA

Drawn by: Lauchstedt
Checked by: Barnts
Project Number:
Date: September 29, 2015

DR-6



1 / V9 **BEACON TOWER**

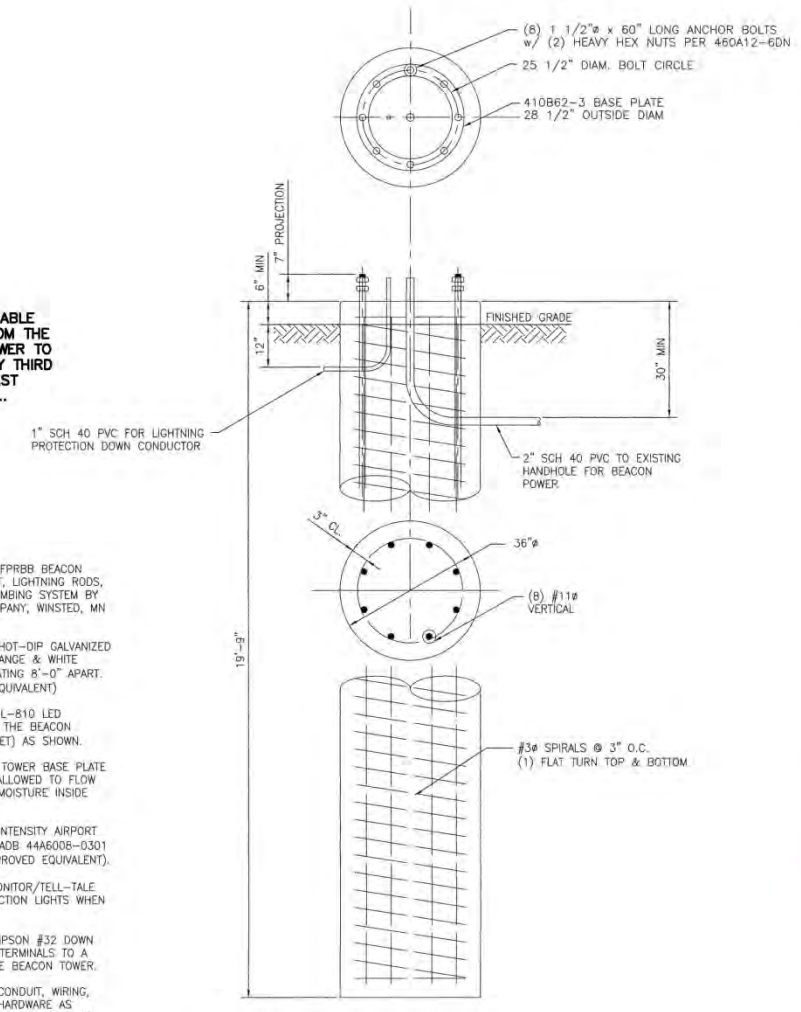
NOT TO SCALE

NOTE:

EXISTING BEACON AND ALL SERVICEABLE PARTS SHALL BE TRANSFERRED FROM THE EXISTING SITE ATOP THE WATER TOWER TO THE NEW PLATFORM, INCLUDING ANY THIRD PARTY BROADCASTING OR BROADCAST RELAY EQUIPMENT, ANTENNAS, ETC...

SHEET NOTES:

1. BEACON TOWER SHALL BE 16-51XFPRBB BEACON POLE WITH ROUND BEACON BASKET, LIGHTNING RODS, LED OBSTRUCTION LIGHTS, AND CLIMBING SYSTEM BY MILLERBERND MANUFACTURING COMPANY, WINSTED, MN OR APPROVED EQUIVALENT.
2. BEACON TOWER FINISH SHALL BE HOT-DIP GALVANIZED WITH EXTERIOR FINISH PAINTED ORANGE & WHITE STARTING WITH ORANGE & ALTERNATING 8'-0" APART. (ADB SBOL-1120 OR APPROVED EQUIVALENT)
3. CONTRACTOR SHALL PROVIDE TWO L-810 LED OBSTRUCTION LIGHTS MOUNTED TO THE BEACON BASKET (OPPOSITE SIDES OF BASKET) AS SHOWN.
4. DO NOT GROUT BETWEEN BEACON TOWER BASE PLATE AND FOUNDATION. AIR MUST BE ALLOWED TO FLOW THROUGH THE POLE TO PREVENT MOISTURE INSIDE THE POLE.
5. BEACON SHALL BE L-802A HIGH-INTENSITY AIRPORT METAL-HALIDE ROTATING BEACON (ADB 44A6008-0301 WITH PULSE-START LAMPS OR APPROVED EQUIVALENT).
6. CONTRACTOR SHALL WIRE LAMP MONITOR/TELL-TALE RELAY TO ILLUMINATE THE OBSTRUCTION LIGHTS WHEN LAMP FAILURE IS INDICATED.
7. CONTRACTOR SHALL PROVIDE THOMPSON #32 DOWN CONDUCTOR CONNECTING THE AIR TERMINALS TO A GROUND ROD AT THE BASE OF THE BEACON TOWER.
8. CONTRACTOR SHALL PROVIDE ALL CONDUIT, WIRING, JUNCTION BOXES, AND MOUNTING HARDWARE AS REQUIRED TO PLACE THE BEACON IN OPERATION IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND TO THE SATISFACTION OF THE ENGINEER.



2 / V9 **DRILLED PIER DETAIL**

NOT TO SCALE

No.	REVISION	BY	DATE

County of Del Norte
Engineering & Surveying Division
981 "H" Street, Suite 110
Crescent City, CA 95531
Ph. (707) 464-7229
Fax 465-0340

ROAD CONSTRUCTION / IMPROVEMENTS
AT
DEL NORTE COUNTY REGIONAL AIRPORT
ROTATING BEACON MONOPOLE DETAIL

REGISTERED PROFESSIONAL ENGINEER
JAMES JOSEPH BARNES
No. 27681
Exp. 3-31-16
CIVIL
STATE OF CALIFORNIA

Drawn by: Lauchstedt
Checked by: Barnes
Project Number:
Date: September 29, 2015

DR-20

NOTES:

1.) FIRST ITEM OF WORK IS RELOCATION OF THE QUONSET HUT. AFTER REMOVAL OF THE QUONSET HUT AND ITS SLAB, CONSTRUCTION OF BYPASS ROAD CAN COMMENCE.

2.) BYPASS ROAD TO BE LAID OUT, NATIVE GROUND GRADED AND COMPACTED. THIS PHASE OF BYPASS ROAD CONSTRUCTION SHALL BE EVALUATED AND APPROVED BY THE PROJECT MANAGER OR THE COUNTY ENGINEER BEFORE PLACEMENT OF 6" OF A.B. ONCE CONSTRUCTED, TRAFFIC SHALL BE REDIRECTED ONTO THE BYPASS ROAD TO ALLOW CONSTRUCTION OF DALE RUPERT ROAD.

3.) SAFE, TWO-WAY TRAFFIC TO THE AIRPORT SHALL BE MAINTAINED AT ALL TIMES UNLESS APPROVED BY THE PROJECT MANAGER AND THE COUNTY ENGINEER. A TRAFFIC CONTROL PLAN SHALL BE PREPARED BY THE CONTRACTOR AND SUBJECT TO REVIEW AND APPROVAL BY THE PROJECT MANAGER AND THE COUNTY ENGINEER. ANY CHANGES SHALL BE DEVELOPED BY THE CONTRACTOR AND APPROVED BY THE PROJECT MANAGER AND THE COUNTY ENGINEER AT LEAST 48 HOURS BEFORE IMPLEMENTATION.

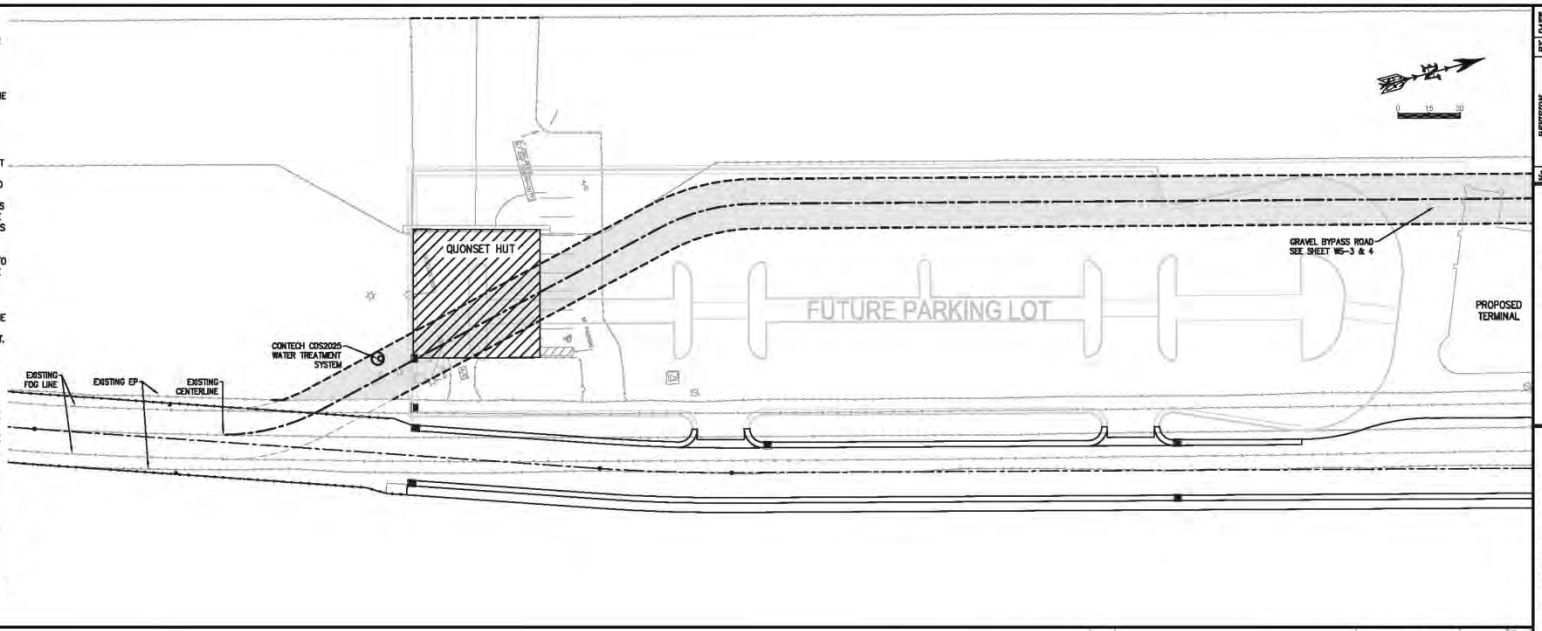
4.) DALE RUPERT ROAD SHALL BE FULLY CONSTRUCTED AND STRIPED TO AND INCLUDING THE INLETS AT STATION 19+25. TRAFFIC SHALL BE REDIRECTED ONTO THE RECONSTRUCTED (TO STATION 19+25) DALE RUPERT ROAD NO LATER THAN SEPTEMBER 15, 2016.

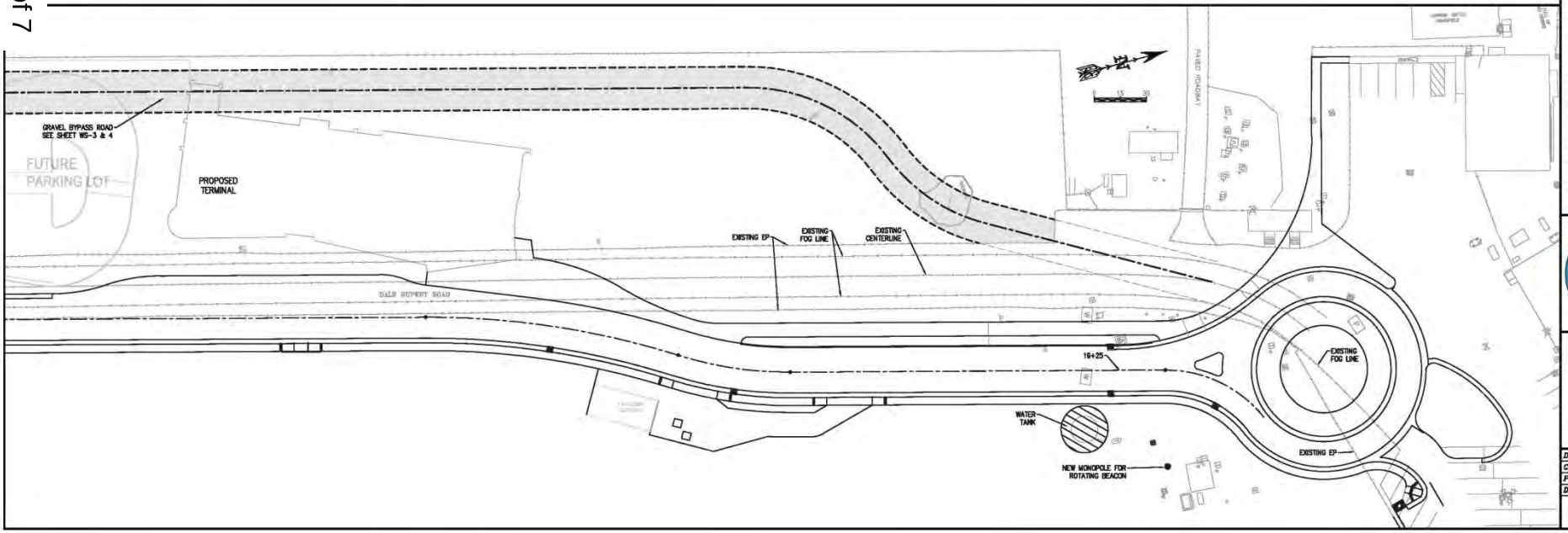
5.) IF NECESSARY, A 2" A.C. X 6" A.B. TEMPORARY ROADWAY SHALL BE CONSTRUCTED TO TRANSITION FROM STATION 19+25 OF THE RECONSTRUCTED DALE RUPERT ROAD TO THE EXISTING PARKING LOT. THAT ROADWAY SHALL BE LAID OUT IN THE FIELD BY THE CONTRACTOR AND APPROVED BY THE PROJECT MANAGER AND THE COUNTY ENGINEER PRIOR TO CONSTRUCTION. A MINIMUM WIDTH OF 26 FEET SHALL BE REQUIRED FOR THIS ROADWAY.

6.) THE DALE RUPERT ROAD DRAINAGE SYSTEM SHALL BE COMPLETED AFTER TRAFFIC IS DIVERTED OFF THE BYPASS ROAD. THAT IS, THE CONSTRUCTION OF THE CONTECH CDS2025 WATER TREATMENT SYSTEM AND 24" OUTFALL PIPE AND DITCH. THE ENTIRE DRAINAGE SYSTEM FROM 19+25 SOUTH TO THE OUTFALL DITCH SHALL BE COMPLETED AND FUNCTIONAL NO LATER THAN OCTOBER 15, 2016.

7.) WATER METER PLACEMENT FOR ALL EXISTING AIRPORT FACILITIES SHALL BE INSTALLED AND APPROVED BY THE CITY PRIOR TO REMOVAL OF THE EXISTING 8" BACKFLOW PREVENTER AND METER EAST OF THE ENTRANCE TO THE AG DEPARTMENT ON WASHINGTON BOULEVARD AND CONNECTION OF THE PROPOSED 12" WATER MAIN TO THE EXISTING AIRPORT SYSTEM.

[illegible]OLITION OF THE EXISTING WATER TANK TO TAKE PLACE AFTER NEW WATER SYSTEM IS FULLY FUNCTIONAL. AS INDICATED ON PLANS, THIS DEMOLITION CANNOT TAKE PLACE UNTIL THE [illegible]TING BEACON ON TOP OF THE TANK BEEN MOVED TO AND IS [illegible]CTIONING AT ITS NEW LOCATION ON THE MONOPOLE.





No	REVISION	BY	DATE

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ROAD CONSTRUCTION / IMPROVEMENTS
AT
DEL NORTE COUNTY REGIONAL AIRPORT

PHASING PLAN

Border Coast Regional Airport Authority

REGISTERED PROFESSIONAL ENGINEER
JAMES JOSEPH BARNTS
No. 27681
Exp. 3-31-16
CIVIL
STATE OF CALIFORNIA

Drawn by:	Lauhatedt
Checked by:	Barnts
Project Number:	
Date:	September 29, 2015

DR-3

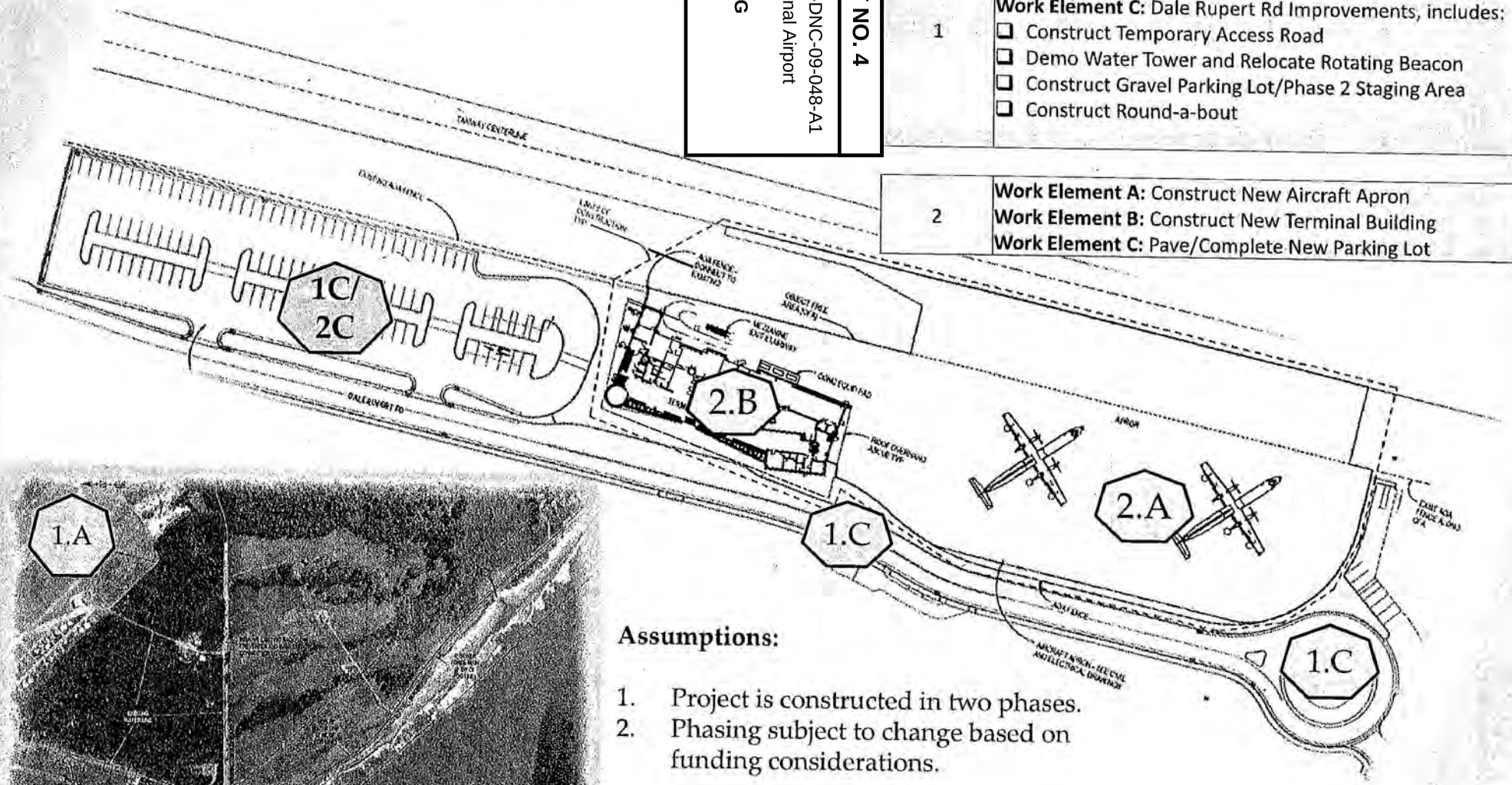
Phasing Plan Overview

Del Norte County Regional Airport Terminal Replacement

EXHIBIT NO. 4

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority
PROJECT PHASING

Phase	Work Element
1	**Work Element A:** Off-Site Utilities (Pebble Beach Water/Sewer Improvements) **Work Element B:** Quonset Hut Removal and Relocation **Work Element C:** Dale Rupert Rd Improvements, includes: ❑ Construct Temporary Access Road ❑ Demo Water Tower and Relocate Rotating Beacon ❑ Construct Gravel Parking Lot/Phase 2 Staging Area ❑ Construct Round-a-bout
2	**Work Element A:** Construct New Aircraft Apron **Work Element B:** Construct New Terminal Building **Work Element C:** Pave/Complete New Parking Lot



Assumptions:

1. Project is constructed in two phases.
2. Phasing subject to change based on funding considerations.

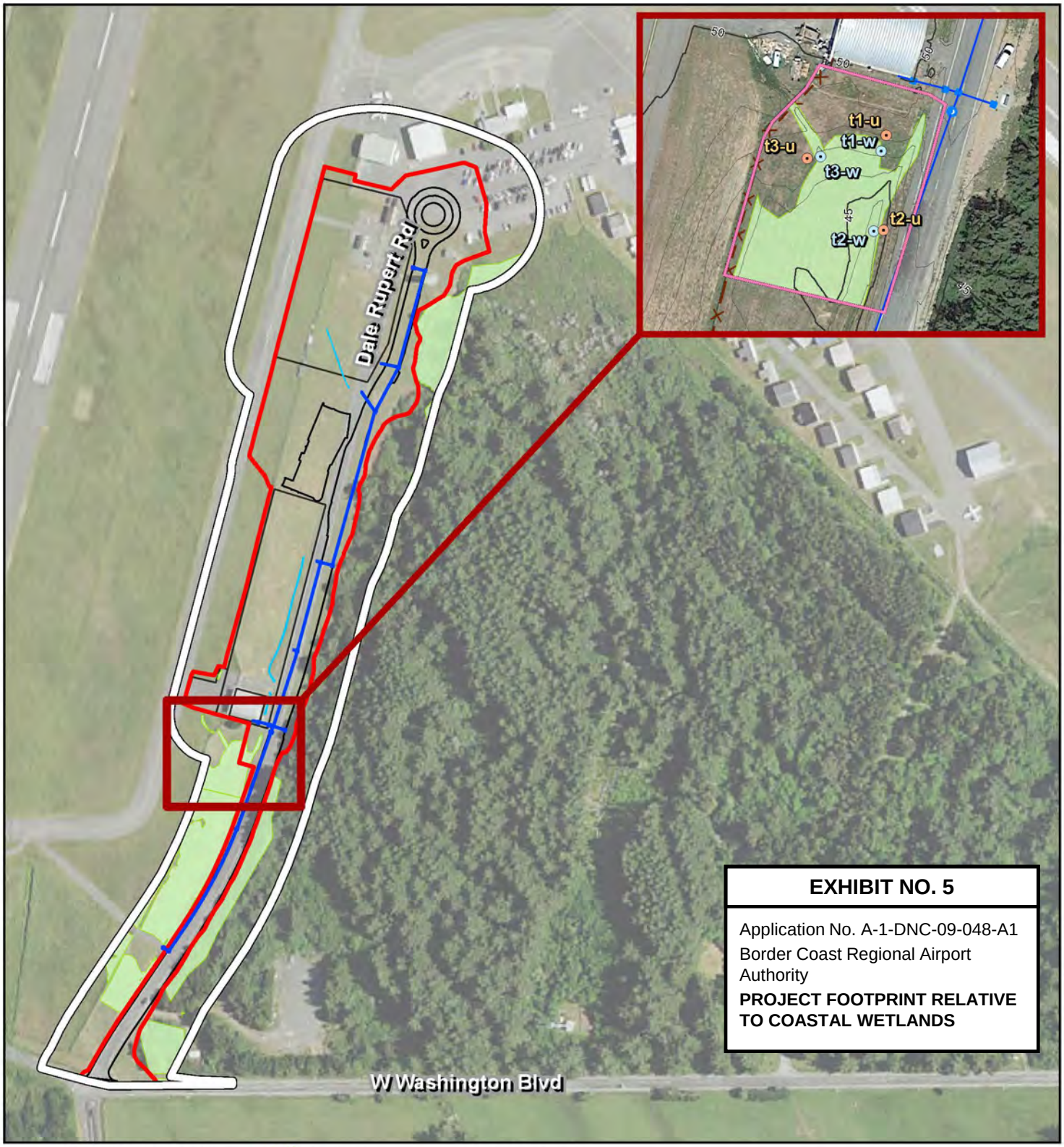


EXHIBIT NO. 5

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority
PROJECT FOOTPRINT RELATIVE TO COASTAL WETLANDS

Terminal Project Study Boundary
Proposed Amendment Terminal Project Boundary
Proposed Project Components
Wetlands
Other waters
Proposed Drainage Facilities

Inset Legend

Delineation Study Boundary, Oct. 26, 2015
Upland test pit
Wetland test pit
Wetlands
Contour-Major; 5ft
Contour-Minor; 1ft
Fenceline

Paper Size 8.5" x 11" (ANSI A)
0 60 120 180 240 300
Feet
Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet

N

GHD

Border Coast Regional Airport Authority
Terminal Replacement Project MMP

Job Number 8410130
Revision A
Date 28 Oct 2015

Wetland Delineation
Project Area

Figure 2b

718 Third Street Eureka CA 95501 USA T 707 443 8326 F 707 444 8330 E eureka@ghd.com W www.ghd.com

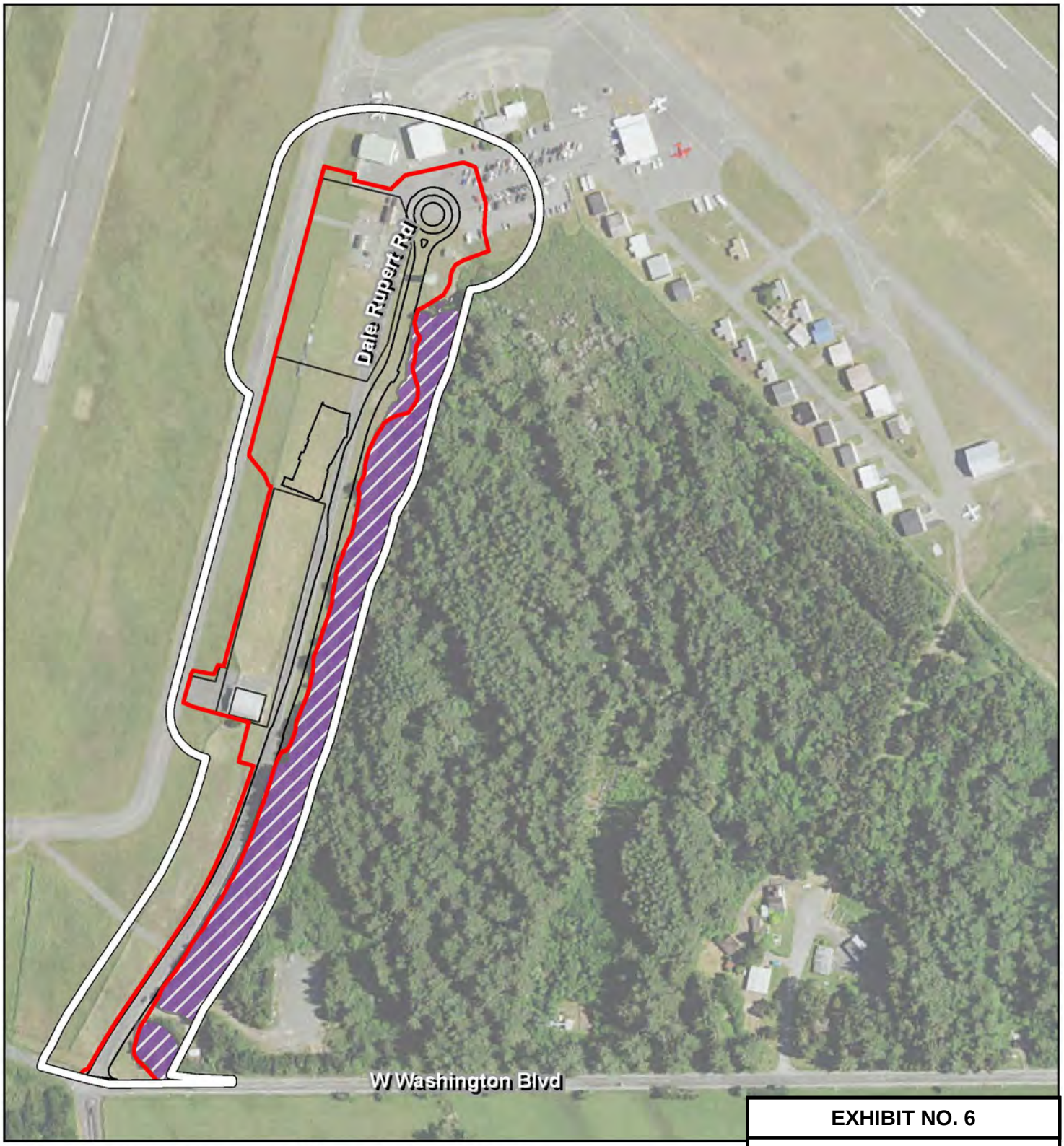


EXHIBIT NO. 6

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority
PROJECT FOOTPRINT RELATIVE TO ESHA

Terminal Project Study Boundary
Proposed Amendment Terminal Project Boundary
Proposed Project Components
Upland and Wetland ESHA

Paper Size 8.5" x 11" (ANSI A)
0 60 120 180 240 300
Feet
Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet

N

GHD

Border Coast Regional Airport Authority
Terminal Replacement Project MMP

Job Number 8410130
Revision A
Date 28 Oct 2015

Environmentally Sensitive Habitat Areas

Figure 3

718 Third Street Eureka CA 95501 USA T 707 443 8326 F 707 444 8330 E eureka@ghd.com W www.ghd.com

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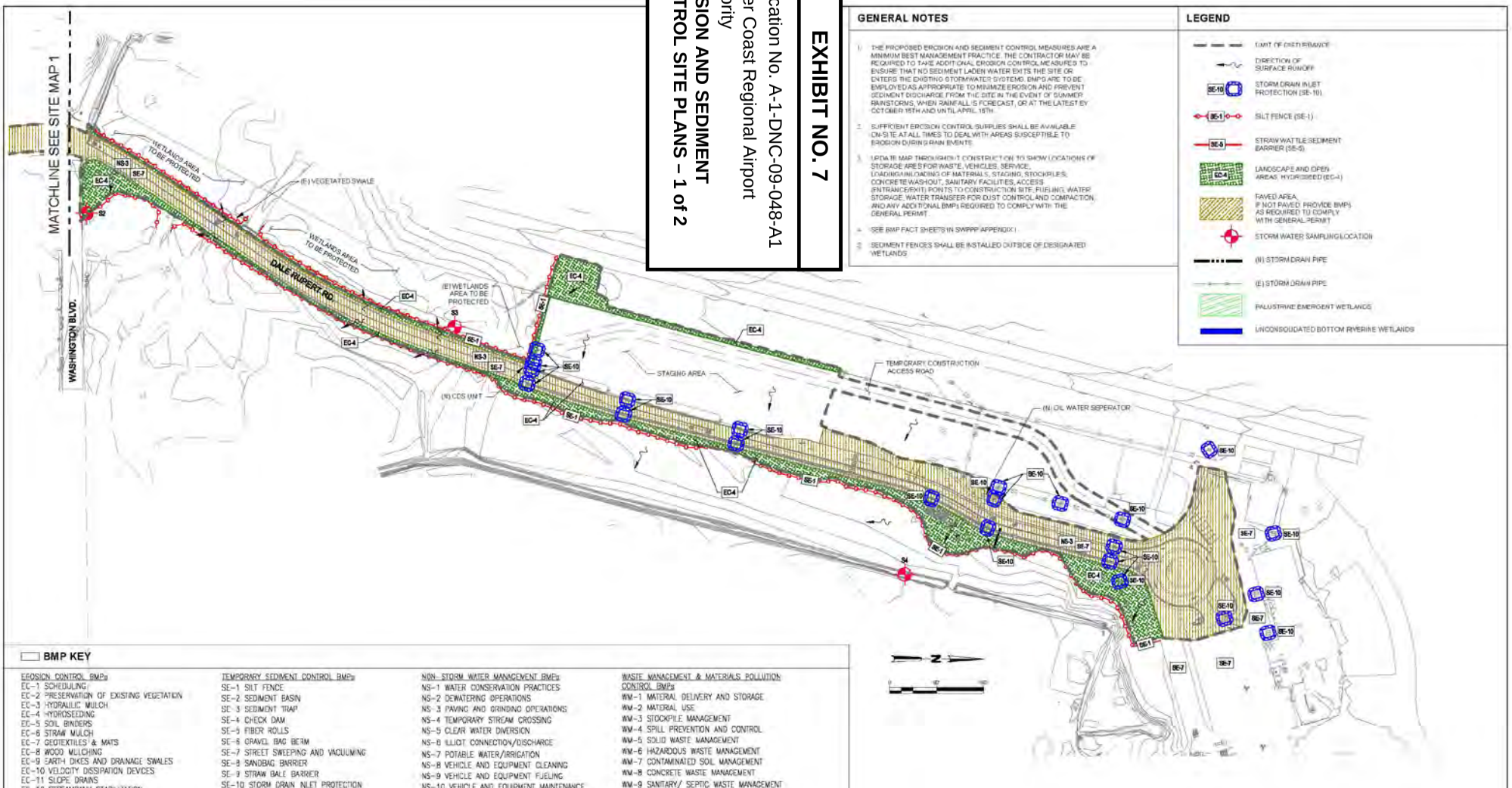
EXHIBIT NO. 7

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority

EROSION AND SEDIMENT CONTROL SITE PLANS – 1 of 2



GENERAL NOTES

1. THE PROPOSED EROSION AND SEDIMENT CONTROL MEASURES ARE A MINIMUM BEST MANAGEMENT PRACTICE. THE CONTRACTOR MAY BE REQUIRED TO TAKE ADDITIONAL EROSION CONTROL MEASURES TO ENSURE THAT NO SEDIMENT LADEN WATER EXITS THE SITE OR ENTERS THE EXISTING STORMWATER SYSTEMS. BMPS ARE TO BE EMPLOYED AS APPROPRIATE TO MINIMIZE EROSION AND PREVENT SEDIMENT DISCHARGE FROM THE SITE IN THE EVENT OF SUMMER RAINSTORMS, WHEN RAINFALL IS FORECAST, OR AT THE LATEST BY OCTOBER 15TH AND UNTIL APRIL 15TH.
2. SUFFICIENT EROSION CONTROL SUPPLIES SHALL BE AVAILABLE ON-SITE AT ALL TIMES TO DEAL WITH AREAS SUSCEPTIBLE TO EROSION DURING RAIN EVENTS.
3. UPDATE MAP THROUGHOUT CONSTRUCTION TO SHOW LOCATIONS OF STORAGE AREAS FOR WASTE, VEHICLES, SERVICE, LOADING/UNLOADING OF MATERIALS, STAGING, STOCKPILES, CONCRETE WASHOUT, SANITARY FACILITIES, ACCESS (ENTRANCE/EXIT) POINTS TO CONSTRUCTION SITE, FUELING, WATER STORAGE, WATER TRANSFER FOR DUST CONTROL AND COMPACTION, AND ANY ADDITIONAL BMPS REQUIRED TO COMPLY WITH THE GENERAL PERMIT.
4. SEE BMP FACT SHEETS IN SWPPP APPENDIX I.
5. SEDIMENT FENCES SHALL BE INSTALLED OUTSIDE OF DESIGNATED WETLANDS.

LEGEND

- LIMIT OF DISTURBANCE
- DIRECTION OF SURFACE RUNOFF
- SE-10 STORM DRAIN INLET PROTECTION (SE-10)
- SE-1 SILT FENCE (SE-1)
- SE-5 STRAW WATTLE/SEDIMENT BARRIER (SE-5)
- EC-4 LANDSCAPE AND OPEN AREAS, HYDROSEED (EC-4)
- PAVED AREA, IF NOT PAVED, PROVIDE BMPS AS REQUIRED TO COMPLY WITH GENERAL PERMIT
- STORM WATER SAMPLING LOCATION
- (N) STORM DRAIN PIPE
- (E) STORM DRAIN PIPE
- PALUSTRINE EMERGENT WETLANDS
- UNCONSOLIDATED BOTTOM RIVERINE WETLANDS

BMP KEY

EROSION CONTROL BMPs
EC-1 SCHEDULING
EC-2 PRESERVATION OF EXISTING VEGETATION
EC-3 HYDRAULIC MULCH
EC-4 HYDROSEEDING
EC-5 SOIL BINDERS
EC-6 STRAW MULCH
EC-7 GEOTEXTILES & MATS
EC-8 WOOD MULCHING
EC-9 EARTH DIKES AND DRAINAGE SWALES
EC-10 VELOCITY DISSIPATION DEVICES
EC-11 SLOPE DRAINS
EC-12 STREAMBANK STABILIZATION
EC-14 COMPOST BLANKETS
EC-15 SOIL PREPARATION / ROUGHENING
EC-16 NON-VEGETATIVE STABILIZATION

WIND EROSION CONTROL BMPs
WE-1 WIND EROSION CONTROL

TEMPORARY SEDIMENT CONTROL BMPs
SE-1 SILT FENCE
SE-2 SEDIMENT BASIN
SE-3 SEDIMENT TRAP
SE-4 CHECK DAM
SE-5 FIBER ROLLS
SE-6 GRAVEL BAG BERM
SE-7 STREET SWEEPING AND VACUUMING
SE-8 SANDBAG BARRIER
SE-9 STRAW BALE BARRIER
SE-10 STORM DRAIN INLET PROTECTION
SE-11 ACTIVE TREATMENT SYSTEMS
SE-12 TEMPORARY SILT DIKE
SE-13 COMPOST SOCKS AND BERMS
SE-14 BIOFILTER BAGS

NON- STORM WATER MANAGEMENT BMPs
NS-1 WATER CONSERVATION PRACTICES
NS-2 DEWATERING OPERATIONS
NS-3 PAVING AND GRINDING OPERATIONS
NS-4 TEMPORARY STREAM CROSSING
NS-5 CLEAR WATER DIVERSION
NS-6 ILLICIT CONNECTION/DISCHARGE
NS-7 POTABLE WATER/IRRIGATION
NS-8 VEHICLE AND EQUIPMENT CLEANING
NS-9 VEHICLE AND EQUIPMENT FUELING
NS-10 VEHICLE AND EQUIPMENT MAINTENANCE
NS-11 PILE DRIVING OPERATIONS
NS-12 CONCRETE CURING
NS-13 CONCRETE FINISHING
NS-14 MATERIAL AND EQUIPMENT USE
NS-15 DEMOLITION ADJACENT TO WATER
NS-16 TEMPORARY BATCH PLANTS

WASTE MANAGEMENT & MATERIALS POLLUTION CONTROL BMPs
WM-1 MATERIAL DELIVERY AND STORAGE
WM-2 MATERIAL USE
WM-3 STOCKPILE MANAGEMENT
WM-4 SPILL PREVENTION AND CONTROL
WM-5 SOLID WASTE MANAGEMENT
WM-6 HAZARDOUS WASTE MANAGEMENT
WM-7 CONTAMINATED SOIL MANAGEMENT
WM-8 CONCRETE WASTE MANAGEMENT
WM-9 SANITARY/ SEPTIC WASTE MANAGEMENT
WM-10 LIQUID WASTE MANAGEMENT

TEMPORARY TRACKING CONTROL BMPs
TC-1 STABILIZED CONSTRUCTION ENTRANCE/EXIT
TC-2 STABILIZED CONSTRUCTION ROADWAY
TC-3 ENTRANCE/OUTLET TIRE WASH

No.	Revision	Drawn	Date	Project Director	Date
-	-	-	-	-	-

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Drafting Check: JW		Design Check: JW	
Approved (Project Director):			
Date:			
Scale: 1" = 80'			

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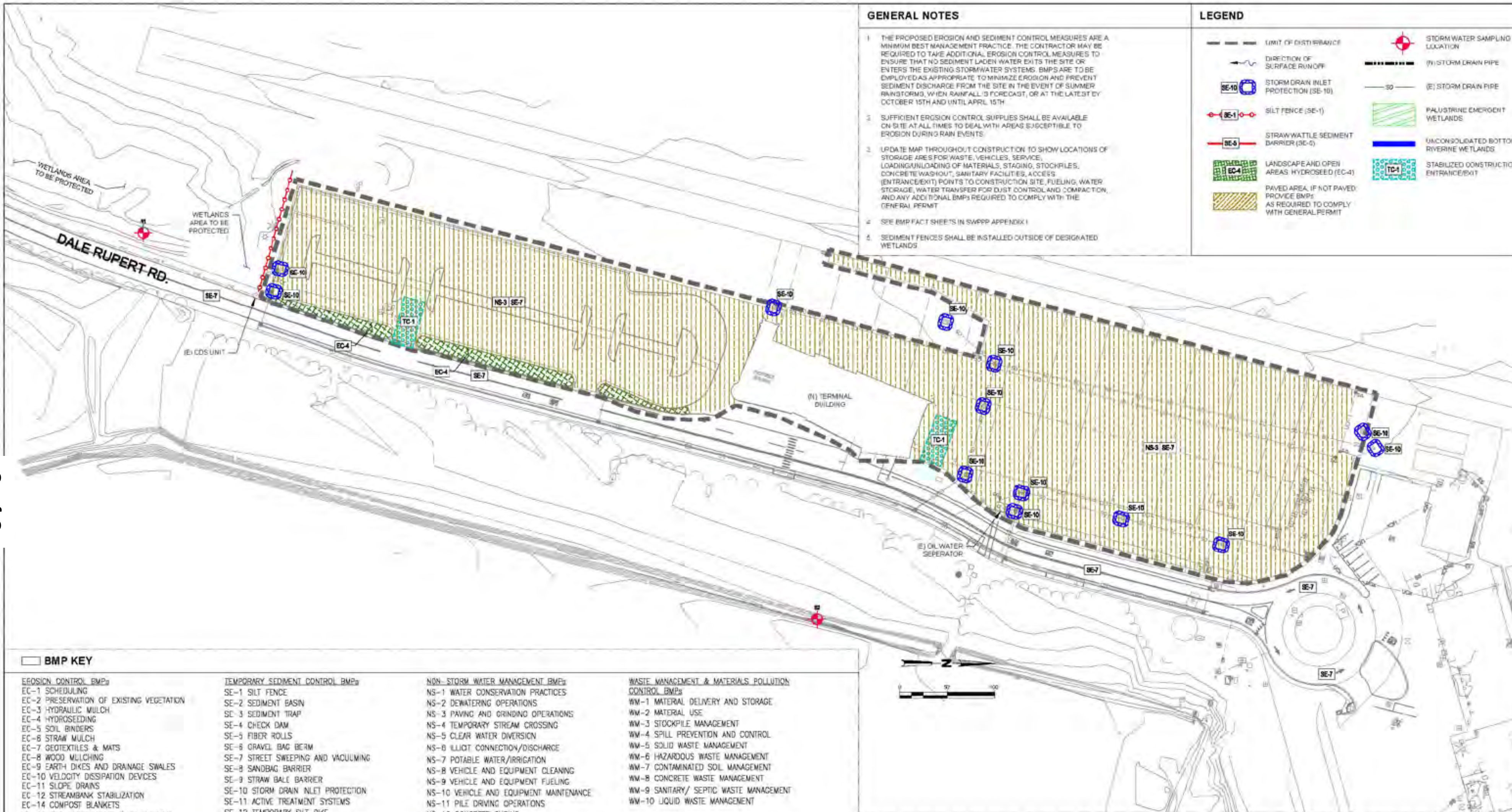
Client: BORDER COAST REGIONAL AIRPORT AUTHORITY (BCRAA)
Project: CEC NEW TERMINAL PROJECT - SWPPP
Title: SITE MAP
PHASE 1
Contract No. 8410130
Original Size: Ansi D
SITE MAP 2
Rev:

Plot Date: 11 November 2015 - 1:27 PM Plotted by: Stephanie Gould
Last Edit No: C:\Legacy\Projects\Eureka\8410130\Technical\Drawings\Submittals\EC\EC-2 SITE MAP 2.dwg



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No	Revision	Drawn	Job Manager	Project Director	Date
-	-	-		-	

Note: * indicates signatures on original issue of drawing or last revision of drawing

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Drafting Check JW | Design Check JW
Approved (Project Director)
Date
Scale AS SHOWN
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Client **BORDER COAST REGIONAL AIRPORT AUTHORITY (BCRAA)**
Project **CEC NEW TERMINAL PROJECT - SWPPP**
Title **SITE MAP PHASE 2**
Contract No 8410130
Original Size **Ansi D**

SITE MAP 3

Sheet 4 of 6
Rev:

Plot Date: 11 November 2015 - 1:28 PM Plotted by: Stephanie Gould
Cad File No: SWPPP 8410130-SWPPP Phase-2-Final.dwg

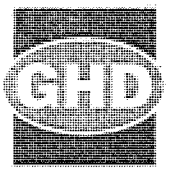

EXHIBIT NO. 8
APPLICATION NO.
A-1-DNC-09-0048-A1
Border Coast Regional Airport Authority
WETLAND MITIGATION & MONITORING
PLAN EXCERPTS – 1 of 30

Border Coast Airport Authority

Del Norte County Regional Airport, Jack McNamara Field (CEC)

Terminal Replacement Project

Crescent City, California

Mitigation and Monitoring Plan

California Coastal Commission

July 2015

1. Introduction

1.1 Summary

This Mitigation and Monitoring Plan (MMP) has been prepared for the Border Coast Regional Airport Authority (BCRAA) Terminal Replacement Project (TRP) for the California Coastal Commission. The MMP was prepared to comply with Permit Application No. A-1-DNC-09-048. The MMP is patterned on Regulatory Program Regulation (33 CFR) guidance published by the USACE (2008), and expanded to include information identified in "procedural guidance for evaluating wetland mitigation projects in California's coastal zone" (CCC 2012).

The Terminal Replacement Project includes the following:

- Terminal Replacement Project (Terminal, Parking Lot, Aircraft Apron and Road upgrades)
- Sanitary Sewer and Water Line Project
- CEC Terminal Replacement Project Off-Site Mitigation at Pacific Shores

The above-denoted projects shall be compiled herein and collectively denoted as the Terminal Replacement Project (TRP). The areas to be impacted during the TRP shall be denoted as the Project Site (Site). The area to be impacted during environmental impact mitigation work to be conducted at Pacific Shores shall herein be denoted as the Mitigation Site.

As described by the *Coastal Development Permit Application, Del Norte County Regional Airport, Jack McNamara Field, Terminal Replacement Project, Technical Report/Amended Project Description, Layout Plan Option 2,* and the Environmental Impact Report (EIR) Addendum Number Two produced by URS Corporation (URS) Alternative 10, Option 2 is a design alternative that focuses on creating a functional terminal layout with a unique design while having the least inherent environmental impacts (URS 2010).

The Terminal Replacement Project will result in impacts to jurisdictional wetlands. Making the proposed improvements to the CEC terminal is necessary to improve service and safety.

This MMP will outline a conceptual package of mitigation actions to offset the **0.03** acre of USACE and Coastal Commission palustrine wetland habitat impacts resulting from fill of drainage ditches for the TRP. This plan proposes to mitigate for impacts to wetlands as described in Table 1.

The proposed Mitigation Site for the TRP is located at the Pacific Shores Subdivision in Del Norte County. This mitigation concept proposes to remove one road segment to re-establish wetlands and wetland hydrologic connectivity following the mitigation strategy laid out under the concurrent Runway Safety Area mitigation program. This document therefore relies heavily on the Runway Safety Areas Mitigation and Monitoring Plan (GHD 2014).

1.2 Contacts

Questions regarding the BCRAA Mitigation and Monitoring Plan should be directed to:

Misha Schwarz, Project Manager
GHD, Inc.
718 Third Street, Eureka, CA 95501
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And:

approximately 2.5 feet underground and the outflow will be armored and will drain into and follow the natural flow line of the existing drainage at this location.

Hangar Road and Ag Road. Hangar Road and Ag Road have been removed from the Project and will remain in their current state, with a resultant decrease in wetland impacts.

Proposed Drain Inlet. A drain inlet is proposed just south of the BCRAA office.

Extension of Fillet. A fillet (concrete pavement) will be extended (Phase II) to the south along the proposed apron to allow for more efficient aircraft movement from taxiway to apron and vice versa. The fillet is approximately 10 feet wide on the north side, extends 80 feet and tapers down to less than one foot on the south.

Temporary Construction Fence. A temporary construction fence will be constructed (Phase I and Phase II) for security approximately 10 feet west of the proposed terminal parking lot just north of the existing paving adjacent to the Quonset Hut. The temporary fencing will be galvanized chain link up to eight feet in height and extend the length of the proposed terminal parking lot.

Removal of Paving West of Quonset Hut. Approximately 0.16 acre of paving immediately adjacent and to the west of the existing Quonset Hut on Dale Rupert Road will be removed (Phase I) as part of the Project. After its removal, the area will be revegetated with native grass species for erosion control.

Relocation of Beacon. The airport beacon will be relocated (Phase I) just north of the water tower on the east side of Dale Rupert Road. The rotating beacon will be mounted on a 51 foot high steel mono-pole. The mono-pole will be supported by a concrete foundation, typically a drilled shaft.

Project changes resulted in a reduction of impacts to the filling of three drainage ditches, totalling 0.03 acre of fill.

2.4 Proposed Mitigation

The proposed off-site mitigation plan will take place at the Pacific Shores Subdivision that is also the location of a portion of the RSA mitigation area in Del Norte County, CA (Figure 4). It includes wetland reconnection and re-establishment through road removal and limited invasive species removal on adjacent parcels and right of way within 50 feet of the wetland re-establishment area. The proposed road removal includes a segment of Porteck Street immediately north of Ocean Drive, and extends an adjacent area of road removel includes in RSA mitigation. The new road removal segment proposed for terminal mitigation is 270 feet in length and 0.15 acres (6,517 square feet).

The proposed work will be funded by BCRAA. BCRAA is seeking federal funds under the former Airport and Airway Improvement Act of 1982 (49 USC §47101 et seq., 49 USC §§47106 and 47107). The FAA will continue to act as the lead federal agency. Regulatory authority of the USACE for wetlands and waters of the United States for the RSA project is based on Section 404 of the Clean Water Act (33 USC 1344). A 401 Certification from the NCRWQCB will be required. The project is in the Coastal Zone with combined jurisdiction between the County of Del Norte and the CCC, although the County has relinquished permitting authority to the CCC.

3. Goals and Objectives

3.1 Mitigation Goals

The purpose of the mitigation plan is to compensate for impacts to 0.03 acre of drainaige ditches resulting from the proposed terminal replacement improvements at CEC. The overall goal of the proposed mitigation package is to re-establish self-sustaining natural palustrine emergent wetlands.

3.2 Mitigation Objectives

Specific project objectives include:

1. Pacific Shores Subdivision wetland re-establishment:
    a. A net increase in the area of palustrine persistent emergent freshwater wetland;
    b. A net reduction in habitat fragmentation through road segment removal and preservation of adjacent lands; and
    c. Removal of Scotch broom adjacent to wetland re-establishment.

3.3 Target Habitats and Community Types

Plant community or resource types to be re-established are palustrine emergent freshwater wetlands.

General mitigation concepts and targets are defined in Table 1.

Table 1 General Mitigation Concepts and Targets

Current Use/ Existing Habitat	Proposed Habitat	Proposed Action	Location
Road	Re-establish Wetlands	Remove Road; Grade and Revegetate with Native Wetland Species	Pacific Shores
Road ROW Off Pavement, Wetlands/Upland	Wetlands/ Upland Dune	Removal of *Cytisus scoparius* (Scotch broom) within 50' of re-established wetlands	Pacific Shores

4. Mitigation Site Selection

4.1 Location Constraints

The FAA does not recommend airport onsite wetland establishment or re-establishment because wetlands can create wildlife attractants that are hazardous to aviation operations. As provided for in AC 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports, the FAA recommends immediately correcting, in cooperation with local, state, and federal regulatory agencies, any wildlife hazards arising from existing wetlands located on or near airports. In 33 CFR 332.3(b) it is stated that "compensatory mitigation should not be located where they will increase risks to aviation by attracting wildlife to areas where aircraft-wildlife strikes may occur." A 2003 Memorandum of Agreement between the FAA, U.S. Air Force (USAF), USEPA, USFWS, and U.S. Department of Agriculture (USDA) established procedures and coordinated efforts to more effectively address

existing and future environmental conditions contributing to aircraft-wildlife strikes and minimize risks to aviation and human safety.

Thus, wetland re-establishment is proposed at off-site locations beyond 10,000 feet from the end of a runway as required for airports serving turbine-powered aircraft by AC 150/5200-33B.

4.2 Mitigation Site Selection

The Terminal Mitigation Site builds upon separately funded and planned work for the RSA Improvement Project and proposes to use a road segment at one of the same general locations, the Pacific Shores Subdivision, for mitigation. The following section describes how the Pacific Shores Subdivision was originally selected for mitigation. The intent is to consolidate mitigation for the RSA and Terminal projects to maximize the net gain in habitat functional value.

Limited opportunities are available in Del Norte County for near-coastal mitigation. CEC is at the southern limit of a coastal dune complex extending north from Point Saint George to the mouth of the Smith River (Helley and Averett 1971). Because most of the impact area is within the coastal dune complex, true in-kind mitigation is limited to this same region. However much of the area is already in public ownership (Tolowa Dunes State Park and Lake Earl Wildlife Area), and with limited exceptions state policy generally does not allow credit for mitigation activities on public land.

The only large area of private land within the Lake Earl dune complex is the Pacific Shores Subdivision. This area includes a patchwork of private and state-owned half-acre lots, with about half in each type of holding but distributed unevenly across the site. The extensive road complex within the subdivision, with roads generally centered within a 50-foot right-of-way, is owned by Del Norte County; many of the roads are in various stages of deterioration, and some are overgrown or occasionally completely blocked by woody vegetation. Removal of these roads, where feasible, and preservation of adjacent right-of-way and parcels acquired from willing sellers, offers one of the largest and potentially one of the most valuable opportunities for habitat restoration in coastal Del Norte County.

According to the subdivision map act, direct access is required to private property (Added by Stats. 1974, Ch. 1536. Effective March 1, 1975.), indicating that road access must be retained to any private landowner at Pacific Shores Subdivision. Therefore, when identifying road segments to be considered for removal for mitigation purposes, private ownership must be considered along the road corridor desired for removal. If roads are removed to or in front of a private parcel, that parcel must be purchased as part of the mitigation package from willing sellers. BCRAA and Del Norte County did not utilize eminent domain to acquire parcels. Where one or more parcels could not be readily acquired from willing sellers wetland mitigation opportunities were limited on any particular segment of road. Del Norte County and CDFW also provided input on retaining certain roads to allow site access for recreation and maintenance.

To identify potential road removal segments, a GIS optimization analysis was conducted (GHD Inc. 2013a). The initial optimization considered a series of constraints including roads designated by Del Norte County to remain intact for site access; road segments so heavily overgrown with willows or other vegetation that they could not be surveyed in a timely manner; adjacent private parcels with other constraints; and presence of butterfly host or nectar plants or other rare or sensitive plants within the road removal area. A second optimization was then run in January 2013 without private parcel constraints, without overgrown road constraints, and without host and nectar plant constraints at the request of regulatory agencies, and this optimization is used as the basis for wetland re-establishment at Pacific Shores Subdivision. The optimization generated a draft map of

remaining constraints. The optimization map served as the basis for initial landowner contact to discuss potential acquisition from willing sellers, although owners beyond the potentially affected parcels were also contacted. As of June 3, 2014 a total of approximately 181 lots have been identified as potentially available through various means; signed agreements have been obtained for 139 of these parcels to date, and 42 are tax default parcels. Most lots are approximately one-half acre in size, with a few larger or smaller.

A CRAM analysis included in previous reports (GHD 2013) documented good functional value of Pacific Shores Subdivision. Parcels within the site are being converted from private ownership to public. Even if no overt action is taken by current owners, natural habitats are undergoing successional processes and invasion by non-native species which over time would continue to degrade habitat value.

The proposed wetland re-establishment site includes a segment of Porteck Street immediately north of Ocean Drive and nearby public lands, and is shown on Figure 4.

5. Site Protection Instrument

After completion of mitigation activities and at the end of the monitoring period when performance criteria have been met, ownership of Pacific Shores Subdivision right-of-way where roads have been removed and of acquired parcels will be transferred to the State of California. At the December 11, 2013 meeting of the Fish and Game Commission, an item to approve the transfer of parcels within Pacific Shores to the State of California was approved by the Commission as part of the consent agenda (CDFW 2013). Correspondence related to transfer of Pacific Shores parcels is included in Appendix B. At the March 6, 2014 board meeting the BCRAA Board of Directors directed the staff to negotiate details of ownership transfer with CDFW staff. A memorandum of understanding will be prepared in advance of construction activity to formalize this arrangement and to specify the timing and mechanism of transfer.

The Pacific Shores road segments removed, adjacent right-of-way, individual acquired Pacific Shores will be protected under a conservation easement to be recorded concurrent with or shortly after acquisition. The standard USACE mitigation bank easement template as edited for the RSA Project will also be applied to the Terminal Replacement mitigation.

6. Environmental Baseline

6.1 Baseline Conditions

This mitigation and monitoring plan covers the proposed mitigation area for the Del Norte Regional Airport (CEC) Terminal Replacement Project. The selected site expands the mitigation underway for the Runway Safety Area Improvement at the Pacific Shores Subdivision which involves the selective closure and removal of roads, regrading, wetland reconnection, and removal of Scotch broom within 50 feet of the mitigation re-establishment wetlands. The environmental baseline described here draws from the RSA Pacific Shores Mitigation Site MMP document. Through the RSA Off-Site Mitigation at Pacific Shores Subdivision, the lands included for Scotch broom removal have already been brought into public ownership, and the roads to be removed are public and not needed for access to remaining private parcels.

6.1.1 Grading Plan

Road Removal

The depth of cut will depend on the thickness of asphalt and an underlying aggregate base. From the geotechnical report, this depth of asphalt and aggregate base is approximately 9 inches. The width spans from the edge of pavement to edge of pavement, which is approximately 24 feet. Removed asphalt and base rock must be disposed of at a legal off-site location.

Grading

In order to create a more natural surface undulation, a grading tolerance of +/- four inches was specified in the design.

Substrate modification

After road removal the areas will be ripped to a depth of 10 inches at the road removal sites, loosening compacted material under the removed roads, and tilling any minimal remaining aggregate with native subgrade before planting.

6.1.2 Pacific Shores Subdivision Overview

The Pacific Shores area was subdivided into 1,535 lots of approximately 0.5-acre each in the 1960s, and about 27 miles of roads were constructed. The California Coastal Commission declined to certify the subdivision and it remains a “white area” within the certified Del Norte County Local Coastal Plan (California Coastal Conservancy 2004) which implies that primary permitting authority lies with the Coastal Commission. Although a few trailers are present within the subdivision, it cannot at present be legally occupied. Most of the site retains a semi-natural character fragmented by unmaintained, deteriorating and sometimes overgrown paved roads. Pacific Shores Subdivision is within an 11-mile long dune system extending from Point Saint George north to the Smith River. The dune system macrosite is referred to as the Tolowa Dunes or Lake Earl Dunes (Pickart and Sawyer 1998) depending on the source. At the widest point the dune system extends about 1.7 miles inland, and within the subdivision it covers the entire area between the Pacific Ocean to the west and Lake Earl to the southeast. Because it is bordered by public lands including Tolowa Dunes State Park and Lake Earl Wildlife Area, and because of its central location within these public lands, Pacific Shores Subdivision currently fragments the larger dune system macrosite.

The area is characterized by active dunes partially burying an older stabilized dune system (Cooper 1967); nearshore sand deposited by the Smith River has been blown by prevailing northwest winds into a series of dunes, most conspicuous in the western part of the site (Roberts 2003; Weidemann 1984). Close to the coastline typical dune communities occur, including foredunes almost entirely stabilized by European beachgrass, remnant areas of dune mat, and dune hollows with slough sedge or willow communities (Pickart and Sawyer 1998). The portion of the Tolowa Dunes complex which includes Pacific Shores Subdivision is unusual because on the relatively level deflation plains in the center of the site, large areas of coastal terrace prairie remain intact, with some areas of fairly good natural quality. In the eastern part of the site conifer forests of mixed Sitka spruce (*Picea sitchensis*) and beach pine (*Pinus contorta* ssp*. contorta*) alternate with deciduous woodlands dominated by willow and red alder. Considerably more than half of Pacific Shores Subdivision consists of jurisdictional wetlands.

Because Pacific Shores Subdivision includes a range of plant communities from early seral dunes through grasslands to conifer forest, including a full soil moisture range from wet to xeric, all within a

relatively small area, it is able to support a very diverse assemblage of plant and animal species. However some ecological processes have been disrupted by the road network and the near absence of land management within the patchwork of private and state owned parcels, resulting in a gradual shift toward later successional stages. As early seral stages become less common and increasingly fragmented, some species of conservation concern are likely to suffer.

6.1.3 Vegetation

Plant communities are characterized in a biological resources report (GHD Inc. 2013b), following the nomenclature of Sawyer et al (2009). Major vegetation alliances, generally presented from the shoreline (west) to inland (east), include:

- Beach strand (not affected by the project)
- *Ammophila arenaria* Semi-Natural Herbaceous Stands (non-native)
- *Abronia latifolia–Ambrosia chamissonis* Herbaceous Alliance (dune mat)
- *Deschampsia cespitosa* Herbaceous Alliance (coastal terrace prairie)
- *Calamagrostis nutkaensis* Herbaceous Alliance (coastal terrace prairie)
- *Festuca rubra* Herbaceous Alliance (coastal terrace prairie)
- *Holcus lanatus–Anthoxanthum odoratum* Semi-Natural Herbaceous Stands (annual grassland)
- *Carex obnupta* Herbaceous Alliance
- *Schoenoplectus americanus and Schoenoplectus acutus* Herbaceous Alliances (freshwater to brackish marshes)
- *Typha latifolia Herbaceous* Alliance (brackish marsh)
- *Salix hookeriana* Shrubland Alliance
- *Pinus contorta* ssp*. contorta* Forest Alliance
- *Picea sitchensis* Forest Alliance

Invasive species including European beachgrass, reed canary grass (*Phalaris arundinacea*) and Scotch broom (*Cytisus scoparius)* have become established on parts of the general project site. By stabilizing foredunes and invading swales, these plants have disrupted windborne transport of sand, once a primary ecological process in the dune ecosystem.

6.1.4 Hydrology

Historically, Lakes Earl and Tolowa fluctuated in elevation with winter rains impounded by a sand bar at the mouth. Eventually the sand bar will breach, lowering the lake level. For many years the sand bar was artificially breached from time to time. According to Lauck (1997) the lake level management philosophy changed about 1990, with breaching occurring at higher lake levels thereafter; Lauck believed that higher lake levels posed a threat to Oregon silverspot butterfly (OSB) populations because of winter and early spring flooding of western dog violets (*Viola adunca* ssp. *adunca*). Since that time it appears that plant communities have adapted to somewhat higher lake levels which more closely approximate a natural condition. In December 2014 the sand bar breached naturally at an elevation of 9.7 feet. Currently, the County breaches Lake Earl when the lake levels obtain an elevation of approximately 9 feet.

Areas immediately adjacent to the proposed mitigation segment presently include shallow slough sedge dominated marsh, coastal terrace prairie, willows, and rows of shore pine in shallow roadside ditches. Some dune mat is present just to the west but does not enter the ROW.

Much of Pacific Shores Subdivision is wet during and immediately after the rainy season, with standing water in or immediately adjacent to some of the roads to be removed. Wetlands will be re-established in locations where suitable hydrology is demonstrated by the presence of jurisdictional wetlands contiguous with or adjacent to the mitigation area (road removal) at elevations within the range specified for final grading and consistent with groundwater monitoring data.

The Pacific Shores Subdivision has a network of approximately 27 miles of paved roads, which contributes to the majority of the impervious area for the site. The remainder of the area is considered pervious and is currently unpaved, consisting of vegetated dune sands and of wetland complexes. Dune sands are very permeable, and as much as 75 to 80 percent of rainfall percolates quickly to groundwater. The remainder evaporates, is used by plants, or moves via surface discharge to the ocean or lakes (Dune Groundwater Planning and Management Considerations for the Oregon Coast, Oregon Coastal Zone Management Association, Inc. 1979).

The majority of surface drainage at Pacific Shores Subdivision presently occurs through man-made drainage ditches along roadsides, which flow to Lake Earl. A major drainage way passes north to south through the western portion of the subdivision in the deflation trough between the primary foredune ridge and the older, inland dune ridges (between Stukey Street and Marsh Street) discharging to Lake Tolowa. A drainage ditch also runs through the center of the blocks between Valentine and Placone Streets. Roadside ditches on the extreme eastern side of the subdivision partially drain east into Tolowa Slough through a few man-made channels. The roadside drainage ditches are often little more than shallow swales heavily vegetated with grasses, herbs, shrubs, and in some cases with trees and have not been managed for decades. During rain events water can be observed backing up onto paved road surfaces, especially on the east side of the subdivision. This inundation is likely due to a combination of high water tables, the sometimes marginally defined drainages, the low gradient undulating topography, and the unmaintained state of the existing roads and drainage networks.

Stormwater channels on the Pacific Shores site are predominately low gradient (ranging from 0.5 percent to 2 percent in slope with an average of 1 percent), consisting of sand, and covered with vegetation. Most of the stormwater channels are located along road segments, and discharge into Lake Earl. This information is provided in more detail in the Surface Water Hydrology Report (GHD 2014) developed for Pacific Shores Subdivision to assess the potential effects on surface water hydraulics at the site by the proposed removal of roads throughout the subdivision.

The analysis determined that more road surface removed results in a greater decrease in stormwater peak flow rates. Since the drainage features are not being modified, the analysis shows there will be less stormwater being conveyed in the drainage features after the project is complete. This trend is consistent regardless of the final number of roads or final area of roads that may be removed and holds true as long as the project is focused on removing more impervious surfaces and maintaining the existing drainage capacity. This also has a direct effect on lessening the impacts on the stormwater conveyance channels by reducing the volume of water that is discharged and decreasing the related water depth and velocities.

6.1.5 Soils

Lower elevation areas of the Pacific Shores mitigation site are or historically where wetland and hydric soils have developed. Removal of road segments and excavation to appropriate elevations

will expose historic hydric soils beneath the road bed. Presence of hydric soils in targeted road removal locations has been verified by field investigations and groundwater monitoring.

In his September 6, 2013 technical report, Chad Roberts, Ph.D., noted that soil mapping in the Del Norte coastal plain "is in a state of flux." The published soil map and reported data for the region date back to 1966 and was not "prepared using the scientific methodology currently adopted by the USDA Natural Resource Conservation Service (NRCS)." The NRCS publications and classification systems are generally relied upon for federal purposes including wetland classifications and hydrologic studies.

A geotechnical soils investigation at Pacific Shores Subdivision was performed by LACO Associates, Inc. in March 2013. The soils investigation reported that the project site is situated within a low-gradient (generally less than five percent) coastal sand dune field between Lake Earl and the Pacific Ocean. Base maps of the area indicate elevations within the project site range between approximately six and 50 feet.

Based on the LACO report, the project site was described as underlain by unconsolidated Holocene dune deposits primarily consisting of sand. Published geologic mapping of the project site is consistent with soil profiles and surface exposures that were observed in the field. At an unknown depth, the dune sands likely overlay Pleistocene marine terrace deposits of the Battery Formation which, in turn, unconformably overlies the Jurassic-to-Cretaceous-age Franciscan formation bedrock. This information is provided in more detail in the Surface Water Hydrology Report (GHD 2014).

7. Determination of Credits

7.1 General

Impacts and mitigation credits are measured in acres, and mitigation will be applied at ratios agreed upon by BCRAA and the regulatory agencies. Ratios above 1:1 are intended to compensate for temporal lag and uncertainty of success. Because many of the wetland and upland plant communities at the mitigation sites are early seral stage communities the dominant plant species tend to be fast-growing and adapted to rapidly colonize newly available habitat; thus the probability of success is believed to be higher than is typical for some other habitats of comparable complexity, and temporal lag less than is typically experienced.

7.2 Mitigation Credits

The project proposes to mitigate the palustrine emergent wetland habitat resultant of filling the Project site's existing drainage ditches at a ratio of 4:1 to comply with provision 7.A.1. of the NOI Special Conditions. A total of 0.12 acre of wetland will be re-established (0.03 acre x 4.0 ratio).

Table 2 summarizes proposed mitigation elements sufficient to meet this total per CCC NOI Special Condition 7.A.1.

Table 2 Proposed Mitigation to Meet Coastal Development Permit Requirements

Site	Coastal Commission CDP Mitigation	
	Ratio	Wetlands re-established (ac)
Required	4:1	0.12
Planned, Pacific Shores	4:1	0.12
Net excess (+) or shortfall (-)		0

The estimate in Table 2 includes 0.12 acres of wetland re-establishment through road removal at Pacific Shores. With the assumptions described above, adequate mitigation is available to satisfy CCC requirements.

8. Mitigation Work Plan

8.1 Mitigation Area

The Pacific Shores Subdivision mitigation area for the Terminal Replacement Project is comprised of Pacific Shores Subdivision roads and right-of-ways. The limits of the Pacific Shores Subdivision mitigation area are shown in Figure 5.

8.2 Pacific Shores Subdivision Work Plan

The Pacific Shores Subdivision mitigation concept is focused on removal of a road segment, re-establishment of wetlands, and limited removal of invasive Scotch broom. The RSA Mitigation and Monitoring Plan for Pacific Shores Subdivision described re-establishment and reconnection through road removal. The terminal mitigation proposal leverages that work by removing an additional road segment not included under the RSA plan and contiguous with a long segment included in that earlier plan. Road removal occurs only where adjacent parcels have been acquired from willing sellers or are already in public ownership, and where removal will not cut off access for any remaining private landowners. The mitigation site will, at the end of the monitoring period, be conveyed to the State of California.

8.2.1 Construction Methods

The Project will involve the following activities at Pacific Shores Subdivision:

- Seed collection and plant propagation.
- Mobilization.
- Implementation of traffic control devices as needed.
- Installation of BMPs to protect drainages and coastal waters.
- Debris removal. This will include removing and disposing of debris materials from designated areas associated with road removal segments. Miscellaneous debris removal is defined as all materials located within the designated work area not covered in the other definitions and shall include but not be limited to items like vehicles, equipment, appliances, building materials or remains thereof, tires, any solid or liquid chemicals or products stored or found in containers or spilled on the ground. Some miscellaneous debris may be

hazardous and proper disposal techniques and facilities must be utilized. Areas to be removed will be flagged in advance.

- Removal of target invasive species. Scotch broom will be removed from adjacent right-of-way, areas where grading or construction disturbance will occur, or on acquired parcels within 50 feet of where construction disturbance will occur. Removal will be performed manually unless specified otherwise elsewhere in this document or in project specifications. Materials will be bagged and removed to an appropriate off-site green waste disposal facility. This effort will be in the immediate proximity of re-establishment areas to prevent rapid invasion of unwanted plant species in the mitigation areas.
- Clearing and Grubbing. This will include clearing of trees, shrubs, and herbaceous vegetation and debris from the existing 24-foot road surface where roads are to be removed and from selected areas of adjacent right-of-way. Some pine trees will be removed and stockpiled for later re-use as barriers, with all other material to be disposed of off-site.
- Road and base rock. This will include removal of asphalt concrete (AC) road surface and base rock. If cold planing machines are used, they shall be equipped with a cutter head not less than 30-inches in width and shall be operated so that no smoke or fumes will be produced. Material will be removed from the site as quickly as practical, and disposed of at an approved off-site location. The road segment to be removed are shown in Figure 5.
- Excavation. This includes all earthwork activities related to excavation of roadbed rock, wetland re-connections, topographic variation in road removal areas, and road entry barriers
- Ripping. This will include scarifying soils beneath removed roads to a depth of at least 10 inches to loosen compacted material.
- Grading. After completion of the above tasks, final grading topographic variation in road removal areas, and road entry barriers will occur. Topographic variation will occur throughout road removal areas to encourage habitat heterogeneity.
- Road barriers. Pine trees stockpiled during clearing and grubbing will be used to create barriers at removed roadway entries to discourage ATV access. Willow stakes will be harvested by the contractor for revegetation. Pines will be stacked, and willow stakes planted among them to create a physical and visual barrier.
- Revegetation. Areas of removed roadway and adjacent invasive plant management areas will be planted with the appropriate seed and planting mix. Wetland areas will be planted with seeds and plugs. The Coastal Prairie seed mix will be used for areas of scotch broom and pine tree removal, and the Upland seed mix will be used at the road barrier. Details of seed mixes and quantities are provided below in the planting plan section of this document.
- Ongoing management of target invasive species during the five year monitoring period within the designated areas of the project.

A GIS-based optimization report (GHD Inc. 2013a) identified potential road segments to be removed. This MMP identifies 0.12 acres of road removal. Road segments may be removed only where adjacent to acquired or publicly owned parcels. Figure 5 indicates the location of the proposed road removal segment. It is anticipated that equipment will include bulldozers, excavators, front end loaders, dump trucks, graders, asphalt planers or grinders, chainsaws, chippers, and other standard construction equipment. Only hand tools will normally be utilized beyond the limits of pavement.

Additional detail on construction methods is available in the Basis of Design Report (GHD Inc. 2013d).

Access to and from the Pacific Shores Subdivision project area will be from existing roads, with staging on adjacent closed segments of existing roads and cul-de-sacs. An off-site staging area may be established out of the project area. If this occurs it will be 1) on upland, 2) away from sensitive habitat or sensitive species presence, 3) outside of the coastal zone, and 4) on disturbed or developed land leased from a willing landowner. No heavy equipment or materials stockpiling will be allowed on dunes or coastal prairie, in wetlands, or in any other sensitive habitat.

8.2.2 Construction Timing and Sequence

The Pacific Shores Subdivision mitigation component is expected to commence in late summer of 2016. The schedule will generally occur in the following phases:

- Pre-construction surveys, invasive species removal, seed collection April 2015 to December 2016.
- Equipment mobilization and site preparation: August 2016 to October 2016.
- Construction: August 2016 to November 2016.
- Clean up and demobilization: November 2016.
- Implement site restoration, replanting in removed roadway areas: September 2016 to December 2016.
- Monitoring of restoration: June 2017 to August 2022.
- Ongoing maintenance: December 2016 to August 2022, or as mandated by permit conditions. BCRAA will be responsible for maintenance through the monitoring period.

Construction activities will be conducted in compliance with applicable federal, state and local requirements and in a manner that minimizes disturbance to adjacent properties and disruption to traffic. Construction will occur between the hours of 7 AM and 6 PM, Monday through Friday, and 10 AM to 5 PM on Saturdays. No construction will be allowed on Sundays, except in an emergency. The number of construction workers present on the project site at any given time is anticipated to be up to 10. The number of motor vehicles is anticipated to be up to 10. Up to six pieces of heavy machinery are anticipated to be in use at any one time. The project will also require the delivery of equipment, workers and materials via Kellogg Road and other public roads in the area.

Prior to ground disturbance, pre-construction surveys will be completed to identify any sensitive species presence, including Oregon silverspot butterfly host or nectar plants. Occurrences of sensitive species will be flagged and then protected with exclusion fencing.

8.2.3 Planting Plan

A detailed planting plan has been developed for the wetland habitat included in this section of the MMP: Palustrine Emergent Wetland – PSS Planting Mix A (Table 3); The following table is intended to be representative based on information available at this time and species quantities shown below have been developed using acres as the unit of measure. Final planting quantities will be included in the 100 percent construction plans and specifications. The wetland planting plugs are currently spaced using 6 feet on center because the site contains a high quantity of native plants and a strong native seed bank where natural recruitment is expected. OSB nectar plants are included in

appropriate Pacific Shores Subdivision seed mixes and can be identified by the asterisk next to the scientific name in each planting table.

Table 3 Planting Mix A - Emergent Wetland

Overall Spacing (feet off center)	Quantity per acre	Frequency (percent)	Species Quantity (lbs)	Species Name	Common Name	Unit	Spacing
6	1210	30	363	*Carex obnupta*	slough sedge	bare root	cluster
		20	242	*Deschampsia cespitosa* ssp. *beringensis*	tufted hairgrass	4" plug	
		10	121	*Potentilla anserina* ssp. *pacifica*	silverweed	4" plug	
		15	182	*Calamagrostis nutkaensis*	Pacific reed grass	4" plug	
		20	242	*Scirpus microcarpus*	panicled bulrish	4" plug	
		5	60	*Viola adunca* ssp. *adunca**	western dog violet	4" plug	
		100	**1210**	**= total**			

*Is an OSB host plant and shall be planted on wetland edges

Table 4: Seed Mix A - Emergent Wetland

Quantity per acre	Frequency (percent)	Species Quantity (lbs)	Species Name	Common Name	Unit
30 lbs	5	1.5	*Juncus lescurii*	dune rush	LB of P.L.S. 76 percent
	10	3	*Calamagrostis nutkaensis*	pacific reed grass	
	10	3	*Carex obnupta*	slough sedge	
	15	4.5	*Juncus effusus* ssp. *pacificus*	spreading rush	
	35	10.5	*Deschampsia cespitosa* ssp. *beringensis*	tufted hairgrass	
	25	7.5	*Scirpus microcarpus*	panicled bulrush	
	100	**30**	**= total**		

Table 5: Seed Mix B - Coastal Prairie

Quantity per acre	Frequency (percent)	Species Quantity	Species Name	Common Name	Unit
50 lbs	5	2.5	*Grindelia stricta var. stricta*	gumplant	LB of P.L.S. 76 percent
	10	5	*Lupinus polyphyllus* var. *polyphyllus*	broad-leaf lupine	
	10	5	*Armeria maritima* ssp. *californica*	sea pink	

Quantity per acre	Frequency (percent)	Species Quantity	Species Name	Common Name	Unit
	15	7.5	*Deschampsia cespitosa* ssp. *beringensis*	hairgrass	
	20	10	*Festuca rubra*	red fescue	
	20	10	*Carex pansa*	sandune sedge	
	20	10	*Symphyotrichum chilense**	california aster	
	100	**50**	**= total**		

*Is an OSB host plant and shall be planted on wetland edges

Table 6: Seed Mix C - Upland

Quantity per acre	Frequency (percent)	Species Quantity	Species Name	Common Name	Unit
50 lbs	25	12.5	*Achillea millefolium**	yarrow	LB of P.L.S. 76 percent
	25	12.5	*Anaphalis margaritacea*	pearly everlasting	
	10	5	*Festuca rubra*	California brome	
	25	12.5	*Prunella vulgaris* var. *lanceolata*	self heal	
	15	7.5	*Poa douglasii*	douglas bluegrass	
	100	**50**	**= total**		

*Is an OSB host plant and shall be planted on wetland edges

5. If necessary, scarify the sides and bottom of planting holes to eliminate glazed surfaces. Scarify each side of the root ball. Matted roots on the sides shall be sliced longitudinally 1/8-1/4 inch deep at least once per side. Matted roots on the bottom of the root ball shall be sliced a 1/4 inch deep.
6. Set plants in pits on firm and compacted soil. Do not allow “J” bending to occur to the tap root or root ball during installation.
7. Set crowns of wetland plants a minimum of a quarter inch (1/4”) above finish grade to account for any settling. The crown shall remain above finish grade after any adjustments have been made. Plant should not be deeper than the original soil line; no roots shall be left exposed.
8. After setting plants, ensure hole is refilled with native soil or place backfill soil, tamping and settling one foot lifts to reduce air pockets. Do not use muddy soil for backfilling. Take care to avoid over-compaction of the soil, particularly if soil is damp.
9. An initial watering shall be conducted to further eliminate air spaces and ensure adequate contact of the root surface with the soil medium after planting, taking care to avoid erosion and ensuring no roots are exposed after watering.

Contractor should inspect container plantings within 2-3 days of planting for signs of water stress.

Willow (Salix ssp.) Planting Instructions

1. Prior to planting soak cuttings (in a pond, ditch, garbage can or deep enough water) so the cutting is protected from wind and sun exposure during the soak for at least 24 hours to increase root and shoot production.
2. Willow cuttings shall be placed with the basal 2/3 of the slip (painted top) in the ground, with approximately 1/3 or 16” above the soil surface. If holes are dug or augured for the willows the soil shall be tamped around each willow slip so no air void occurs.

8.4 Erosion Control

Temporary erosion control measures shall be implemented during construction to avoid adverse impacts to coastal resources, adjacent property, or to sensitive habitat in the project vicinity. Erosion control measures proposed for implementation prior to and concurrent with construction activities include straw wattles and silt fences which will be shown on the final grading plans or SWPPP, and will include details and specifications. Measures to be implemented after construction is completed include revegetation. It is anticipated that erosion will not be a significant problem as the substrate is sand with a high infiltration rate and low erosion susceptibility, and the mitigation area is relatively flat.

Biodegradable straw matting will be applied on slopes that exceed 3:1 (if any are identified during final design). The matting will have a mesh netting that will biodegrade within several months to minimize long-term impacts to wildlife. Straw wattles may also be used to function as runoff diversions.

8.5 Invasive Plant Control

Non-native and invasive plant competition is a major factor to consider throughout the mitigation timeframe and extending into long-term management timeframe. In order to allow the revegetation of native species to grow and persist, intensive invasive species management and weed control are

required to compete against the vigorous, quickly germinating, high-density non-native grasses, forbs, trees and shrubs. The main factors to establishing the native plants are to ensure that adequate sunlight, soil moisture, and nutrients are available for the native plants to mature, some of which require two to three years to become vigorous individuals.

This section summarizes locations and suggested removal or management methods for invasive species at the mitigation sites. Performance criteria pertaining to allowable percent cover of target invasive plant species for each restored habitat (wetlands, coastal prairie, and upland dune) feature per mitigation site are described in Section 10 (below) of this MMP. In general, manual removal or other minimally intrusive methods will be used in or near sensitive species habitat with other techniques limited to already heavily disturbed areas where pre-construction surveys document the absence of OSB host or nectar plants and subject to resource agency approval

Invasive plant species at the mitigation sites are identified as invasive by the California Invasive Species Council (Cal-IPC), Calweedmapper Del Norte Weed Management Area (DWMA) Strategic Management Weed List, Regional Strategy for the Northwest Del Norte & Humboldt, the Eradication Workplan for the Northwest and DWMA Strategic Management Weed List with a ranking of high, moderate, or limited (Table 7). Invasive plants affect natural habitats and ecological communities differently. Therefore, Table 7 includes an MMP priority ranking of one and two (one being the high priority and two is lower priority), of the target invasive plants, based on site conditions, the Cal-IPC/DWMA rankings, specific habitat characteristics, ecological impacts to flora and fauna, and feasibility of controlling particular plants at each mitigation site. Additionally, the table includes species in bold that will be exempt from performance success criteria and will not be removed unless in close proximity to rare plants or OSB host plants. For ease of reference, Table 8 includes all of the bold listed species in Table 7. Table 7 plant species are considered exempt from the performance criteria as these species have been deemed to be essentially naturalized in the area and not adversely affecting the intent of the restoration design. Additional invasive plants may be identified during site clearing and construction. Invasive plant species management should consider the potential for new species added to the Cal-IPC list or DWMA lists, or the potential for a change in rank.

Table 7 Invasive Plant Species Distribution in Project Areas

Scientific Name	Common Name	Wetland Rating	Cal-IPC Rating	Del Norte WMA	Priority (1-High to 2-Low) [1]	PSS
Agrostis stolonifera	**creeping bent grass**	**FAC**	**Limited**	**NL**	**2**	**X**
Aira caryophyllea	**silver European hairgrass**	**FACU**	**NL**	**Moderate**	**2**	**X**
Ammophila arenaria	European beachgrass	FACU	High	High	1	X
Anthoxanthum odoratum [2]	**sweet vernal grass**	**FACU**	**Moderate**	**NL**	**1**	**X**
Avena fatua	**wild oat**	**NL**	**Moderate**	**NL**	**2**	**X**
Berberis darwinii	Oregon grape	NL	Watch List	NL	1	X
Briza maxima	**large**	**NL**	**Limited**	**Moderat**	**2**	**X**

Scientific Name	Common Name	Wetland Rating	Cal-IPC Rating	Del Norte WMA	Priority (1-High to 2-Low) [1]	PSS
	rattlesnake grass			**e**		
Briza minor [3]	**small rattlesnake grass**	**FAC**	**NL**	**Moderate**	**2**	**X**
Bromus hordeaceus [4]	**soft chess**	**FACU**	**Limited**	**Moderate**	**2**	**X**
Carpobrotus edulis	ice plant	NL	High	Moderate	2	X
Cirsium arvense	Canada thistle	FAC	Moderate	High	1	
Cirsium vulgare	bull thistle	FACU	Moderate	Moderate	1	X
Conium maculatum	poison hemlock	FAC	Moderate	NL	1	X
Cortaderia jubata	pampas grass	FACU	High	Moderate	1	X
Cotoneaster franchetii	cotoneaster	NL	Moderate	Moderate	1	X
Cotoneaster pannosa	cotoneaster	NL	Moderate	Moderate	1	X
Cynosurus echinatus	**hedgehog dogtail grass**	**NL**	**Moderate**	**NL**	**2**	**X**
Cytisus scoparius	Scotch broom	NL	High	High	1	X
Dactylis glomerata	orchard grass	FACU	Limited	NL	1	X
Digitalis purpurea	foxglove	FACU	Limited	Moderate	1	X
Dipsacus fullonum	teasel	FAC	Moderate	Moderate	1	X
Erica lusitanica	Portuguese heather	NL	Limited	High	1	
Festuca arundinacea	**tall fescue**	**FAC**	**Moderate**	**NL**	**2**	**X**
Festuca perennis	rye grass	NL	Moderate	NL	2	X
Foeniculum vulgare	sweet fennel	NL	High	Moderate	1	X
Genista monspessulana	French broom	NL	High	High	1	X
Hedera helix	English ivy	NL	High	High	1	X
Holcus lanatus	velvet grass	FAC	Moderate	NL	2	X
Hypochaeris glabra	**smooth cat's ear**	**NL**	**Limited**	**NL**	**2**	**X**
Hypochaeris radicata	**hairy cat's-ear**	**FACU**	**Moderate**	**NL**	**2**	**X**
Ilex aquifolium	English holly	NL	Moderate	High	1	X
Leucanthemum vulgare	ox-eye daisy	FACU	Moderate	NL	2	
Phalaris arundinacea	reed canary grass	FACW	Moderate	monitor/research	1	X
Plantago lanceolata [3]	**English plantain**	**FACU**	**Limited**	**NL**	**1**	**X**

Scientific Name	Common Name	Wetland Rating	Cal-IPC Rating	Del Norte WMA	Priority (1-High to 2-Low) [1]	PSS
Rubus armeniacus	Himalayan blackberry	FACU	High	NL	1	X
Rumex acetosella	**sheep sorrel**	**FACU**	**Moderate**	**NL**	**2**	**X**
Ranunculus repens	**creeping buttercup**	**FAC**	**Limited**	**NL**	**2**	**X**
Senecio jacobaea [5]	**tansy ragwort**	**FACU**	**Limited**	**High**	**2**	**X**
Ulex eurpoaeus [6]	gorse	NL	High	Red alert	1	X

1. Species listed in bold will be exempt from performance success criteria and will not be removed unless in close proximity to rare plants or if they are particle to remove during maintenance efforts.

2. Chokes out *Viola adunca*, a host plant for the Oregon silverspot butterfly to lay their eggs. In Oregon, one of the keys to restoring the coastal areas inhabited by the silverspot is controlling sweet vernal grass, a high priority invasive plant to treat at Pacific Shores because it poses a great threat to biodiversity

3. Control where possible; great potential impact to rare dune annuals at PSS

4. Control new invasions in dunes at PSS

5. OSB host plant and removal is not permitted in this restoration plan; can be locally important in NW CA

6. Red Alert- species present in the Area and have very few populations and/o very limited distribution, such that complete eradication is possible, even if it takes repeated efforts. Potential for spread is severe.

6/10/2014

8.6 Target Invasive Plant Species

One element of success is defined as a reduction of invasive species defined as specific plant species ranked by the California Invasive Plant Council (Cal- IPC) and/or the regional Del Norte Weed Management Area List which currently occur or are likely to occur at the project site (Table 7 Invasive Plant Species Distribution in Project Areas). Invasive plant performance criteria for monitoring year one through year five for each site specific mitigation site are listed below. This criterion in its entirety is also listed in Table 8 below and cross referenced in the Section 10 Performance Standards of this MMP.

- Target invasive plant species shall not be greater than 25 percent absolute cover in monitoring year one to not more than 10 percent relative cover in monitoring year five.
- All sites shall have a zero tolerance for Cal-IPC high rated weeds.
- A 50' zone adjacent to the boundary of road removal shall have a zero tolerance of *Cytisus scoparius* (scotch broom).

Once the mitigation implementation begins, there is potential for these non-native and invasive plants to persist in areas of fresh disturbance and they may increase in some locations after completing mitigation earthwork activities. Of the numerous invasive plant definitions, species rankings, and differing agency responses to particular species, this MMP focuses on the most current and regionally specific information pertaining to invasive plant species in Del Norte County.

As such, there are some plants in the above table that are noted as being invasive via Cal-IPC rankings, yet do not pose a significant regional threat to Del Norte County resulting in a table of plants exempt from the target invasive plants and are permissible in the mitigation areas at low occurrences and cover. Additionally, some species are currently on the Cal-IPC watch list as those

species do not have enough documentation to reprieve them of the list, or for that matter to be included on the list, for example Darwins berberis (*Berberis darwinii)* and shall be included in the early detection rapid response.

While the above list is inclusive of invasive plants that are either present or likely to occur at the different mitigation sites per Cal-IPC and DWMA with a high, moderate, limited, or watch list rating, not all of those plants will be actively controlled. Recent literature suggests that eradicating all infestations may not be realistic (Darin 2004). Further, eradicating **all** invasive plant species and their populations may not be a wise allocation of resources for the restored ecosystems described in this MMP.

While invasive plants may potentially hinder the desired habitat (wetland) structure, prioritizing target invasive plant species at the mitigation sites will improve native biodiversity and trend towards to the trajectory of success over the life of the monitoring period. Therefore, this plan guides the management of target invasive plant species that may cause the most ecological harm to the success and outcome of the mitigation goals and objectives of the project. As a result, Table 8 below lists plants which are considered to be exempt from management and maintenance at these mitigation sties in an effort to prioritize management for species which may have a greater ecological impact to the restored habitat. Species exempt from the current list of target invasive plants shall have control attempted during long-term management in the event that these invasive plants are hindering self-sustaining processes. If so, these plants shall be controlled on site by preventing new infestations and containing the spread of existing plants. Additionally, the list will be reevaluated during the analysis of monitoring data and adaptive management will be considered if an exempt plant species is hindering the success of the mitigation goals and objectives, or is outcompeting rare, threatened or endangered plants or suitable habitat.

Many of the plants on the exempt list are not hydrophytic plants (Not Listed-NL or FACU) typically found in wetland habitats and therefore will not contribute to degradation of wetlands. Rather it is expected that the upland planting (road barrier) component will be more affected by the exempt plant list.

Of the 39 invasive plants identified at the general mitigation site area, approximately 15 will not be managed in an effort to prioritize resources appropriately. Many of the exempt plants are either naturalized in this area, are not considered to be harming the native ecosystem, and/or are widespread making control difficult, timely, and costly. Three plants, sweet vernal grass, large rattlesnake grass, and English plantain shall be controlled if occurrences are established in close proximity to rare plant populations or Oregon silverspot larval host plants.

Table 8 Invasive Plants Exempt from Performance Criteria

Scientific Name	Common Name	Wetland Rating	Comments
Agrostis stolonifera	creeping bent grass	FAC	Control where possible
Aira caryophyllea	silver European hairgrass	FACU	Monotypic stands uncommon
Anthoxanthum odoratum	sweet vernal grass	FACU	Control at PSS in areas where near *Viola adunca*, Oregon silverspot larval host
Avena fatua	wild oat	NL	Control where possible

Scientific Name	Common Name	Wetland Rating	Comments
Briza maxima	large rattlesnake grass	NL	Control where possible; great potential impact to rare dune annuals at PSS
Briza minor	small rattlesnake grass	FAC	Control where possible
Bromus hordeaceus	soft chess	FACU	Control new invasions in dunes at PSS
Cynosurus echinatus	hedgehog dogtail grass	NL	Control where possible
Festuca arundinacea	tall fescue	FAC	Impacts appear to be minor. Generally do not form dominant stands. Control where possible
Hypochaeris glabra	smooth cat's ear	NL	Control where possible
Hypochaeris radicata	hairy cat's-ear	FACU	Important to prevent establishment, difficult to eradicate
Plantago lanceolata	English plantain	FACU	Important to prevent establishment, difficult to eradicate
Rumex acetosella	sheep sorrel	FACU	Impacts appear to be minor. Control where possible
Ranunculus repens	creeping buttercup	FAC	Impacts appear to be minor. Control where possible
Senecio jacobaea	tansy ragwort	FACU	OSB nectar plant. Difficult to eradicate; not managed as part of this MMP.

In general, manual and mechanical removal or other minimally intrusive methods will be used in or near sensitive species habitat with other techniques limited to already heavily disturbed areas where pre-construction surveys document the absence of OSB host or nectar plants and subject to resource agency approval.

9. Maintenance Plan

9.1 Maintenance

The re-established habitats have been designed to be as self-sustaining as possible. However, natural ecosystems are dynamic and subject to change over time. This is especially true in modern fragmented preserves, where the vast landscapes and ecological processes which once maintained a habitat mosaic may have been partially or completely disrupted. Natural processes include flood and drought, fog, fire, wind, disturbance by burrowing animals, and grazing.

As a result of these changes, maintenance is usually required to maintain preserves and prevent gradual degradation. In the short term, maintenance will likely be necessary to minimize aggressive invasive plant species that may recruit within the re-established wetland communities. The following discussion identifies maintenance requirements to ensure the continued viability of the resource once initial construction is completed.

The construction contractor will be responsible for habitat planting and one year of maintenance. The BCRAA will be responsible for implementing and financing the initial plant establishment maintenance period to ensure the site has been prepared properly and does not have deficiencies or damages, that invasive plants comprise no more than 10 percent of the re-established habitat areas, and that rooted stock is planted correctly and is exhibiting healthy and vigorous growth. After the initial plant establishment maintenance period (Contractor), the BCRAA will be responsible for implementing and financing maintenance activities for the duration of the five-year monitoring period (four years after Contractor's one-year period). Once the success criteria have been met and after five years of monitoring, the Terminal Mitigation Site will be transferred to CDFW.

The following discussion identifies approaches for maintaining the habitat or community type at the end of the construction and planting period.

9.1.1 Palustrine Emergent Wetland Maintenance

Maintenance will be conducted quarterly for year one and as needed after year one to ensure wetland revegetation out-planting is becoming established.

- Adjusted weeding method to reduce weeds around newly emerging wetland, coastal prairie and upland buffer plant species to decrease competition from non-native grasses and forbs;
- Supplemental planting for areas that have deficiencies in the seeding or planted material stock (may be in-kind, or if a particular species is not doing well at the site, a suitable replacement species can be supplemented for original plant species);
- Supplemental replacement plants for when a plant becomes damaged or injured by maintenance activities (may be in-kind, or if a particular species is not doing well at the site, a suitable replacement species can be supplemented for original plant species);
- Supplemental watering to maintain adequate moisture depth in soil to ensure vigorous growth;
- In year one of the maintenance period, the Contractor shall establish an agreement with a native plant nursery to collect seed to propagate and germinate for supplemental and/or incidental planting in anticipation of long-term replanting efforts for the following year;
- Watering will be provided if needed and the timing and frequency of irrigation will be reduced after year two of maintenance to allow for the plant to acclimate to the existing moisture conditions;
- The wetland areas will be maintained with minimal target invasive plants; weed mats can be used to help achieve this criterion; and,
- Additional erosion control.

9.2 Inspection Activities and Frequencies

The following inspections will be generally performed on a quarterly basis throughout the mitigation monitoring timeframe or less as needed after year one, unless a different interval is specified below. Field notes will document if conditions are normal or abnormal, and the annual monitoring report will recommend remedial adaptive management actions to address any significant issues, as deemed necessary. In addition to the annual monitoring criteria listed above, annual monitoring will also note whether the following conditions are observed within each habitat type:

1. Are planting areas exhibiting excessive water or drought stress (too much or too little water as evidenced by leaf wilt, leaf drop, plant die off, etc.)?
2. Is there any presence of new or re-established populations of invasive or undesirable plants?
3. Is there a distinctive pattern of plant die off (i.e., all species of a single plant or a cluster of plants within a small area)?

Inspections shall occur quarterly in year one and be documented in a maintenance logbook as to the date, time, site conditions, general observations, type of work to be done, and equipment used or required for follow-up maintenance. Inspection frequency may be altered depending on ambient conditions or the amount of work required at the site and overall success. The logbook will be submitted on an annual basis with the annual monitoring report.

9.3 Maintenance Schedule and Activities

Maintenance shall be conducted throughout the five year monitoring period. Maintenance activities may include revegetation irrigation, maintenance of herbivory root and foliage protectors, supplemental planting, and/or weeding.

The work will be guaranteed against target invasive plants (Table 7) and weed growth during the plant establishment period. Weed management such as with a mower, weed whacker, weed wrench or extractigator, or hand pulling, applications should be done seasonally, throughout the year until plants are established. The northern red-legged frog is common on coastal sites and can be active at any time of year. Highest risk of impacts during vegetation maintenance is from middle to late summer when juveniles are dispersing or anytime in the rainy season. No maintenance will occur in immediate proximity to occurrences of *Viola adunca*. No herbicides are allowed during maintenance activities. If timing of maintenance needs to be modified for certain items, the rationale for the decision will be documented in annual monitoring reports and in the maintenance logbook. Inspections and maintenance shall occur quarterly in year one and as needed after year one (minimal biannually) using the schedule for maintenance during the monitoring period as shown in Table 9 as a guide for determining when to visit the mitigation sites.

Table 9 Schedule for Wetland Inspection and Maintenance During the Monitoring Period

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Revegetation Inspection and Maintenance	I, M			I,M			I,M			I,M		
Invasive Plant Inspection and Maintenance	I,M			I,M			I,M			I,M		

I = Inspection, M = Maintenance. Predators (bullfrogs) are not expected to be a significant issue in the seasonal wetlands of the PSS site. {*Maintenance- Management will occur only if inspections identify an issue}.

9.3.1 Revegetation Inspection and Maintenance

Revegetation maintenance will be conducted to ensure wetland revegetation out-planting is becoming established.

- Supplemental planting for areas that have deficiencies in the seeding or planted material stock (may be in-kind, or if a particular species is not doing well at the sites, a suitable replacement species can be supplemented for original plant species);
- Supplemental replacement plants for when a plant becomes damaged or injured by maintenance activities (may be in-kind, or if a particular species is not doing well at the site, a suitable replacement species can be supplemented for original plant species);
- Supplemental watering to maintain adequate moisture depth in soil to ensure vigorous growth;
- In year one of the maintenance period, the Contractor shall establish an agreement with a native plant nursery to collect seed to propagate and germinate for supplemental and/or incidental planting in anticipation of long-term replanting efforts for the following year;
- Watering may be provided through an informal irrigation system and if used, the timing and frequency of irrigation will be reduced after year two of maintenance to allow for the plant to acclimate to the existing moisture conditions;
- If irrigation ceases after two years and is then restarted, the monitoring period shall be extended by one year for each year of additional irrigation and the monitoring period will be reset to year one (in these specific locations) to ensure the plants are self-sustaining, based on NCRWQCB recommendations; and,
- The wetland areas will be maintained with minimal weeds; weed mats can be used to help achieve this criterion.

9.3.2 Invasive Plant Inspection and Maintenance

Invasive species are defined as those listed by the California Invasive Council (Cal-IPC) with a rating of high or moderate and/or any plant listed on the Humboldt/Del Norte Weed Management Area Strategic Management Weed List. Target invasive plants that need to be removed on the mitigation site include velvet grass, bull thistle, European beachgrass, Scotch broom, Himalayan blackberry, sweet vernal grass and any other species identified that propagates within the re-established mitigation sites shall be treated immediately upon detection. Scotch broom will be removed from adjacent parcels and right of way within 50 feet of the wetland mitigation site. Invasive plant inspections and maintenance will be conducted during the growing season. Mowing or weed whacking of invasive plants in late February through April has proven successful in coastal areas (Anderson 2001) and may be utilized in selected areas. Collaboration with The Nature Conservancy in Oregon (at Cascade Head) may be sought to understand how they have managed invasive plants in OSB habitat.

- Routine weeding will be implemented as part of the maintenance;
- Where invasive and weedy plants have been removed, maintenance activities shall ensure they do not readily re-propagate within the mitigated habitats; and
- All corrective landscaping work including non-native vegetation removal will be done by hand when possible.

10. Performance Standards

10.1 Overview

Performance standards for the Terminal Replacement Project Off-Site Mitigation are patterned after the Uniform Performance Standards for Compensatory Mitigation Requirements (USACE 2012) and Procedural Guidance for Evaluating Wetland Mitigation Projects in California's Coastal Zone (California Coastal Commission 1995) and are intended to be measurable by systematic monitoring methods. Area of re-established wetlands will be determined by a jurisdictional delineation at the end of the monitoring period. Performance standards are based on 0.12 acre of re-establishment of wetlands at the mitigation site.

10.2 Mitigation Site

Existing wetlands at Pacific Shores Subdivision exhibit a range of conditions. Many wetlands are seasonally inundated and densely vegetated, while some are semi-permanent and others are seasonally saturated but rarely inundated and with variable vegetation density. The intent of the mitigation design is to approximate this diversity and variability through the proposed road removal, matching adjacent conditions to the extent feasible, and including microtopographic variation within each segment. The following performance standards are intended to allow for a certain amount of variability. The mitigation site has a high probability of success as wetlands exist on both sides of the proposed road removal segment.

10.2.1 Hydrology Criteria

H-1 Palustrine Wetland: Flooding, ponding or a water table 10 inches or less below the soil surface shall be present for at least 14 consecutive days or more based on a 365 day growing season (USACE 2010) and average rainfall conditions.

10.2.2 Vegetation Criteria

V-1 Palustrine wetland: Post-planting cover shall meet the annual criteria identified in Table 10:

Table 10 Pacific Shores Subdivision Palustrine Emergent Wetland Habitat Performance Criteria

Pacific Shores Subdivision Palustrine Emergent Wetland Success Criteria (per road segment or block)	
Year 1	35 percent (≥) relative cover of native wetland species. No more than 25 percent absolute cover of non-native plants.
Year 2	45 percent (≥) relative cover of native wetland species. No more than 20 percent absolute cover of non-native plants.
Year 3	60 percent (≥) relative cover of native wetland species. No more than 15 percent absolute cover of non-native plants.
Year 4	70 percent (≥) relative cover of native wetland species. No more than 10 percent absolute cover of non-native plants.
Year 5	80 percent (≥) relative cover of native wetland species. No more than 10 percent absolute cover of non-native plants.

Pacific Shores Subdivision Palustrine Emergent Wetland Success Criteria (per road segment or block)	
All Years	• Native wetland species consist of OBL/FACW/FAC species. • No large non-vegetated bare spots (greater than 25 percent) or erosional area and no permanent inundation during five year monitoring period

V-4: Wetland species richness: Post-planting wetland cover in re-establishment and establishment sites shall have target native species richness greater than or equal to 100 percent of the number of species in reference sites, by year five.

10.2.3 Physical Criteria

P-1 Palustrine wetland: By year five, the mitigation wetlands shall contain 90 percent or more of the number of structural patch types found at reference sites. The mean number of structural patch types at reference sites and mitigation sites shall be compared through CRAM analysis.

11. Monitoring

11.1 Reference Sites

This project will use the same reference sites identified and used for the RSA mitigation sites at Pacific Shores. Reference sites were established at Pacific Shores Subdivision to help calibrate monitoring results with annual precipitation and other environmental variables and focus on emergent wetlands because that is the target condition. Additional information regarding the selected reference sites may be found in the Reference Site Documentation Memo (Appendix D). Reference sites either include or are adjacent to an existing piezometer, or if not present then a piezometer will be installed after selection.

11.2 Wetland Hydrology Monitoring

Monitoring of wetland hydrology will include a one-time physical survey measurement. If there are significant changes in ground elevations at these locations as a result of storm damage, excessive inundation, excessive drought, or excessive accumulation of vegetation corrective actions will be evaluated. If determined appropriate, a solution to remediate impacts will be proffered to the regulatory agencies. Monitoring will occur for five years and reports are due annually by December 31st and will be submitted to the USACE, CCC, CDFW, NCRWQCB, and USFWS. The wetland areas at Pacific Shores Subdivision will be determined by a jurisdictional delineation in monitoring year five.

Hydrology monitoring will document precipitation and weather conditions. In the event of prolonged (more than one year) drought, extension of the monitoring period or other appropriate adaptive management action may be proposed. Methods for quantifying the hydrologic function of the wetlands are described below.

11.2.1 Pacific Shores Subdivision Wetland Hydrology Monitoring Methods

Methods for quantifying the hydrologic function of the Pacific Shores Subdivision wetlands will include:

- Install one set of monitoring wells in a representative location of the project site for comparison with the location, with level logger designed to capture conductivity, water levels, and temperature. The level logger will be programmed to take continuous readings

every hour (60 minutes) to get daily average level. The data will be plotted and compared against design or pre-construction well monitoring groundwater levels. If a well logger is not deemed appropriate, physical readings will occur.

- Use rainfall data from Crescent City, California (NOAA National Weather Service (NWS) Cooperative Network) to create a yearly cumulative precipitation plot. Plot with monthly average (below –normal - above) precipitation from WETS Table data, obtained from the National Resource Conservation Service (NRCS).

11.2.2 Pacific Shores Subdivision Wetland Soils Monitoring Methods

Soils will be evaluated annually at one selected location to identify hydrologic indicators at the mitigation site. Soils will be evaluated to a depth of 15 inches.

11.3 Pacific Shores Subdivision Wetland Vegetation Monitoring

Vegetation sampling will occur every year in the re-established palustrine emergent wetland for the duration of the five year monitoring period and reports are due annually by December 31st and will be submitted to the USACE, USEPA, CCC, CDFW, NCRWQCB, and USFWS. The goal is to estimate the percent surface area cover and document the species composition once road removal and other mitigation construction activities are complete where roads are removed at Pacific Shores. Monitoring shall occur between June 1st and July 31st and should occur roughly within one month each monitoring year for best comparison of results.

Quadrat methods will be used to estimate absolute vegetative cover in each stratum present, native cover, hydrophytic cover, and non-native invasive cover. A more detailed description of methods is included below in Section 11.3.3. Monitoring will occur within the re-establishment wetland and will be used to determine whether the mitigation area is meeting set performance standards for vegetative cover. Within any site, methods shall be consistent throughout the monitoring period.

11.3.1 Strata Definitions

Tree Stratum: Woody plants ≥ three inches at Diameter Breast Height (DBH).

- Tree species will be documented when they are present within a 10 foot radius. Trees are not proposed for planting.

Shrub Stratum: Woody plants <three inches in DBH, includes saplings.

- Shrubs and saplings will be documented when they are present within a five foot radius. Shrubs are not proposed for planting.

Herbaceous Stratum: non-woody plants independent of size. Includes non-woody vines.

- Herbaceous plant species will be documented from a three foot radius.

Woody Vines: Any woody vine.

- Woody vine plant species will be documented from a three foot radius.

Combines Strata: includes all vascular plants in the tree, shrub, herbaceous, and woody vine stratums

11.3.2 Determining Sample Size

Power analysis

An a priori power analysis will be used to determine the monitoring effort required. We define the specific question to be addressed as follows:

Is the true value of the percent cover less than or equal to the percent cover requirement?

The allowable certainty for percent cover will be a margin of error of +/- 10 percent at the 95 percent confidence interval. The confidence interval is the probability that the true value will be encapsulated in the margin of error around the reported percentage; the lower the confidence interval, the smaller the margin of error. Margin of error (ME), confidence interval and required number of sampling points (n) are related by the following equation for the 95 percent confidence interval:

$$ME = 0.98/\sqrt{n}$$

The number of sampling points required to evaluate percent cover will be calculated using this equation.

11.3.3 Monitoring Protocol and Analysis for Estimating Vegetative Cover

Monitoring for wetlands at Pacific Shores Subdivision will be linear due to the fact that wetlands are to be re-established within the 24-foot wide roadways. Transects will be located randomly within the width of road removal segments to be monitored (but not within three feet of either edge), and each transect will run parallel to the centerline of the road. The location of the first quadrat will be randomized relative to the beginning of the road segment or baseline, with quadrats at set distances thereafter. Percent absolute vegetative cover, native cover, hydrophytic cover, and non-native or invasive cover will be estimated within each quadrat. Plant species present within each quadrat will be identified and noted.

A t-test will be used to evaluate whether or not percent cover is less than or equal to the interim or final success criteria. Trend analysis may be more informative than examining threshold exceedance because invasive plant species percent cover increases often are predictive of long-term ecological composition.

11.3.4 Non-native Invasive Plant Monitoring

During years one to five, target invasive plant cover will be calculated from the data collected, as described above. In addition to this monitoring, areas with greater than five percent cover of the target non-native plant species will be mapped using GPS as long as areas are safely accessible. Maintenance activities to control non-native invasive species will be targeted in these areas. Each year the acreage of mapped highly invasive species will be compared.

A spring inspection in subsequent years comparing mapped non-native invasive cover from the prior year will be conducted to determine if a non-native invasive species population has spread or a new species has invaded. In either scenario, maintenance activities may be required.

11.3.5 Additional Data Collection

In addition to data collected along transects, quantitative and qualitative data will be collected each year of monitoring. These general site assessments are intended to help determine if data from sampling transects is an accurate representation of site conditions, to help assess the overall functioning of the site as a whole, and also to help identify localized or low-level trends such as new invasive species formations, localized changes in species abundance, and other changes that might be overlooked if only transect data are analyzed.

The following data will be collected during the site assessment:

- Species richness: this general site data will be used for calibrating similar data taken at transects, and is not intended for comparison with performance criteria. Data will also help to evaluate whether invasive or non-native species are outcompeting native plants, and whether more active management might be required.
- Other site characteristics, including patterns of plant die-offs, erosion, hydrological issues, trespass, herbivory or grazing pressure, or other land use issues. This information is intended for use in recommending management actions as necessary

11.4 California Rapid Assessment Method

In the final monitoring year (year five), the California Rapid Assessment Method (CRAM) will be applied to the wetland re-establishment area within Pacific Shores. Field work and subsequent analysis will be performed by ecologists who have completed the CRAM wetland training. Results will be compared to pre-construction and post-construction (year five) reference site data and documented in a technical memorandum. CRAM data will be used to assess physical performance standards (number of patch types).

11.5 Photo Monitoring Stations

Permanent photo-documentation points will be established within the project site. One photopoint is required for the monitored re-established habitat unit. GPS coordinates will be obtained for the photopoint, and the point will be included on a GIS map of the sites.

Photographs will be taken throughout the monitoring period, during each monitoring event. Photographs will be taken from each monitoring point, and cardinal directions recorded for repeatability. Photos will be taken with a digital camera with a moderate wide angle lens (approximately 35mm focal length if a full-frame sensor, approximately 24mm focal length if a DX sensor, at the widest setting if a consumer-level digital camera with a built in zoom). The make and model of camera and type and focal length of lens will be noted in monitoring documentation. Photographs will be taken from about five feet in height, ideally from a tripod with the height noted, consistent from year to year.

11.6 Monitoring Schedule

Some flexibility to account for annual variation in weather conditions is acceptable. The results will be submitted in the annual report for a total of five monitoring reports over a five-year monitoring period.

11.6.1 Wetland Monitoring - Pacific Shores Subdivision

Wetland Monitoring will be implemented annually for five years. In addition to the monitoring described above, the site will be inspected for general parameters including observations of target invasive plants, signs of erosion, illegal dumping, ATV use, and vitality of plant survivorship. Piezometers will be monitored during the winter months for at least six consecutive weeks.

EXHIBIT NO. 9

Application No. A-1-DNC-09-048-A1
Border Coast Regional Airport Authority
PACIFIC SHORES MITIGATION SITE VISUALS – 1 of 5

Parcel Status
- Signed PSA

Ownership
- State of California
- Remaining Parcels

Proposed Road Removal
- Remove Roads-WETLAND Reestablishment
- Roads Retained for Access

Paper Size 8.5" x 11" (ANSI A)
0 250 500 750 1,000
Feet
Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet

N

GHD

Border Coast Regional Airport Authority
Terminal Replacement Project USACE MMP

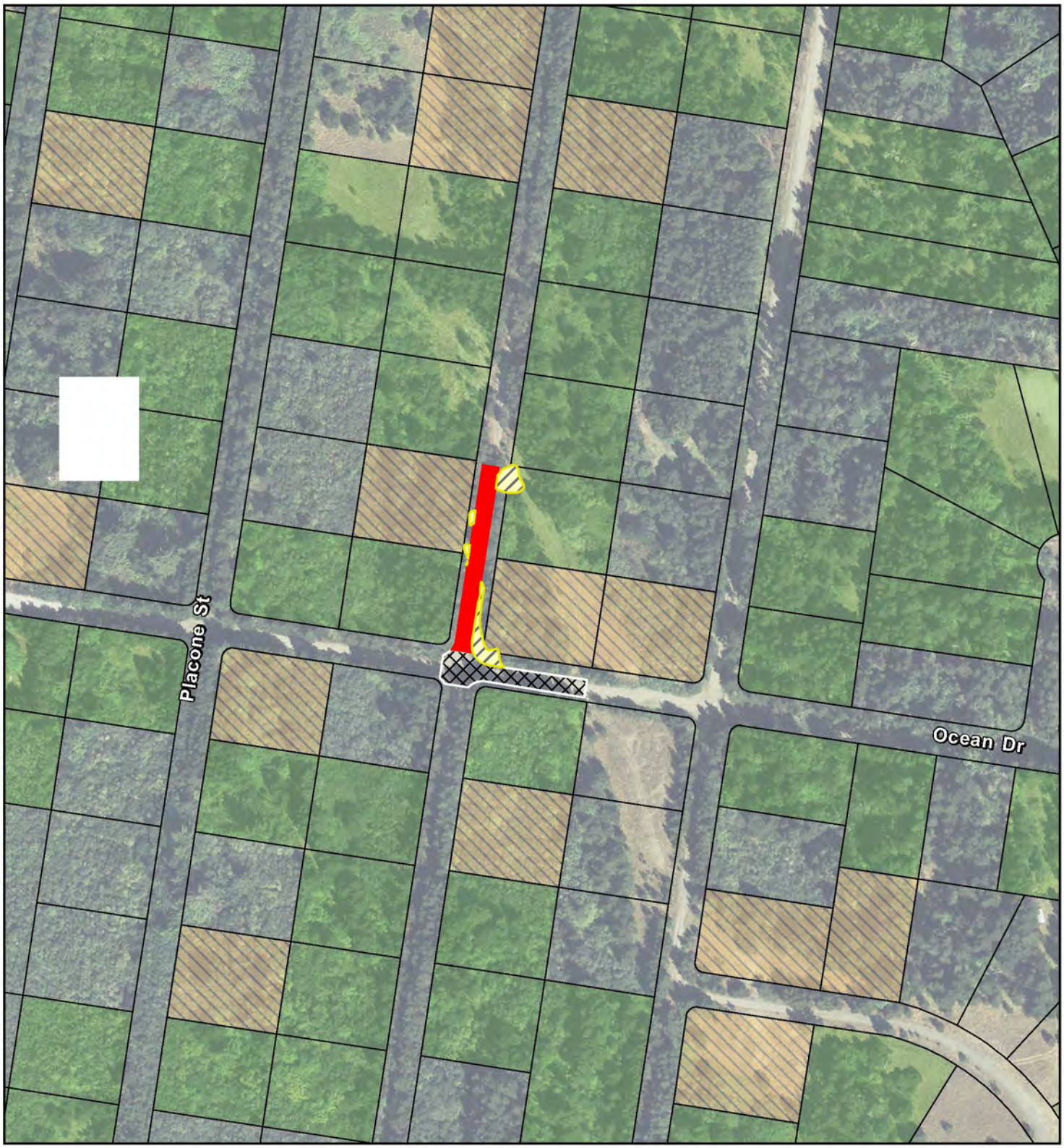
Job Number 1198412001.11050
Revision A
Date 08 Jun 2015

Pacific Shores Subdivision

Figure 4

718 Third Street Eureka CA 95501 USA T 707 443 8326 F 707 444 8330 E eureka@ghd.com W www.ghd.com

G:\11984 BorderCoastRegionalAirportAuth\BCRAA_GIS\Maps\Figures\Terminal_CCC_USACE_MMP\F4_PSS_Location Map.mxd



Invasive Species

REMOVE-*cystisus scoparius*

Remove Roads-WETLAND Reestablishment

Staging Area

Acquired Parcels

State Parcels

Parcels

Paper Size 8.5" x 11" (ANSI A)

0 50 100 150 200

Feet

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet

N

GHD

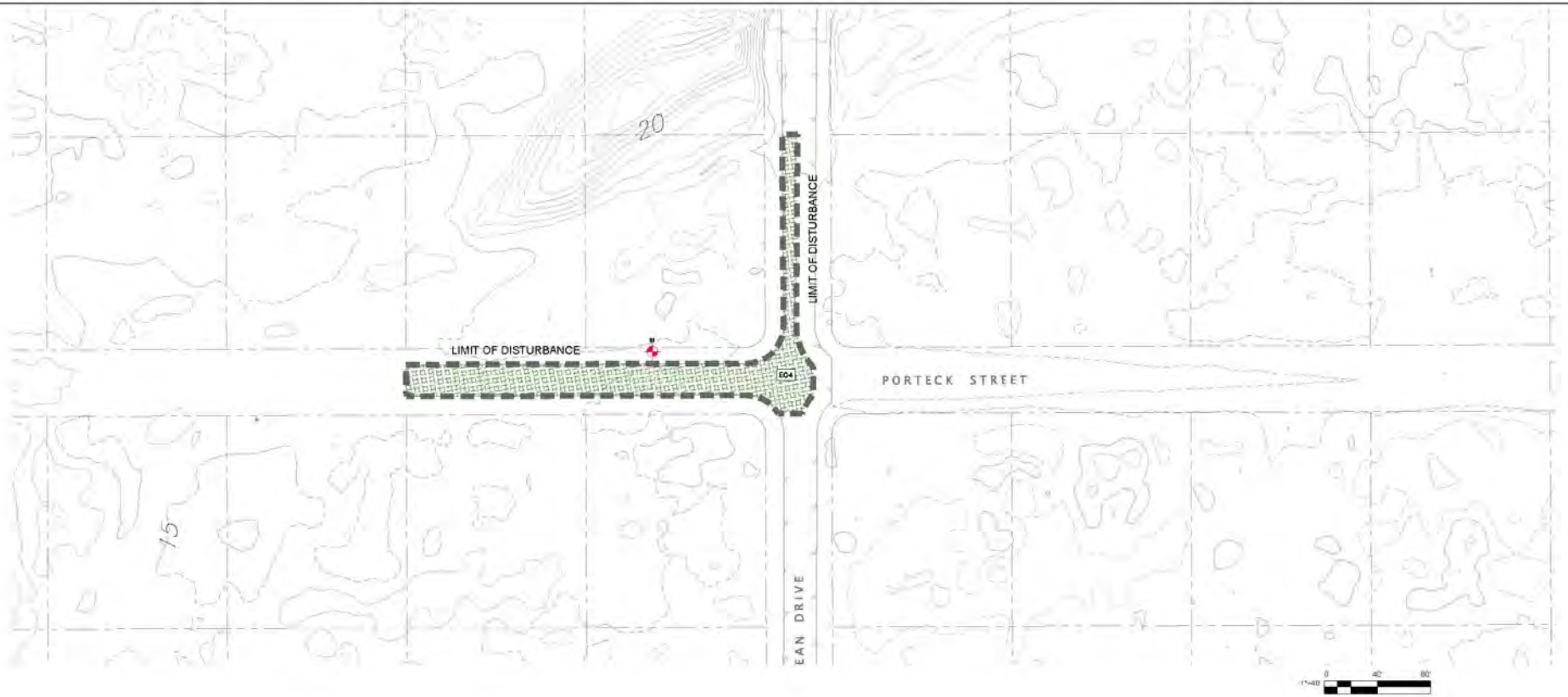
Border Coast Regional Airport Authority
Terminal Replacement Project USACE MMP

Job Number 1198412001.11050
Revision A
Date 23 Jun 2015

Wetland Reestablishment Concept Site Plan

Figure 5

718 Third Street Eureka CA 95501 USA T 707 443 8326 F 707 444 8330 E eureka@ghd.com W www.ghd.com



1. THE PROPOSED EROSION AND SEDIMENT CONTROL MEASURES ARE A MINIMUM BEST MANAGEMENT PRACTICE. THE CONTRACTOR MAY BE REQUIRED TO TAKE ADDITIONAL EROSION CONTROL MEASURES TO ENSURE THAT NO SEDIMENT LADEN WATER EXITS THE SITE OR ENTERS THE EXISTING STORMWATER SYSTEMS. BMPS ARE TO BE EMPLOYED AS APPROPRIATE TO MINIMIZE EROSION AND PREVENT SEDIMENT DISCHARGE FROM THE SITE IN THE EVENT OF SUMMER RAINSTORMS, WHEN RAINFALL IS FORECAST, OR AT THE LATEST BY OCTOBER 15TH AND UNTIL APRIL 15TH.
2. SUFFICIENT EROSION CONTROL SUPPLIES SHALL BE AVAILABLE ON-SITE AT ALL TIMES TO DEAL WITH AREAS SUSCEPTIBLE TO EROSION DURING RAIN EVENTS.
3. UPDATE MAP THROUGHOUT CONSTRUCTION TO SHOW LOCATIONS OF STORAGE ARES FOR WASTE, VEHICLES SERVICE, LOADING/UNLOADING OF MATERIALS, STAGING, STOCKPILES, CONCRETE WASHOUT, SANITARY FACILITIES, ACCESS (ENTRANCE/EXIT) POINTS TO CONSTRUCTION SITE, FUELING, WATER STORAGE, WATER TRANSFER FOR DUST CONTROL AND COMPACTION, AND ANY ADDITIONAL BMPs REQUIRED TO COMPLY WITH THE GENERAL PERMIT.
4. SEE BMP FACT SHEETS IN SWPPP APPENDIX I.

LIMIT OF DISTURBANCE

DIRECTION OF SURFACE RUNOFF

SE-1 SILT FENCE (SE-1)

SE-5 STRAW WATTLE SEDIMENT BARRIER (SE-5)

EC-4 LANDSCAPE AND OPEN AREAS: HYDROSEED (EC-4)

PAVED AREA. IF NOT PAVED, PROVIDE BMPS AS REQUIRED TO COMPLY WITH GENERAL PERMIT

STORM WATER SAMPLING LOCATION

*FOR WATER AND SEWER LINE EXTENSION SAMPLE THREE TIMES PER DAY IN THE ACTIVE CONSTRUCTION AREA (DOCUMENT SAMPLING LOCATIONS ON SITE MAP)

EROSION CONTROL BMPs
EC-1 SCHEDULING
EC-2 PRESERVATION OF EXISTING VEGETATION
EC-3 HYDRAULIC MULCH
EC-4 HYDROSEEDING
EC-5 SOIL BINDERS
EC-6 STRAW MULCH
EC-7 GEOTEXTILES & MATS
EC-8 WOOD MULCHING
EC-9 EARTH DIKES AND DRAINAGE SWALES
EC-10 VELOCITY DISSIPATION DEVICES
EC-11 SLOPE DRAINS
EC-12 STREAMBANK STABILIZATION
EC-14 COMPOST BLANKETS
EC-15 SOIL PREPARATION / ROUGHENING
EC-16 NON-VEGETATIVE STABILIZATION

WIND EROSION CONTROL BMPs
WE-1 WIND EROSION CONTROL

TEMPORARY SEDIMENT CONTROL BMPs
SE-1 SILT FENCE
SE-2 SEDIMENT BASIN
SE-3 SEDIMENT TRAP
SE-4 CHECK DAM
SE-5 FIBER ROLLS
SE-6 GRAVEL BAG BERM
SE-7 STREET SWEEPING AND VACUUMING
SE-8 SANDBAG BARRIER
SE-9 STRAW BALE BARRIER
SE-10 STORM DRAIN INLET PROTECTION
SE-11 ACTIVE TREATMENT SYSTEMS
SE-12 TEMPORARY SILT DIKE
SE-13 COMPOST SOCKS AND BERMS
SE-14 BIOFILTER BAGS

NON-STORM WATER MANAGEMENT BMPs
NS-1 WATER CONSERVATION PRACTICES
NS-2 DEWATERING OPERATIONS
NS-3 PAVING AND GRINDING OPERATIONS
NS-4 TEMPORARY STREAM CROSSING
NS-5 CLEAR WATER DIVERSION
NS-6 ILLICIT CONNECTION/DISCHARGE
NS-7 POTABLE WATER/IRRIGATION
NS-8 VEHICLE AND EQUIPMENT CLEANING
NS-9 VEHICLE AND EQUIPMENT FUELING
NS-10 VEHICLE AND EQUIPMENT MAINTENANCE
NS-11 PILE DRIVING OPERATIONS
NS-12 CONCRETE CURING
NS-13 CONCRETE FINISHING
NS-14 MATERIAL AND EQUIPMENT USE
NS-15 DEMOLITION ADJACENT TO WATER
NS-16 TEMPORARY BATCH PLANTS

WASTE MANAGEMENT & MATERIALS POLLUTION CONTROL BMPs
WM-1 MATERIAL DELIVERY AND STORAGE
WM-2 MATERIAL USE
WM-3 STOCKPILE MANAGEMENT
WM-4 SPILL PREVENTION AND CONTROL
WM-5 SOLID WASTE MANAGEMENT
WM-6 HAZARDOUS WASTE MANAGEMENT
WM-7 CONTAMINATED SOIL MANAGEMENT
WM-8 CONCRETE WASTE MANAGEMENT
WM-9 SANITARY/ SEPTIC WASTE MANAGEMENT
WM-10 LIQUID WASTE MANAGEMENT

TEMPORARY TRACKING CONTROL BMPs
TC-1 STABILIZED CONSTRUCTION ENTRANCE/EXIT
TC-2 STABILIZED CONSTRUCTION ROADWAY
TC-3 ENTRANCE/OUTLET TIRE WASH

No	Revision	Note: * indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date
-	-		-			-

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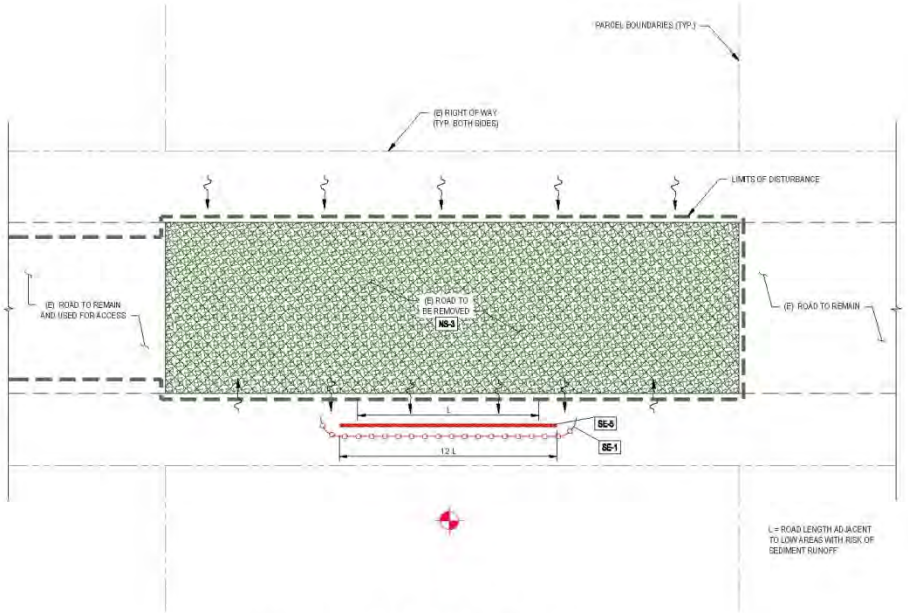
W www.ghd.com

Drawn SG		Designer SG	
Drafting Check JJW		Design Check JJW	
Approved (Project Director)			
Date			
Scale 1" = 80'		This Drawing shall not be used for Construction unless Signed and Sealed For Construction	

Client: BORDER COAST REGIONAL AIRPORT AUTHORITY (BCRAA)
Project: CEC NEW TERMINAL PROJECT - SWPPP
Title: SITE MAP
PHASE 3
Contract No. 8410130
Original Size: Arial D
SITE MAP 4
Sheet 5 of 6
Rev:



1 ESCP-5 **TYPICAL ROAD REMOVAL DETAIL**
SCALE: NTS

GENERAL NOTES

1. THE PROPOSED EROSION AND SEDIMENT CONTROL MEASURES ARE A MINIMUM BEST MANAGEMENT PRACTICE. THE CONTRACTOR MAY BE REQUIRED TO TAKE ADDITIONAL EROSION CONTROL MEASURES TO ENSURE THAT NO SEDIMENT LADEN WATER EXITS THE SITE, ENTERS THE EXISTING STORMWATER SYSTEMS, OR ENTERS SENSITIVE AREAS. BMPS ARE TO BE EMPLOYED AS APPROPRIATE TO MINIMIZE EROSION AND PREVENT SEDIMENT DISCHARGE IN THE EVENT OF SUMMER RAINSTORMS, WHEN RAINFALL IS FORECAST, OR AT THE LATEST BY OCTOBER 15TH AND UNTIL APRIL 15TH.
2. SUFFICIENT EROSION CONTROL SUPPLIES SHALL BE AVAILABLE ON-SITE AT ALL TIMES TO DEAL WITH AREAS SUSCEPTIBLE TO EROSION DURING RAIN EVENTS.
3. SEE BMP FACT SHEETS IN SWPPP APPENDIX I

LEGEND

- LIMIT OF DISTURBANCE
- DIRECTION OF SURFACE RUNOFF
- SE-1 — SILT FENCE (SE-1)
- SE-5 — STRAW WATTLE SEDIMENT BARRIER (SE-5)
- NS-3 — REMOVAL OF EXISTING ROADWAY AC AND BASE
- REVEGETATE AS SHOWN ON GRADING AND PLANTING PLAN AND IN ACCORDANCE TO SPECIFICATIONS
- STORM WATER SAMPLING LOCATION

BMP KEY

EROSION CONTROL BMPs
EC-1 SCHEDULING
EC-2 PRESERVATION OF EXISTING VEGETATION
EC-3 HYDRAULIC MULCH
EC-4 HYDROSEEDING
EC-5 SOIL BINDERS
EC-6 STRAW MULCH
EC-7 GEOTEXTILES & MATS
EC-8 WOOD MULCHING
EC-9 EARTH DIKES AND DRAINAGE SWALES
EC-10 VELOCITY DISSIPATION DEVICES
EC-11 SLOPE DRAINS
EC-12 STREAMBANK STABILIZATION
EC-14 COMPOST BLANKETS
EC-15 SOIL PREPARATION / ROUGHENING
EC-16 NON-VEGETATIVE STABILIZATION

WIND EROSION CONTROL BMPs
WE-1 WIND EROSION CONTROL

TEMPORARY SEDIMENT CONTROL BMPs
SE-1 SILT FENCE
SE-2 SEDIMENT BASIN
SE-3 SEDIMENT TRAP
SE-4 CHECK DAM
SE-5 FIBER ROLLS
SE-6 GRAVEL BAG BERM
SE-7 STREET SWEEPING AND VACUUMING
SE-8 SANDBAG BARRIER
SE-9 STRAW BALE BARRIER
SE-10 STORM DRAIN INLET PROTECTION
SE-11 ACTIVE TREATMENT SYSTEMS
SE-12 TEMPORARY SILT DIKE
SE-13 COMPOST SOCKS AND BERMS
SE-14 BIOFILTER BAGS

NON-STORM WATER MANAGEMENT BMPs
NS-1 WATER CONSERVATION PRACTICES
NS-2 DEWATERING OPERATIONS
NS-3 PAVING AND GRINDING OPERATIONS
NS-4 TEMPORARY STREAM CROSSING
NS-5 CLEAR WATER DIVERSION
NS-6 ILLICIT CONNECTION/DISCHARGE
NS-7 POTABLE WATER/IRRIGATION
NS-8 VEHICLE AND EQUIPMENT CLEANING
NS-9 VEHICLE AND EQUIPMENT FUELING
NS-10 VEHICLE AND EQUIPMENT MAINTENANCE
NS-11 PILE DRIVING OPERATIONS
NS-12 CONCRETE CURING
NS-13 CONCRETE FINISHING
NS-14 MATERIAL AND EQUIPMENT USE
NS-15 DEMOLITION ADJACENT TO WATER
NS-16 TEMPORARY BATCH PLANTS

WASTE MANAGEMENT & MATERIALS POLLUTION CONTROL BMPs
WM-1 MATERIAL DELIVERY AND STORAGE
WM-2 MATERIAL USE
WM-3 STOCKPILE MANAGEMENT
WM-4 SPILL PREVENTION AND CONTROL
WM-5 SOLID WASTE MANAGEMENT
WM-6 HAZARDOUS WASTE MANAGEMENT
WM-7 CONTAMINATED SOIL MANAGEMENT
WM-8 CONCRETE WASTE MANAGEMENT
WM-9 SANITARY/ SEPTIC WASTE MANAGEMENT
WM-10 LIQUID WASTE MANAGEMENT

TEMPORARY TRACKING CONTROL BMPs
TC-1 STABILIZED CONSTRUCTION ENTRANCE/EXIT
TC-2 STABILIZED CONSTRUCTION ROADWAY
TC-3 ENTRANCE/OUTLET TIRE WASH

No.	Revision	Drawn	Job Manager	Project Director	Date
-	-	-			-

Note: * Indicates signatures on original issue of drawing or last revision of drawing

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Drawn SG		Designer SG	
Drafting Check JJW		Design Check JJW	
Approved (Project Director)			
Date			
Scale AS SHOWN	This Drawing shall not be used for Construction unless Signed and Sealed For Construction		

Client: BORDER COAST REGIONAL AIRPORT AUTHORITY (BCRAA)
Project: CEC NEW TERMINAL PROJECT - SWPPP
Title: EROSION AND SEDIMENT CONTROL PLAN BMP DETAILS
Contract No: 8410130
Original Size: Anal D
DETAILS-1
ESM 4 of 4
Rev:

Mitigation site proposed under CDP Amendment A-1-DNC-09-048-A1

Parcel Status February 18th, 2015
- Signed PSA

Ownership
- State of California
- Remaining Parcels

Proposed Road Removal as of April 13th, 2015
- Convert to Wetland
- Convert to Dune
- Roads Retained for Access

Other BCRAA Mitigation Sites at Pacific Shores

Paper Size ANSI B
0 125 250 500 750 1,000
Feet
Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California I FIPS 0401 Feet

N

GHD

Border Coast Regional Airport Authority
Roadway Segment Selection Methodology for Wetland Mitigation

Job Number 8410135
Revision B
Date 13 Apr 2015

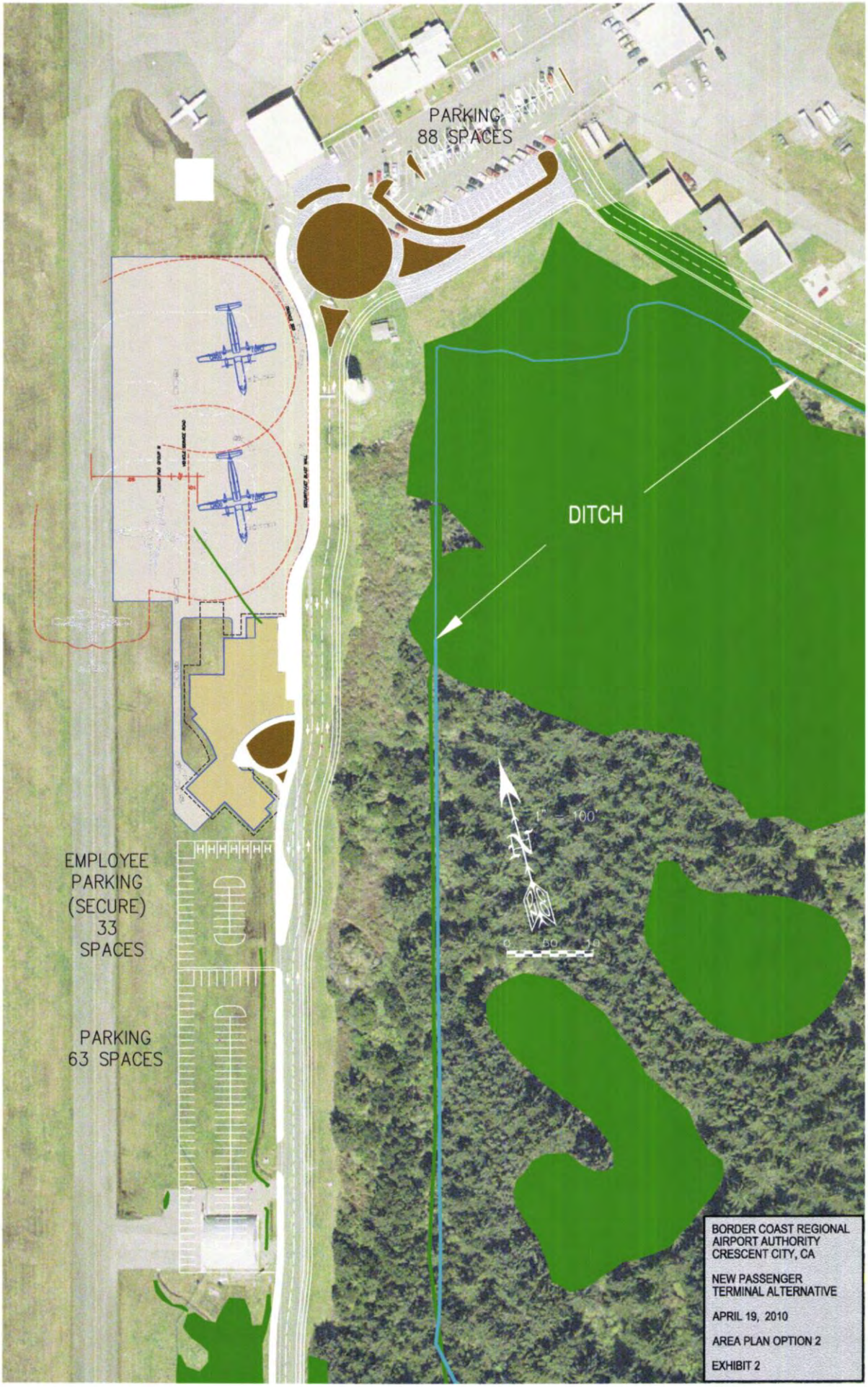
Pacific Shores Ownership Map

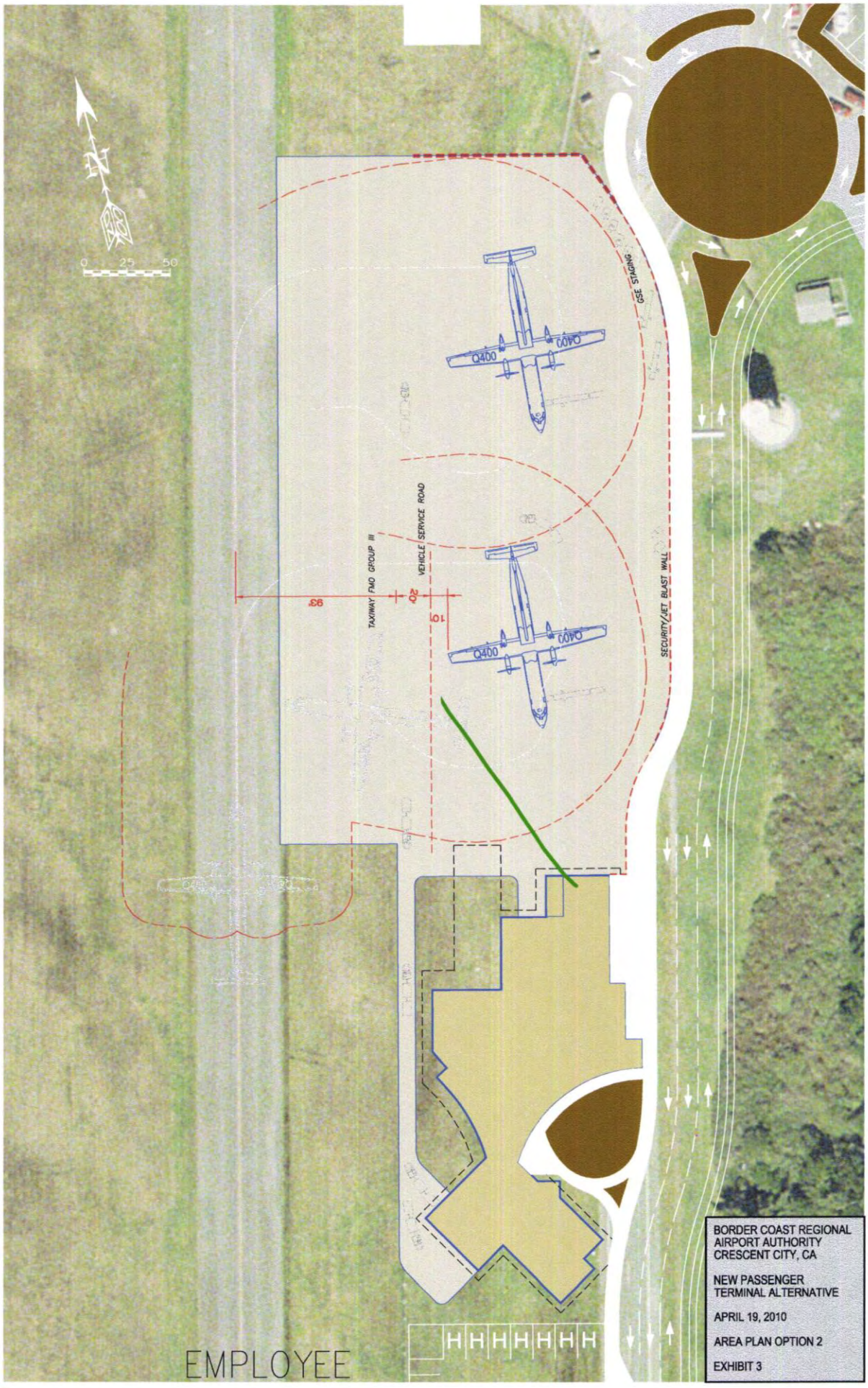
Figure 7

et Eureka CA 95501 USA T 707 443 8326 F 707 444 8330 E eureka@ghd.com W www.ghd.com

EXHIBIT NO. 10

Application No. A-1-DNC-09-048-A1
BCRAA
APPROVED PROJECT PLANS FROM THE ORIGINAL PERMIT
1 of 5


PARKING
88 SPACES
DITCH
EMPLOYEE
PARKING
(SECURE)
33
SPACES
PARKING
63 SPACES
1" = 100'
0
50
100
BORDER COAST REGIONAL
AIRPORT AUTHORITY
CRESCENT CITY, CA
NEW PASSENGER
TERMINAL ALTERNATIVE
APRIL 19, 2010
AREA PLAN OPTION 2
EXHIBIT 2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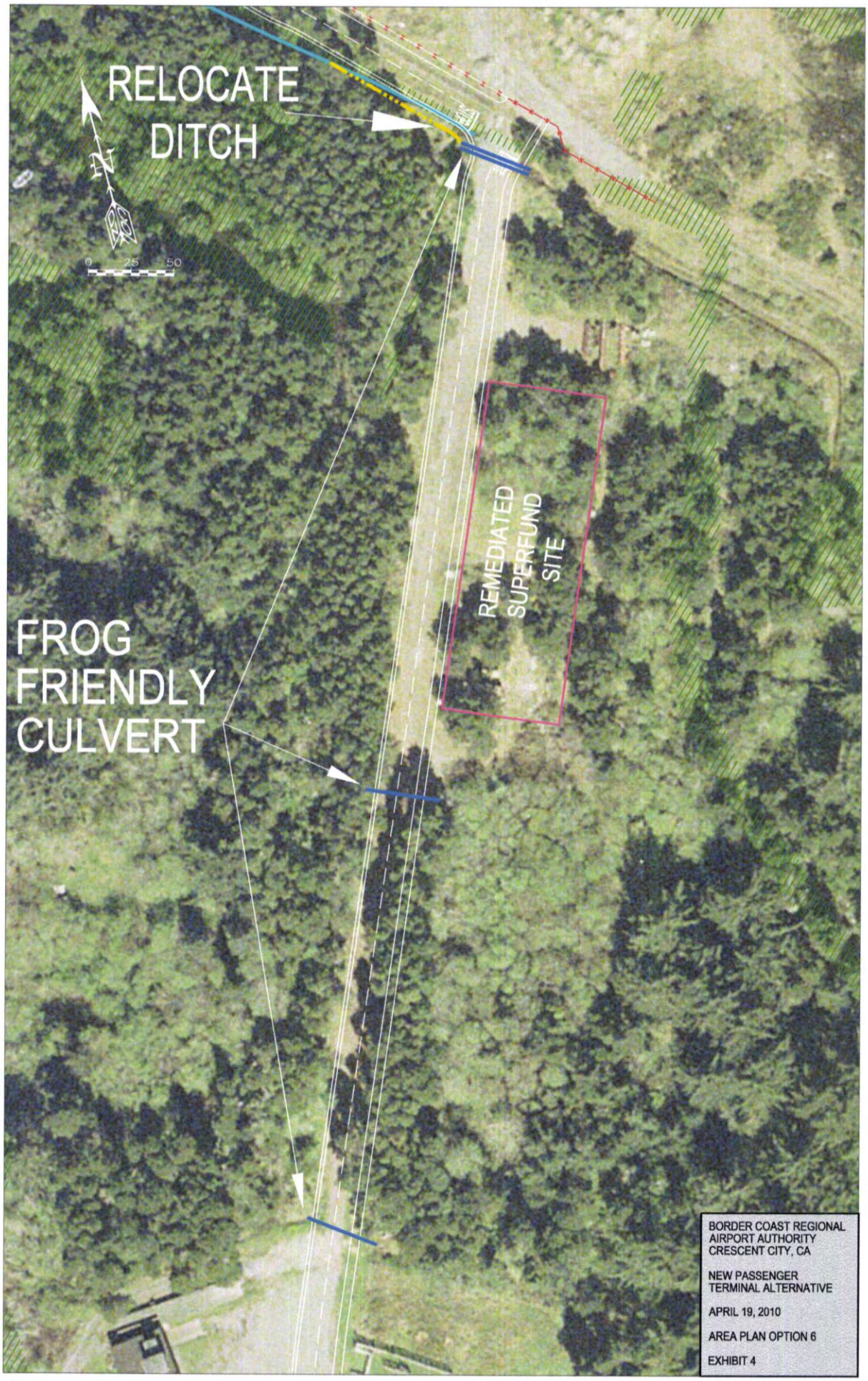
Q400
Q400
Q400
Q400
GSE STAGING
SECURITY/JET BLAST WALL
VEHICLE SERVICE ROAD
TAXIWAY FMO GROUP III
93'
20'
10'
EMPLOYEE
BORDER COAST REGIONAL AIRPORT AUTHORITY
CRESCENT CITY, CA
NEW PASSENGER TERMINAL ALTERNATIVE
APRIL 19, 2010
AREA PLAN OPTION 2
EXHIBIT 3


RELOCATE
DITCH
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REMEDIATED
SUPERFUND
SITE
FROG
FRIENDLY
CULVERT
BORDER COAST REGIONAL
AIRPORT AUTHORITY
CRESCENT CITY, CA
NEW PASSENGER
TERMINAL ALTERNATIVE
APRIL 19, 2010
AREA PLAN OPTION 6
EXHIBIT 4

LEGEND

- Wetland Data Point
- Project Area (8.66 acres)
- Pacific Reedgrass-Tufted Hairgrass Wetland (0.186 acre)
- Other Waters (0.048 acre)
- Hooker Willow Series Wetland (<0.001 acre)

Source: USGS Digital Orthophoto, 2004.

0 100 200 FEET

POTENTIAL USACE JURISDICTIONAL WETLANDS AND OTHER WATERS OF THE UNITED STATES IN THE TERMINAL REPLACEMENT PROJECT AREA

August 2010
28067122

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

URS

FIGURE 2

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

Date: May 13, 2010
Hearing Date: May 12, 2010
Commission Action: May 12, 2010

ADOPTED FINDINGS

APPEAL NO.:	**A-1-DNC-09-048**
APPLICANT:	Border Coast Regional Airport Authority
DECISION:	Approval with Conditions
PROJECT LOCATION:	Jack McNamara Field (CEC) 150 Dale Rupert Road, Crescent County, Del Norte County, APNs 110-010-21 & 120-020-02.
PROJECT DESCRIPTION: (as conditionally approved *de novo*)	*Jack McNamara Field Terminal Replacement Project - "Alternative 10, Option 2"* – Development of a 17,867-square-foot passenger terminal complex, with ancillary aircraft apron, domestic and firefighting water supply utilities, onsite sewage disposal system, consolidated public and employee off-street parking lots, and round-about based access roadway facilities.
APPELLANT(S):	(1) **Friends of Del Norte**; and (2) **Commissioners Mary Shallenberger & Sara Wan**
SUBSTANTIVE FILE DOCUMENTS:	(1) County of Del Norte Coastal Use / Development Permit No. UP0736C; (2) County of Del Norte Coastal Building / Development Permit No. B308031C; and (3) County of Del Norte Local Coastal Program (LCP)

EXHIBIT NO. 11
APPLICATION NO.
A-1-DNC-09-0048-A1
Border Coast Regional Airport Authority
ADOPTED FINDINGS FOR ORIGINAL PERMIT – 1 of 52

I. STAFF NOTES:

1. Adopted Findings

The Commission held a public hearing and approved the permit at the meeting of May 12, 2010. The adopted conditions for approval of the development defer slightly from those contained in the written staff recommendation dated April 29, 2010, as modified within the report addendum memorandum dated May 11, 2010 (see http://documents.coastal.ca.gov/reports/2010/5/W15c-5-2010.pdf). At the hearing, staff orally amended the staff recommendation to make an additional specification to require that the success of the amphibian undercrossings within the eastern secondary access road be monitored, with a provision for the Executive Director to review the monitoring reports for determining whether an amendment to the project permit is required if significant roadway mortality of amphibians is reported. This change adopted by the Commission is reflected in an inserted new sub-section B in Special Condition No. 8.

The following resolution, conditions, and findings were adopted by the Commission on May 12, 2010 upon conclusion of the public hearing.

Resolution to Approve Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development, as conditioned will be in conformity with the certified County of Del Norte LCP, is located between the sea and the nearest public road to the sea and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS: See attached.

III. SPECIAL CONDITIONS:

1. Scope of Authorization.

The development authorized under this permit comprises that described in the narrative and preliminary plans depicting "*Del Norte Regional Airport Passenger Terminal Replacement Amended Project – Alternative 10, Option 2*," attached as Exhibit Nos. 5 and 6, including the physical construction of the terminal, airport apron, roadway, and parking facilities, together with all associated utility and community service connections and upgrades, and amenities, and all related onsite and off-site mitigation measures, as further modified by the Special Conditions herein attached. Any proposed deviations

from, or substitutions and additions to, the approved development, including provisions for phased or reduced building envelope construction, shall require the securement of a permit amendment unless the Executive Director determines no amendment is legally required.

2. Revised Design and Construction Plans

A. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH ELEMENT (E.G., TERMINAL BUILDING, AIRCRAFT APRON, ACCESS ROADWAY, UTILITY INSTALLATIONS, ETC.) OF THE REPLACEMENT AIRPORT TERMINAL PROJECT AUTHORIZED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048**, the applicant shall submit to the Executive Director for review and approval final design and construction plans for the project element which are consistent with the approved project narrative and preliminary site plans titled "Passenger Terminal Replacement Amended Project," dated April 19, 2010, as prepared by the Border Coast Regional Airport Authority and URS Airport Services, attached as Exhibit No. 6, including site plans, floor plans, building elevations, roofing plans, foundation plans, structural plans, final exterior (roofing, siding, glazing) material specifications, signage, drainage facilities, site security / ESHA perimeter fencing and screening, and lighting plans, consistent with all special conditions of Coastal Development Permit No. A-1-DNC-09-048, including Special Condition Nos. 1, 3, 5, 6, and 10. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF ANY PARKING LOT**, the applicant shall submit to the Executive Director for review and approval, a revised parking plan demonstrating conformity with Local Coastal Program Zoning Enabling Ordinance Chapter 21.44, including but not limited to the minimum number of spaces, minimum stall width and depth dimensions, minimum aisle widths, minimum wall-to-wall dimensions, and screening/landscaping parameters, consistent with the Commission's action on Coastal Development Permit No. A-1-DNC-09-048.

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

3. Erosion and Run-Off Control Plan

A. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH ELEMENT (E.G., TERMINAL BUILDING, AIRCRAFT APRON, ACCESS ROADWAY, UTILITY INSTALLATIONS, ETC.) OF THE REPLACEMENT AIRPORT TERMINAL PROJECT AUTHORIZED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048,** the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and run-off control.

1) EROSION CONTROL PLAN COMPONENT

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 "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be used during construction: EC-1 Scheduling, EC-2 Preservation of Existing Vegetation, EC-6 Straw Mulch, NS-4 Temporary Stream Crossing, SE-1 Silt Fence, SE-9 Straw Bale Barrier, and WE-1 Wind Erosion Control;
(3) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and coastal resources; and
(4) The following permanent source control and treatment measures, as described in detail within in the "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be installed: SD-10 Site Design & Landscape Planning, SD-11 Roof Runoff Controls, Pervious Pavements, Vegetated Swale, and TC-31 Vegetated Buffer Strip.

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) Runoff from all roofs, patios, driveways and other impervious surfaces and slopes on the site shall be collected and discharged into an infiltration interceptor to avoid ponding or erosion either on or off the site. The system shall be designed to treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event;

(3) An on-site infiltration interceptor or retention basin system shall be installed to capture any pollutants contained in the run-off from parking lots and other paved areas. The system shall be designed to treat or filter stormwater runoff from each storm, up to and including the 85th percentile, 24-hour storm event;

(4) Site drainage shall be directed away from the bluff;

(5) The following temporary runoff control measures, as described in detail within in the "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be used during construction: *NS-3 Paving and Grinding Operations*, *NS-8 Vehicle and Equipment Cleaning*, NS-*9 Vehicle and Equipment Fueling*, NS-*12 Concrete Curing*, NS-*13 Concrete Finishing*, *SE-1 Silt Fence, SE-9 Straw Bale Barrier*, *SE-10 Storm Drain Inlet Protection*, *TR-1 Stabilized Construction Entrance/Exit*, *TR-2 Stabilized Construction Roadway*, *WM-1 Material Delivery and Storage*, *WM-2 Material Use*, *WM-3 Stockpile Management*, *WM-4 Spill Prevention and Control*, *WM-5 Solid Waste Management*, *WM-6 Hazardous Waste Management*, *WM-8 Concrete Waste Management*, and *WM-9 Sanitary/Septic Waste Management*; and

(6) The following permanent runoff control measures, as described in detail within in the "California Storm Water Best Management "New Development and Redevelopment," "Construction," and "Municipal Activity" handbooks, developed by Camp, Dresser & McKee, *et al.* for the Storm Water Quality Task Force (http://www.cabmphandbooks.com/), shall be installed: *SC-10 Non-Stormwater Discharges*, *SC-11 Spill Prevention, Control & Cleanup*, *SC-20 Vehicle and Equipment Fueling*, *SC-34 Waste Handling & Disposal*, *SC-41 Building & Grounds Maintenance*, *SC-43 Parking/Storage Area Maintenance*, *SC-70 Road and Street Maintenance*, *SC-71 Plaza and Sidewalk Cleaning*, *SC-73 Landscape Maintenance*, *SC-74 Drainage System Maintenance*, *SC-75 Waste Handling and Disposal*, *SC-75 Waste Handling and*

Disposal, *SD-10 Site Design & Landscape Planning*, *SD-11 Roof Runoff Controls*, *SD-13 Storm Drain Signage*, *SD-20 Pervious Pavements*, *SD-30 Fueling Areas*, *SD-31 Maintenance Bays & Docs*, *SD-32 Trash Storage Areas*, *SD-35 Outdoor Work Areas*, *TC-30 Vegetated Swale*, *TC-31 Vegetated Buffer Strip*, *TC-32 Bioretention*, and *TC-40 Media Filter* (parking lots).

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, construction-phase erosion and runoff control measures;
(3) A schedule for installation and removal of the temporary runoff control measures;
(4) A site plan showing the location of all permanent runoff control measures;
(5) A schedule for installation and maintenance of the roof and parking lot drainage conveyance systems, and rain garden, tree box, swale and bio-filtration galleries, and perimeter stormwater diking and berming controls; and
(6) A site plan showing finished grades (at 1-foot contour intervals) and stormwater drainage improvements.

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

4. <u>Construction Responsibilities and Debris Removal</u>.

The permittee shall comply with the following construction-related requirements:

- No construction materials, debris, or waste shall be placed or stored where it may be subject to entry into coastal waters, including drainage courses, creeks, streams, and other water bodies;
- Any and all debris resulting from construction activities shall be removed from the site within one week of completion of construction;
- Expect as specifically stipulated herein, no construction equipment or machinery shall be allowed at any time within either the shore pine-Sitka spruce forested areas, riparian vegetation, or wetlands on the site;
- Sand from the beach, cobbles, or shoreline rocks shall not be used for construction or landscaping materials;

- Concrete trucks and tools used for construction of the approved development shall be rinsed at the specific wash-out area(s) described within the approved Erosion and Runoff Control Plan approved by the that Commission;
- Expect as specifically stipulated herein, staging and storage of construction machinery or materials and storage of debris shall not take place on the beach or within public street rights-of-way.

5. Design Restrictions

All exterior materials, including the roofing materials and windows, shall be non-reflective to minimize glare. Terminal building siding and roofing materials shall be of naturally-occurring earthtones to blend harmoniously in hue and shade with the color of the surrounding landforms and vegetation. All exterior lights, including lights attached to the outside of any structures, shall be low-wattage, limited to levels necessary to provide adequate operational and site security illumination, non-reflective and have full cut-off shielding, hooding, or sconces to cast lighting in a downward direction and not beyond the boundaries of the property. With the exception of lighting incorporating the above design criteria to be installed at the intersection of the eastern secondary access road with the rear gate of the airfield and collocated lighting on existing poles behind the general aviation hangers, no additional roadside street lighting shall be installed along the portions of the facility's access roadway between the County agricultural department offices and the round-about at the intersection of the terminal, general aviation, and fire hall access routes. Instead, reflective stripping and signage shall be used to demarcate roadway margins and directional lane dividers as needed. Aircraft apron operational lighting shall be designed to be powered down when not in active use. All signage shall conform to the standards of Title 18 of the Del Norte County Code.

6. Landscape Plan.

A. **PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF EACH ELEMENT (E.G., TERMINAL BUILDING, AIRCRAFT APRON, ACCESS ROADWAY, UTILITY INSTALLATIONS, ETC.) OF THE REPLACEMENT AIRPORT TERMINAL PROJECT AUTHORIZED BY COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048**, the applicant shall submit, for the review and approval of the Executive Director, a plan for landscaping to soften the appearance of the commercial visitor-serving facility, while assuring that the landscaping materials are located and sized so as not to obstruct views to and along the coast from designated view corridors and vista points. The plan shall be prepared by a licensed landscape architect.

1) The plan shall demonstrate that:

a. All proposed plantings site shall be limited to vegetation native to northern coastal habitats of Del Norte County obtained from local genetic stocks within Del Norte County. If documentation is provided to the Executive Director that demonstrates that native vegetation from local genetic stock is not available, native vegetation obtained from genetic stock outside the local area, but from within the adjacent region of the floristic province, may be used. 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 utilized within the property that is the subject of CDP No. A-1-DNC-09-048.

b. All proposed plantings shall be obtained from local genetic stocks within Del Norte County. If documentation is provided to the Executive Director 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. 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 utilized within the property.

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

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

e. Except for clearing for site improvements authorized by Coastal Development Permit No. A-1-DNC-09-048, all existing mature native vegetation (i.e., pine-spruce forest and fringing riparian vegetation) shall be retained; and

f. The use of bio-accumulating rodenticides containing any anticoagulant compounds, including, but not limited to, Bromadiolone, Brodifacoum or Diphacinone, shall not be used.

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

a. A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features; and

b. A schedule for installation of plants.

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

7. <u>Final Compensatory Wetlands Mitigation and Monitoring Program</u>

A. **PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT A-1-DNC-09-048**, the applicant shall submit for review and written approval of the Executive Director in consultation with the U.S. Department of Fish and Game and the Fish and Wildlife Service, a final detailed compensatory wetlands mitigation and monitoring program designed by a qualified wetland biologist for the construction and monitoring of compensatory wetlands mitigation site(s). The mitigation and monitoring program shall at a minimum include the following:

1. Provision for the creation of a minimum of 1.92 acres of riverine and palustrine wetlands (.48-acre project-filled wetlands @ 4:1 in-kind, off-site replacement ratio) at a suitable location within Del Norte County meeting all of the following criteria:

   a. An area having significant contiguous land base for undertaking the subject replacement wetlands mitigation, as contrasted with a series of smaller detached sites, where there is the greatest likelihood that the wetland values and functions being lost at the project can be replicated at the mitigation site;
   b. An area having similar submerged, emergent, or near-surface saturated hydrologic conditions to those on the portions of the project site (i.e., non-tidally influenced, perched and/or seasonal shallow groundwater conditions within the Smith River Plan Hydrologic Sub-area);
   c. An area having similar wetland plant community composition to those on the wetlands portions of the project site to be filled (i.e., forested palustrine wetlands and palustrine emergent wetlands adjoining beach pine, Sitka spruce and beach pine-Sitka spruce forested areas) ; and
   d. An area having similar soil and substrate conditions to those on the wetlands portions of the project site to be filled (uplifted marine terrace with sand dune derived course soil clastics).

2. Quantitative and qualitative performance standards that will assure achievement of the mitigation goals and objectives of no net loss of wetlands, taking into account temporal loss associated with the time-lag in establishing compensatory wetlands at off-site locales, as set forth in Coastal Development Permit Application No. A-1-DNC-09-048, as summarized in Findings Section IV.D, "Protection of Coastal Wetlands," including but not be limited to the following standards: (a) timely initiation of the compensatory wetlands plan within six (6) months of the initiation of construction of the authorized replacement terminal improvements; (b) milestones and timelines for successful establishment of the compensatory wetlands; and

3. A compensatory wetlands mitigation plan consisting of: (a) dimensioned, to-scale mapping of compensatory wetlands site(s); (b) assessment of hydrologic, soil, and vegetative conditions at the mitigation site(s); (c) grading plan; (d) planting schedule, detailing species, sizes, installation standards; (d) short- and long-term irrigation and watering requirements; (e) measures for the removal and/or management of proximate non-native, exotic-invasive species; and (f) thinning, pruning, and other on-going maintenance needs

4. Provisions for annual monitoring the following attributes: (1) cover; (2) density; (3) species diversity; and (4) habitat utilization, using the following methods, as applicable, to the particular plant stratum or habitat: (1) basal area and/or stem counts; (2) transect sampling; (3) stocking and stand density; (4) point-intersect surveys; and (e) trap & release population studies.

5. Provisions for assessing the initial biological and ecological status of the "as built" mitigation site within 30 days of establishment of the mitigation site in accordance with the approved mitigation program. The assessment shall include an analysis of the attributes that will be monitored pursuant to the program, with a description of the methods for making that evaluation.

6. Provisions to ensure that the mitigation site will be remediated within ninety (90) days of a determination by the permittee or the Executive Director that monitoring results indicate that the site does not meet the goals, objectives, and performance standards identified in the approved mitigation program.

7. Provisions for monitoring and remediation of the mitigation site in accordance with the approved final mitigation program for a period of five (5) years.

8. Provisions for submission of annual reports of monitoring results to the Executive Director for the duration of the required monitoring period, beginning the first year after submission of the "as-built" assessment. Each report shall include copies of all previous reports as appendices. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the wetland mitigation project in relation to the performance standards.

9. Provisions for submission of a final monitoring report to the Executive Director at the end of the five-year reporting period. The final report must be prepared in conjunction with a qualified wetlands biologist. The report must evaluate whether the mitigation site conforms with the goals, objectives, and performance standards set forth in the approved final mitigation program. The report must address all of the monitoring data collected over the five-year period.

B. If the final report indicates that the mitigation project has been unsuccessful, in part, or in whole, based on the approved performance standards, the applicant shall submit a revised or supplemental mitigation program to compensate for those portions of the original program which did not meet the approved performance standards. The revised mitigation program shall be processed as an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

C. The permittee shall construct, monitor, and remediate as necessary the wetland mitigation site in accordance with the approved mitigation and monitoring program. Any proposed changes to the approved mitigation and monitoring program shall be reported to the Executive Director. No changes to the approved mitigation and monitoring program shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

8. <u>Amphibian Underpass Systems Roadway Design Plan</u>

A. **PRIOR TO THE ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048,** the applicant shall submit, for review and approval of the Executive Director, a plan for the incorporation of sub-grade passageways into the design of the approximately 600-lineal-foot portion of replacement terminal project's eastern access road between the County agricultural department facilities and the rear gate to McNamara Field adjoining the row of general aviation aircraft hangers. The plan shall include, at a minimum the following design features:

1. A minimum of six (6) sub-grade passages, each spaced approximately 100 to 200 feet from each other, appropriately sized to allow for the passage of northern red-legged frogs (*Rana aurora*) and other related amphibians endemic to the project environs;

2. The sub-grade crossings shall include permeable, natural substrates which retain moist conditions while allowing for receiving sunlight and rainfall, but not be completely inundated;

3. Flared, minimum ten-foot wide funnel entrances, bounded by minimum 18-inch-high winged retaining walls, tapering toward the underpasses to facilitate amphibians finding the under-crossings;

4. Minimum 18-inch-high fencing with mesh fine enough to prevent the passage of red-legged frogs through the fence, along both sides of the roadway segment between the underpasses to prevent at-grade crossings;

5. Signage at either end of the access roadway segment, advising motorists of the potential presence of rare amphibians and urging their care in preventing impacts.

B. The permittee shall monitor the access roadway for determining the success of the amphibian undercrossings and roadside barriers. Prior to April 1 of each year for a period of five years, the permittee shall submit for the review of the Executive Director, an annual monitoring report for the preceding calendar year disclosing the number and locations of Northern red-legged frog (*Rana Aurora*) and other amphibian carcasses encountered on the roadway during daily security /maintenance patrols of the airport. Based upon the monitoring program data, the Executive Director shall determine whether substantial mortality of sensitive amphibians is occurring warranting the need for the permittee to substitute or augment of the amphibian habitat mitigation measures either administratively or formally through the securement of a permit amendment.

C. 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.

9. <u>Notification/Imposition of Permit Conditions Agreement</u>

PRIOR TO ISSUANCE OF COASTAL DEVELOPMENT PERMIT NO. A-1-DNC-09-048, the County of Del Norte ("County") as fee-simple owner of the airport facility ("Property"), and the Border Coast Regional Airport Authority ("Authority"), as delegated facility operator, shall enter into an agreement with the Coastal Commission, in a form and content acceptable to the Executive Director indicating that, pursuant to this

permit, the County and the Authority each acknowledge and agree that: (1) the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that Property; and (2) all rental, lease, and franchise contracts entered into with tenants of the Property shall incorporate the Special Conditions of this permit as covenants, conditions and restrictions on the renter's, lessee's, franchisee's, and/or tenant's use and enjoyment of the Property. The agreement shall include a legal description of the entire parcel or parcels governed by this permit. The agreement shall also indicate that, in the event of an extinguishment or termination of the agreement for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

10. Conditions Imposed by Local Government

This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project History / Background.

On August 13, 2009, the County of Del Norte accepted for filing Coastal Use and Building Development Permit Application Nos. UP0726C and B30831C from the Border Coast Regional Airport Authority for the development of a replacement passenger terminal and related roadway, parking, utility, and community services improvements at the Jack McNamara Field (CEC), (AKA: "Del Norte County Regional Airport") situated at the northeast corner of the intersections of Washington Boulevard, Radio Road, and Pebble Beach Drive, approximately three miles north of the City of Crescent City (see Exhibit No. 1-3). The project entailed the construction of 20,800-square-foot, two-story terminal building together with a 350-foot by 180-foot paved aircraft apron area, and a 1.44-acre, 177-space off-street parking facility. Other proposed improvements included the realignment of Dale Rupert Road, the main access into the airport complex, to create a looped circulation route to and around the parking lots and terminal entrance, and the installation of an onsite sewage disposal system, utility connections, on- and off-site community service upgrades, minor widening and turning lane improvements on adjoining streets, landscaping, walkways, signage and exterior lighting.

Following completion of the planning staff's review of the project, the preparation of a staff report, and requisite circulation of a public hearing notice, County staff scheduled the applications for coastal development use and building permits for hearing before the

Del Norte County Planning Commission for October 14, 2009. The planning commission subsequently approved the subject development, attaching 29 conditions to the permit (see http://documents.coastal.ca.gov/reports/2010/4/Th16a-4-2010.pdf, pages 96-102).

The County then issued a *Notice of* [*Final Local*] *Action* on October 16, 2009, received by Commission staff on October 20, 2009. On November 9, 2009, appeals were filed with the North Coast District Office by: (1) Friends of Del Norte, a public benefit, not-for-profit organization; and (2) Commissioner's Shallenberger and Wan. The appeals were filed in a timely manner within ten (10) working days of receipt of the County's *Notice of Final Local Action*.

On April 15, 2010, the Commission determined that the project as approved by the County raised a substantial issue of conformance with the County's certified LCP regarding: (1) the permissibility of authorized development insofar as it would be located within, and require the conversion of approximately 5.74 acres of environmentally sensitive habitat area (ESHA) for terminal, roadway, and parking facilities to serve a use that is not dependent upon the resources within the environmentally sensitive area; (2) the design and siting of the approved project not being the least environmentally damaging feasible alternative and/or not having incorporated all feasible mitigation measures to allow for dredging, diking, and filling of wetlands to be authorized; (3) the preliminary design of the onsite wastewater disposal system not having been shown to be adequate to protect coastal water resources; and (4) the potential for the approved development to have significant impacts on coastal visual resources.

The Commission also continued the *de novo* hearing and requested specific information from the applicant to assist the Commission in evaluating the consistency of the project with the LCP, including: (1) supplemental delineation of wetlands and the precise extent of the adjoining rare beach pine – Sitka spruce and fringing riparian vegetation ESHA on and near the site; (2) additional information on the location and types of amphibian passages to be incorporated into access roadways; (3) investigation of a possible reduced-size terminal building project alternative comprising an analysis of the minimal spatial requirements needed for the replacement passenger terminal to meet applicable airport operational and aviation security requirements; and (4) an assessment of requisite vehicular circulation, stipulating how traffic flow to the terminal, the parking areas, and other portions of the airport complex would be provided during normal operations and during periods of enhanced security. Copies of these items are provided in Exhibit Nos. 6 through 11.

Together with the submittal of the requested additional information, the applicant revised the proposed project, for purposes of the Commission's *de novo* review, making a series of significant changes to the development in response to the concerns raised by the appeals. These changes, as further described in Finding Section IV.B.2, below, entail: (1) relocating all portions of the development, including the replacement terminal/aircraft apron complex, roadways, parking areas, and related site improvements, outside of the pine-spruce forest and riparian vegetation ESHAs; (2) reducing the overall size of the

terminal structure by 14%; (3) reducing the amount of wetlands to be unavoidably filled from .62 acre to .48 acre; (4) incorporating sub-grade passageways for amphibian migration in the design of certain roadways; and (5) including fencing and/or screening around the perimeter of the forest, wetlands, and riparian vegetation ESHAs to shield these area from impacts from adjacent airport activities.

B. Project and Site Description.

1. Project Setting

The development site is located at the Del Norte County Regional Airport, also known as "Jack McNamara Field" (CEC), a commercial service and general aviation airport located north of Crescent City, in northwestern Del Norte County California. McNamara Field consists of two 5,002-foot-long by 150-foot-wide paved runways ("11/29" and "17/35") in an X-cross configuration with peripheral taxiways, VFR lighting, and VORTAC-based avitronic guidance and control componentry, a 3,000-square-foor passenger terminal, and security screening facility, an approximately 110-space parking area, a fire hall, and related fixed based operations and franchise amenities. Although the majority of its operations relate to general aviation, parcel courier, air ambulance, and governmental air transport/patrol activities, the airport is served by one commercial airline, United Express, operated by SkyWest Airlines. McNamara Field serves not only the City of Crescent City and the surrounding communities located within Del Norte County (Gasquet, Smith River, Fort Dick and Klamath), but also the communities in the Curry and Josephine County areas of southwestern Oregon, including Brookings-Harbor, Gold Beach, O'Brien, and Cave Junction.

The airport property, encompassing approximately 500 acres, is situated on a cleared, generally flat, grass-covered area situated on an uplifted marine terrace that contains forested, riverine, and emergent wetlands and riparian vegetation on the periphery of the actively used portions of the airfield (see Exhibit Nos. 1-3). Elevations at the property range from 50 to 60 feet above mean sea level.

The project site's primary frontage is along Washington Boulevard and Radio Road which function as a collector route, conveying vehicular and other modes of traffic from the airport, the adjoining open space and coastal access/recreational areas to the west, and the residential areas to the east of the airport to State Route 101 approximately three miles further to the east. Land uses in the immediate vicinity of the property are primarily public parklands and wildlife refuge areas to the north, northeast, and west, comprising Tolowa Dunes State Park and the County-owned Point Saint George Management Area. Areas to the south of the airport across Washington Boulevard are in a mixture of agricultural grazing and low-density rural residential uses.

Vegetative cover across the undisturbed portions of the southern airport property slated for development of the replacement terminal complex comprise of a mixture of Pacific reedgrass-tufted hairgrass grassland and coyotebrush-cascara-wax myrtle scrub uplands,

and a mosaic of beach pine and beach pine-Sitka spruce forested uplands and wetlands, containing and bordered by an assortment of palustrine, riverine, emergent, and riparian hydrophytic plant communities, including hooker willow-Sitka alder, red alder-cascara, Sitka alder-cascara, and slough sedge series. These later forested and wetlands areas, primarily centered in the area between Washington Boulevard, Dale Rupert Road and the active airport field, comprise environmentally sensitive habitat areas (ESHA).

The subject property is designated with "Public Facility" (PF) on the certified land use plan and zoning maps. The PF land use and zoning designations provide for the development of critical public facilities operated by local, state, regional, or federal entities and other quasi-public uses, including airports, sanitary landfills and related transfer sites, public buildings, complexes and corporation yards, parks and recreation areas, golf courses and country clubs, power generation plants, water and sewer treatment plants, bulk storage facilities, schools, and cemeteries.

The project site lies within the unincorporated boundaries of the County of Del Norte, within the County's certified and delegated coastal development permitting area. Thus, the development is subject to the policies and standards of the County of Del Norte certified Local Coastal Program (LCP). The parcel is not located within a formally designated highly scenic area, as the County's LCP does not make that distinction for any specific sites, but focuses instead on the visual resources observable from specific "view"/"vista points" and "view corridors." Nevertheless, views from the project site are spectacular, consisting of nearby headlands comprising the Point Saint George landform and numerous offshore sea stacks and islands, including Castle Rock, a segment of the U.S. Fish and Wildlife Service's national wildlife refuge system. Due to the presence of vegetation on the periphery of the airport property, views to and along the coast from and to the replacement terminal project site from the designated public view corridors and vista points are somewhat constrained.

2. Project Description

The proposed development, as revised for purposes of the Commission's *de novo* review, consists of the construction of a new passenger terminal. aircraft apron, roadway, and parking complex to replace the existing passenger terminal/screening buildings and runway siding tarmac areas that are out of compliance with current airport operational and aviation security standards, as administered by the Federal Aviation Administration (FAA) and the Transportation Safety Administration (TSA) (see Exhibit No. 5). The project can be characterized as comprising five parts, as follows:

Construct a New Terminal Building

The primary project component involves the construction of a new approximately 17,869-square-foot, 32-foot-high, two story replacement passenger terminal to the

southwest of the existing airport parking lot (see Exhibit Nos. 5 and 6).[1] The new terminal would replace the existing single-story 2,020-square-foot terminal, constructed in 1950, and the separate approximately 980-square-foot double-wide, temporary modular building added adjacent in 2002 to accommodate TSA screening procedures, including a small secure passenger holding room. The existing terminal was not originally designed for commercial passenger use, and given its age, it has become outdated and is in poor condition, having had only minimal renovation since its original construction. Neither is the existing terminal building in conformance with current seismic codes and the requirements of the Americans with Disabilities Act (ADA). The existing terminal has been determined by Del Norte County and the FAA as effectively nonfunctional under current airport operational standards and, due to its age and layout, cannot be further modified to provide the required space in a cost-effective manner. Consequently in order to comply with current federal aviation facility regulations and design standards, it is necessary to construct an entirely new terminal building with designated areas and adequate space for each of the airport functions required to process tenants, customers, employees, and passengers in order to maintain the efficiency and security of the airport, and provide an acceptable level of customer service.

The replacement terminal building would include adequate space to provide all the typical functions required to accommodate commercial passenger operations. In addition, as required by contemporary transportation safety regulations, the meet/greet areas would be arranged in a fashion to be separate from the ticketing, baggage claim, and passenger waiting area. In addition, the replacement terminal would be sized pursuant to average peak daily activity to afford sufficient space for enplanement and deplanement of passengers arriving and departing consecutively, as well as providing area for

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[1] The Commission acknowledges that, due to the structure of airport upgrade improvement grant funding processes, local and state discretionary permits must be first secured before a specific funding review is conducted by FAA and TSA. In undertaking this process, the applicant's consultant has made several assumptions as to the acceptability of certain features of the proposed terminal to these funding entities (e.g., location of general public and secured employee parking lots, configuration of terminal drop-off area, internal terminal passenger screening and holding, and visitor circulation, heights of blast deflection walls, etc.) As a result of this dynamic, the terminal design is presently at a 25% stage of completion with respect to the precise layout and size of the terminal components. Accordingly, the site and/or the configuration of the terminal areas may likely need to be altered once these risk-based assessment reviews have been undertaken. Provided any such future alterations do not necessitate substantive changes in the location of the terminal siting or expansion of the building envelope that would result in greater impacts to coastal resources, these changes will be authorized administratively through final plan review Special Condition No. 2 attached to the subject coastal development permit. However, any proposed expansion of the size of the terminal building and/or relocation to an area which would involve an increase in the amount of wetland fill, closer encroachment upon and/or entry into the adjacent ESHAs, or an intensification of use that could adversely affect coastal resources will require a permit amendment pursuant to Coastal Act and Commission's administrative standards for same before the changes may be authorized.

accommodating a flight that may have been delayed or diverted to McNamara Field, which happens frequently due to coastal weather conditions.

Construct a New Aircraft Apron Area

Because the new terminal building is proposed to be constructed at a new location, and the existing apron is undersized, a new roughly 200-foot by 400-foot aircraft apron would be constructed adjacent to the new terminal building. The existing aircraft parking apron area in front of the terminal is not adequate to accommodate aircraft plane loads. Recent safety inspections indicate there is ramp congestion which limits aircraft movement

The new apron would be designed to allow for two aircraft to be parked at the same time adjacent to the terminal so passengers could safely and efficiently board and disembark from aircraft. It is projected that the critical aircraft at McNamara Field will likely continue to be the Embraer Brasilia, E-120 or similar 30-50 passenger turbo-prop aircraft. The applicant notes that, it is reasonable to plan for changes within the airline industry which may require a larger aircraft sometime within the life span of this facility. The next step up in aircraft seating capacity would be comparable to the 70 passenger De Havilland Dash 8 turbo-prop Q400 and/or the Bombardier Regional Jet CRJ-200. These aircraft could operate under the airport's current runway classification, and accommodation for their parking would not alter the overall through-capacity of the passenger terminal or the airport operations as a whole. Direct connection of the new apron area to the taxiway would be provided to allow for efficient taxiing to and from the runway system.

Construct New Surfaced Parking Lot

A new 143-space parking lot would also be developed immediately to the south of the replacement terminal site. Similar to the existing terminal building, the current parking lot does not provide sufficient off-street parking for passengers, employees and visitors. Currently, McNamara Field has 85 paved parking spaces on an existing surface lot for short-term parking and an additional overflow gravel lot with 25 spaces for long-term parking. The short-term lot is shared with Airport employees. Neither parking lot is compliant with current TSA regulations and recommended blast protection and high alert zones due to their proximity to the existing terminal building. A parking survey at McNamara Field indicated that during the peak holiday season the short-term parking lot was at capacity and the long-term overflow lot was at 65 percent capacity. The short-term and overflow parking lots within the existing airport complex will be reconfigured into an 88-space facility.

In addition to parking needs driven by increased activity at McNamara Field, post-9/11 security requirements have increased the number of security employees working at the airport. These parking spaces would be provided by reconfiguring the existing parking lots and adding a new parking area south of the terminal building which will become the main parking lot. This split parking arrangement will result in a greater walking distance for passengers from their parked cars to the terminal building (in the south lot a 100- to

600-foot walk, and in the north lot a 700- to 1000-foot walk). The proposed new south lot parking facilities consist of 96 combined public and employee spaces with overflow spaces in the north lot to accommodate existing aviation activity and forecast future demand. During security high alert periods half of the main southern parking lot will be closed, but the alternate access road will provide open egress to the northern parking area which will be unaffected by security lockdowns. Adequate parking is essential to the safe and efficient flow of landside traffic at a well-designed terminal facility providing for customer, tenant, and employee access to terminals and other airport facilities. The peak holiday season capacity issues at McNamara Field create an inconvenient and inefficient parking condition, which is noncompliant with FAA and TSA guidelines and hinders customer, tenant, and employee access to airport facilities. Construction of new parking facilities at McNamara Field adjacent to the replacement would address existing demand and reduce peak holiday season parking issues. In addition, the construction of a new parking facility and an alternate access road would bring McNamara Field into compliance with TSA regulations regarding airport security.

Realign and Construct Airport Access Road

Because the new terminal building and parking lot is proposed to be constructed in a new location, and the existing Dale Rupert Road does not meet TSA security setback guidelines and Del Norte County road standards, the airport access road needs to be realigned. Access to McNamara Field would be realigned to allow for TSA security setbacks and adequate circulation to and from the relocated terminal building and parking facilities. Dale Rupert road currently does not meet Del Norte County road standards for collector roads serving urban areas. Based on an access plan assessment, it was determined that the four-way intersection currently existing at Dale Rupert Road, Washington Boulevard, and Pebble Beach Drive constituted a traffic hazard. This intersection has skewed angles and curves on Washington Boulevard that are difficult for vehicles to negotiate at the intersection. Currently, there is no left-turn lane, which causes traffic to be impeded when turning vehicles have to stop for oncoming traffic. This has led to confusion and accidents in the past. The new road would be realigned and widened to incorporate a 40-foot design standard with a separate right hand turn lane into the airport entrance and a secondary entrance developed off of Washington Boulevard approximately 750 feet to the east, creating an secondary alternate access road past the existing Agriculture Department building, proceeding northward to the airport's rear gate then turning westerly to run behind the existing general aviation hangars to connect with the current parking lot. A round-about based, looped road configuration would be developed to link the new terminal, the parking lots, and other portions of the airport complex. This circulation pattern would allow for more efficient traffic flow, afford direct access to the front of the terminal building for passenger drop-off or pick-up, provide for TSA security checks of vehicles before entering the parking area, and, during high alert conditions, maintain recommended blast protection zones by allowing for the imposition of a 300-foot restricted zone from the terminal without closing access to other airport facilities. At the same time, a loop road that limits circulation through the parking lot would be compliant with current TSA guidelines for adequate maneuvering space in the case of an emergency. This design layout is recommended in the FAA and TSA

design guidelines. The existing Dale Rupert Road would remain as an ongoing primary and emergency response access to the airport, subject to TSA high alert closures.

Implement Associated Infrastructure and Utilities

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

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

The potable water demand for the proposed terminal location can be supplied adequately from the existing pressures and distribution system with improvements to the potable water four-inch-diameter distribution main. This potable water distribution piping is supplied from a connection to an 8-inch-diameter supply main located at the Washington Boulevard/Airport Dale Rupert Road intersection. This main would have sufficient pressure for a fire suppression system that would be needed to service the new terminal. A small pumping station and pump rated at 1,500 gallons per minute would be needed near the existing 50,000-gallon reservoir. The station would be located on the 8-inch-diameter main, between the tank and the proposed facility. All wastewater would be discharged to a new onsite septic system that would be sized accordingly for the new terminal building, requiring approximately 3,000 gallon capacity to support the terminal. The on-site sewage disposal treatment system, once its final design has been approved by the County's public health department, would be placed in the currently disturbed area along Dale Rupert Road.

C. Environmentally Sensitive Habitat Areas.

1. Applicable LCP Provisions

General Policies Section VI.A of the County of Del Norte LUP's *Marine and Water Resources* chapter describes the overarching legal impetus for its policies and standards, stating in applicable part,:

> *A major objective of the Coastal Act is to maintain and enhance the quality of coastal waters and marine resources and to mitigate potential adverse impacts of land uses adjacent to sensitive coastal habitats. To this end the following policies were enacted by the legislature:…*
>
> *30240. (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 such areas, and shall be compatible with the continuance of such habitat areas.*

Coastal Act Section 30240 is reiterated in *LCP Policies* Section VI.C.6 of the LUP's *Marine and Water Resources* chapter:

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

Designation Criteria Section IV.B of the County of Del Norte LUP *Marine and Water Resources* chapter provides that:

> *The following criteria are proposed for designating biologically sensitive habitats in the marine and coastal water environments and related terrestrial habitats of Del Norte County:*
>
> *1. Biologically productive areas important to the maintenance of sport and commercial fisheries.*
> *2. Habitat areas vital to the maintenance and enhancement of rare and/or endangered species.*
> *3. Fragile communities requiring protective management to insure their biological productivity, species diversity and/or continued maintenance.*
> *4. Areas of outstanding scientific or educational value that require protection to insure their viability for future inquiry and study.*
>
> *Coastal habitat areas meeting one or more of these criteria may be considered biologically sensitive and therefore given particular attention in the planning process.*

In addition to "wetlands," the *Specific Area Policies and Recommendations* section of the *Marine and Water Resources* chapter of the LUP includes "riparian vegetation systems" and "riparian vegetation" among its list of "sensitive habitat types," defining such as areas, respectively, as:

> ***The habitat type located along streams*** *and river banks usually* ***characterized by dense growths of trees and shrubs*** *is termed riparian. Riparian systems are necessary to both the aquatic life and the quality of water courses and are important to a host of wildlife and birds*;

and

> ***Riparian vegetation is the plant cover normally found along water courses including*** *rivers,* ***streams****, creeks and sloughs. Riparian vegetation is usually characterized by dense growths of trees and shrubs.* [Emphases added.]

Specific Area Policies and Recommendations Section VII.E.4.a of the County of Del Norte LUP *Marine and Water Resources* chapter states:

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

Section IV.D.1.f of the LUP's *Marine and Water Resources* chapter's *Specific Area Policies and Recommendations* sub-section establishes other standards for buffers, stating that:

> *Natural vegetation buffer strips may be incorporated to protect habitat areas from the possible impacts of adjacent land uses. These protective zones should be sufficient along water courses and* ***around*** *sensitive habitat areas to adequately minimize the potential impacts of adjacent land uses.* [Emphasis added.]

2. Consistency Analysis

Policy No. 6 of the County LUP's *Marine and Water Resources* chapter requires that uses within environmentally sensitive habitat areas be limited to uses dependent upon the resources therein. Moreover Policy 6 requires that such development adjacent to such sensitive areas be sited and designed to avoid significantly degrading impacts and to be compatible with the continuance of the habitat areas. On November 10, 2009, Commission staff biologist John Dixon PhD, together with California Department of Fish and Game staff, visited the project site to review site conditions to determine whether the forested area in which the terminal improvements approved by the County would be placed constitutes ESHA as was alleged in the appeals. The area in question is composed of a composite of wetland and upland areas with a predominant vegetative cover composed of a mixture of shore pine (Pinus *contorta* var. *contorta*) and Sitka spruce (*Picea sitchensis*) which, while seemingly abundant within the immediate area, is rare in its overall geographic extent and provides habitat for a variety of wildlife including the Northern red-legged frog (*Rana aurora*), a species of critical concern. As discussed further in his review memo (see Exhibit No. 9), a reconnaissance of the site was conducted with the following noteworthy features being observed:

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

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

- The micro-topography of the forest results in an assemblage of low wetland areas surrounded by raised hummocked areas dominated by wetland indicator species, though not fully comprising a preponderance of hydrophytes. The requisite 100-foot buffer called for in the LUP to be prescribed around the perimeter of wetlands would likely encompass all of the these adjoining upland forested areas. Therefore the whole of the forest should be considered a functionally integrated habitat.

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

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

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

Therefore, given the conditions observed in the subject forested area, the beach pine-Sitka spruce forest wetlands/upland complex would qualify as ESHA under the LCP insofar as the area comprises: (a) habitat areas vital to the maintenance and enhancement of rare and/or endangered species (b) fragile communities requiring protective management to insure their biological productivity, species diversity and/or continued maintenance; and (c) areas of outstanding scientific or educational value that require protection to insure their viability for future inquiry and study. Therefore, the policies of

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

the LCP for protecting ESHA, including but not limited to Policy No. 6 of the County LUP's *Marine and Water Resources* chapter would apply to development in or adjacent to the pine-spruce forested area, limiting uses within ESHAs to resource-dependent uses, and requiring protective siting and design in adjacent development to prevent degrading impacts and ensure compatibility with the area's continuance.

As discussed in the preceding Findings Section IV.B.2, the project has been revised for purposes of the Commission's de novo review to site all portions of the terminal complex, roadway and other improvements outside of the pine-spruce forest ESHA. As a result the former appeal issue regarding the consistency of the development with the requirement of the LCP limiting development within ESHAs to only those uses dependent upon the resources within the ESHA has been resolved. In addition, the amended project includes protective design features, such as the provision of undercrossing within the eastern access roadway to allow for the migration of frog species of special concern and other sensitive amphibians through the patches of forested wetlands ESHA on either side of the roadway. In addition, the revised project proposal identifies the construction of protective fencing and screening around the perimeter of the pine-spruce forested ESHA to reduce the impacts associated with human activity in the adjacent active airport use areas.

Notwithstanding these changes, Dr. Dixon has found that the proposal to install only three undercrossings along the roughly 600-foot length of forested wetlands through which the secondary eastern airport access roadway would pass would not adequately provide for safe passage of red-legged frogs. Literature on the subject indicates that such road under crossings for amphibians be provided on average, every 100 feet, allowing for staggered spacings of up to 200 feet between any two sub-grade passageways.[3] If an adequate number of crossings are not provided, and/or other measures incorporated into the design of the eastern access roadway, such as flared funnel approaches to the undercrossing to guide frogs to their openings, fencing along other portions of the roadsides, and signage warning motorist of the potential for amphibians crossing the roadway and urging their caution to avoid impacts, these rare frogs will cross the road surface where they will be exposed to being struck by passing vehicles.

Accordingly, to ensure that the project is designed to prevent degrading impacts and to be compatible with the continuance of the pine-spruce forested ESHA as habitat for red-

[3] See: (1) Cavallaro, Lindsey, et al., 2005. Designing road crossings for safe wildlife passage: Ventura County guidelines. 90 pp. A group project submitted in partial satisfaction of the requirements for the degree of Master's of Environmental Science and Management for the Donald Bren School of Environmental Science and Management. (2) Jackson, S.D. 2003. Proposed design and considerations for use of amphibian and reptile tunnels in New England. 6 pp. Publication of Department of Natural Resources Conservation University of Massachusetts Amherst MA; and (3) Jackson, S.D. 1996. Underpass systems for amphibians. 4 pp. In G.L. Evink, P. Garrett, D. Zeigler and J. Berry (eds.) Trends in Addressing Transportation Related Wildlife Mortality, proceedings of the transportation related wildlife mortality seminar. State of Florida Department of Transportation, Tallahassee, FL. FL-ER-58-96.

legged frogs, the Commission attaches Special Condition No. 8. Special Condition No. 8 requires that the applicant submit for the review and approval of the Executive Director an amphibian underpass systems roadway design plan incorporating a minimum of six such crossings with flared funnel approaches and barrier fencing along the portion of the eastern roadway passing alongside segments of the forested ESHA. In addition, Special Condition No. 8 requires the posting of appropriate signage along the roadway segment providing notice to motorists of the possibility of frogs on the roadway.

In addition to potential direct mortality from automobile impacts, the quality of amphibian habitat can be adversely impacted by the presence of artificial light into the forested ESHA. Such illumination can disrupt reproductive cycles, give predators undo advantage, and attract frogs to the areas where they could be exposed to risks from passing traffic. To mitigate for these potential impacts, the Commission includes within Special Condition No. 5 prohibitions on roadside street lighting along the portions of the facility's access roadway between the County agricultural department offices and the round-about at the intersection of the terminal, general aviation, and fire hall access routes. Along such roadway segments, reflective stripping, markers, and signage are to be used in place of street lighting to demarcate roadway margins and directional lane dividers.

Therefore, based upon the project having been revised for purposes of the Commission's de novo review to avoid development within the pine-spruce forested ESHA, and with the incorporation of various proposed and or required protective measures to further ensure that significant degrading impacts are avoided and that the development will be compatible with the continuance of these environmentally sensitive areas, the Commission finds the development as conditioned is consistent with the ESHA protection policies of the LCP.

D. Protection of Coastal Wetlands.

1. Applicable LCP Provisions

Section VII.D.4 of the LUP's *Marine and Water Resources* chapter sets policy directives for the review of development in a variety of biologically significant areas and types, including wetlands, stating with particular regard to permissible uses, conditional approval of such development therein or in proximity thereto, and the establishment of wetland buffers, as follows:

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

> *d. Performance standards shall be developed and implemented which will guide development in and adjacent to wetlands, both natural and man-made, so as to allow utilization of land areas compatible with other policies while providing adequate protection of the subject wetland…*
>
> *f. Development in areas adjacent to environmentally sensitive habitat areas shall be sited and designed to prevent impacts which could significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.* ***The primary tool to reduce the above impacts around wetlands between the development and the edge of the wetland shall be a buffer of one-hundred feet in width. A buffer of less than one-hundred feet may be utilized where it can be determined that there is no adverse impact on the wetland. A determination to utilize a buffer area of less than one-hundred feet shall be done in cooperation with the California Department of Fish and Game and the County's*** **[or the Commission's on appeal]** ***determination shall be based upon specific findings as to the adequacy of the proposed buffer to protect the identified resource****…*

Cited Coastal Act (Public Resources Code) Section 30233 at subsection (a) identifies the following as permissible uses for which diking, filling, or dredging within open coastal waters, wetlands, estuaries, and lakes may be authorized:

> *(l) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities;*
> *(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps;*
> *(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities;*
> (4) ***Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines***;
> *(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas;*
> *(6) Restoration purpose; and*
> *(7) Nature study, aquaculture, or similar resource dependent activities.* [Emphasis added.]

2. Consistency Analysis

The project involves the construction of public air transportation support facilities on an elevated marine terrace containing a variety of forested, riverine, and emergent wetlands. Based upon supplemental wetland delineation and biological evaluations conducted by

the applicant's consultants in March-April 2010, an area of approximately .48 acres of wetlands would be unavoidably filled in development of the proposed replacement terminal project's access roadway system, as revised for the Commission's *de novo* review (see Exhibit No. 5, pages 3 and 40, and Exhibit No. 6, pages 1 and 2).

The above listed LCP policies set forth a number of different limitations on what development projects may be allowed in coastal wetlands. For analysis purposes, the limitations can be grouped into four general categories or tests. These tests are:

- The purpose of the filling, diking, or dredging is for one of the uses enumerated in Section 30233(a);

- The project has no feasible less environmentally damaging alternative;

- Feasible mitigation measures have been provided to minimize adverse environmental effects; and

- The biological productivity and functional capacity of the habitat shall be maintained and enhanced where feasible.

1. <u>Permissible Use for Fill</u>

The first test for a proposed project involving fill is whether the fill is for one of the seven allowable uses under Section 30233(a). Among the allowable uses involving dredging, diking, and filling in wetlands which most closely matches the project objectives is "*incidental public service purposes, including but not limited to, burying cables, pipes or inspection of piers and maintenance of existing intake and outfall lines*" enumerated as Section 30233(a)(4).

In order to be for an "incidental public service purpose" a proposed fill project must satisfy two criteria: 1) the fill must have a "public service purpose," and 2) the purpose must be "incidental" within the meaning of that term as it is used in Section 30233(a)(4). Because the project will be constructed by a public agency for the purpose of providing transportation support services to the public, the fill is for a public service purpose. Thus, the project satisfies the first criterion under Section 30233(a)(4).

With respect to the second criterion, in 1981, the Commission adopted the "Statewide Interpretive Guidelines for Wetlands and Other Wet Environmentally Sensitive Habitat Areas" (hereinafter, the "Guidelines"). The guidelines analyze the allowable uses in wetlands under Section 30233 including the provision regarding "incidental public service purposes." The Guidelines state that fill is allowed for:

> Incidental public service purposes which temporarily impact the resources of the area, which include, but are not limited to, burying cables and pipes,

> inspection of piers, and maintenance of existing intake and outfall lines (roads do not qualify).

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

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

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

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

In past cases the Commission has considered the circumstances under which fill associated with the expansion of an existing "roadbed or bridge" might be allowed under Section 30233(a)(4). In such cases the Commission has determined that, consistent with the analysis in the Guidelines, the expansion of an existing road or bridge may constitute an "incidental public service purpose" when: (1) no other alternative exists; and (2) the expansion is necessary to maintain existing traffic capacity.

The Commission has, in recent years, issued affirmative consistency certifications and determinations to the Cities of Los Angeles (CC-061-04/CD-062-04, February 17, 2005) and Santa Barbara (CC-058-01, June 10, 2002) for expansions to their safety areas, taxiways, reconfiguration of runways, and installation of aids-to-navigation, which involved the filling of wetlands, determining such uses to be forms of "incidental public service purposes."

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

The Commission has also determined in connection with a project (El Rancho Rd. Bridge) proposed by the U.S. Air Force (USAF) that permanent impacts to wetlands are allowable under Section 30233(a)(4) of the Coastal Act as an incidental public service because the USAF was undertaking the fill in the pursuit of a public service mission and

because the "permanent fill [was] associated with a bridge replacement project [that] would not result in an increase in traffic capacity of the road." (CD-70-92, and reiterated in CD-106-01).

Thus, based on past interpretations, fill for the expansion of existing roadways and bridges may be considered to be an "incidental public service purpose" if: (1) there is no less damaging feasible alternative; (2) the fill is undertaken by a public agency in pursuit of its public mission; and (3) the expansion is necessary to maintain existing traffic capacity. An important question raised in this case is the applicability of this interpretation to transportation infrastructure other than roads and bridges, such as the construction of an access road extension to serve a replacement passenger terminal.

One such case was a light rail train mass transit proposal in San Diego (CC-64-99), where a bridge support piling was located in a wetland. The Commission determined that the proposal was not an allowable use under Section 30233 because the purpose of the project was not to maintain existing capacity but rather to expand the capacity of the light rail service by extending it to a new area. The Commission's analysis in CC-64-99 supports the proposition that the above identified interpretation of section 30233(a)(4) may be applied to forms of public transportation facilities other than surface streets. The proposed secondary access roadway will extend and connect two existing roadways for purposes of providing alternative vehicular access to the passenger terminal vicinity, especially during periods of high security alert when the portions of the primary access road and parking lot areas within 300 feet of the terminal must be closed. Accordingly, the roadway extension comprises a public transportation project very similar in nature to road or bridge construction projects. The question thus becomes whether the improvements are necessary to maintain the existing capacity of the terminal.

As discussed in Project Description Findings Section IV.B.2 and further detailed within the applicant's revised project narrative (see Exhibit No. 5), the continued utilization of the 60-year-old, size-constrained 3,000-square foot passenger terminal / security screening building is not tenable. The building is falling into disrepair and cannot be feasibly reconditioned in its existing location, either from economic or legal perspectives. Accordingly, a new terminal building must be constructed. The size and location of the replacement terminal building, along with its other ancillary aircraft apron, parking, and access roadway improvements, has been designed to meet the demands of the volume of air transportation demand currently and historically experienced at McNamara Field. As discussed within the terminal space plan analysis (see Exhibit No. 7), a minimum of 17,867-square-feet of terminal space is required to meet contemporary federal standards for airport terminal facilities and flight security requirements, based upon accepted peak daily activity and reasonable short-term forecast models developed by the FAA.

With regard to wetland fill relating to this development, as presently proposed, only a very small portion of the terminal, airplane apron, and parking lot areas would require filling of wetlands. The majority of wetlands filling would be associated with the construction of the secondary access road, especially in the area along the backside of the general aviation hangers and southeast of the existing airport parking lot (see Exhibit No.

6, page 1). The Commission finds, as discussed further under the alternatives test, below, there is no alternative feasible location or terminal, apron, parking lot, or access roadway design which would fully avoid and/or further reduce the amount of wetland fill that could be pursued without a corresponding increase in potential impacts to coastal resources. Moreover, the construction of the portions of the replacement terminal complex improvements requiring the filling of wetlands would allow for the airport to maintain its existing capacity in terms of the types of aircraft and the volumes of air traffic for which its runways and infrastructure are currently rated, notwithstanding that fact that the airport, as well as many commercial aviation facilities, has been experiencing depressed levels of demand for such services since 2000, and particular since the current economic recession which stated in late 2007.[4] Provided a turn-around in economic conditions, air travel demand could once again return to these past historic levels. Accordingly, basing the terminal's space requirements on current peak activity during what may end up being a temporary period of down-turn in enplanement volumes, should be counter-balanced with reasonable forecasted future demand levels to ensure that the terminal's ability to meet "existing airport capacity" as averaged over an appropriate timeframe is not unduly constrained.

The Commission further observes that the operational capacity of a passenger terminal facility is not a simple calculation, but a complex analysis that considers the subtle relationships between capacity, demand and delay. The current operational capacity of the airfield, the FAA's Advisory Circulars related to forecasting aviation activity, and the existing level of use of the airfield relative to its planned capacity are all important factors to be weighed in concluding that this project does not increase capacity. However, in order to find the project "necessary" to maintain capacity, the Commission must determine that "no other alternative exists"; feasible alternatives are analyzed in the following section of this report, which concludes that the proposed project represents the least environmentally damaging feasible alternative available.

The proposed improvements are strictly defined as measures necessary to bring the McNamara Field passenger terminal and aircraft loading area into compliance with applicable federal standards to ensure the safe operation of aircraft and security of national air transportation. The project will not increase the existing volumetric through-put of terminal embarking/disembarking passengers, and not include an expansion to apron areas, or loading/unloading operations that would alter or increase the overall capacity of the airport by allowing for larger classes of aircraft to land and depart for which the airport is not currently certified. Moreover, while the location and size of the terminal building and airport apron will be reconfigured to accommodate the larger passenger holding, screening, circulation, and baggage processing areas prescribed by the FAA and TSA (and even larger capacity aircraft should the regional airline carriers decide to modify their fleets to such), the maneuvering capacities, and the physical

[4] After reaching a historic peak of over 15,000 enplanements in 2000 and undergoing the post-9/11 decrease and subsequent partial rebound, since 2004, McNamara Field commercial activity levels have remained essentially unchanged hovering between approximately 11,000 to 12,000 annual enplanement levels.

lengths and widths of the twin runways (5,002 feet by 150 feet), the dimensions of the attending taxiways, or the capabilities of the navigation and air control infrastructure as presently installed will not change. Nor is their any indication that the size of the proposed replacement terminal, by itself, would generate greater demand for flights to and from McNamara Field. The Commission therefore finds that, the proposed fill is for an incidental public service under Section 30233(a)(4) of the Coastal Act.

2. Least Environmentally Damaging Feasible Alternative

The second test of Section 30233(a) is whether there are feasible less environmentally damaging alternatives to the proposed project. In this case, the Commission has considered various project options developed both during the environmental review for the original project approved by the County and subsequently appealed to the Commission and since the Commission's April 15 determination on Substantial Issue, and determines that there are no feasible less environmentally damaging alternatives to the proposed "Alternative 10, Option 2" project as conditioned. Alternatives that have been identified and subsequently dismissed as either infeasible and/or having potentially being more environmentally damaging include: (1) "A-1" Rehabilitation of Existing Terminal Building; (2) "A-2" Construction of New Terminal Adjacent to Existing Terminal; (3) "B-1" Construction of New Terminal at Northern Terminus of Dale Rupert Road; (4) "B-2" Construction of New Terminal Near Airport Rear Gate; (5) "Staff Alternative 'C'" Construction of New Terminal, Parking, and Looped Roadway within West Side of Pine-Spruce Forest; (6) "Alternative 10, Option 6" Construction of Terminal Parking Lot Partially within West Side of Pine-Spruce Forest and (7) the "no project" alternative.

Alternatives Dismissed for Legal Feasibility

Four of the reviewed alternatives, "B-1," "B-2," "Staff Alternative 'C,'" and "Alternative 10, Option 6," were summarily dismissed as legally infeasible as their siting involves development within portions of the beach pine-Sitka spruce forest determined as constituting ESHA. Consistent with Coastal Act Section 30240, LUP *Marine and Water Resources* Policy No. 6 limits development within ESHAs to that for uses dependent upon the resources within the ESHA. As there is no functional linkage between the the operation of a airport terminal and the biological componentry of the pine-spruce forest to necessitate its location within such an area, an airport terminal is not a resource dependent use. Consequently, authorization of such a development type in an ESHA would be infeasible from a legal perspective as the Coastal Act and the LCP in turn limit the approval of development in such localities to those serving resource-dependent uses.

"A-1" Rehabilitation of Existing Terminal Building

Alternative A-1 would involve rehabilitating and expanding the existing terminal to accommodate federally required operational and security space requirements. The existing short-term and long-term parking lots and portions of the access road would also need to be modified to meet TSA and FAA setback guidelines, resulting in greater

wetland impacts than the proposed alternative. These set-back requirements are based upon blast protection calculations, typically requiring a distance of 150 feet from the terminal under normal operating conditions. During high TSA security alert periods a 300-foot restricted area setback distance is required from a passenger terminal facility. The aircraft apron area would also have to be expanded and moved to the south in order to create a safe aircraft movement area and accommodate two aircraft in front of the terminal for passenger loading. Complete realignment of Dale Rupert Road would not be required under this alternative; however, road connections to other airport facilities would need to be realigned. Additionally, the need to have a secondary emergency access road would not be accomplished by this alternative.

The existing terminal building is in substandard condition and contains asbestos and lead based paint and therefore renovation would not be practical from a function, material and cost standpoint. The terminal building would need to be increased in size from 2,020 square feet to 17,867 square-feet to meet the minimal per passenger space requirements plus additional square footage for related service facilities. The layout of the existing terminal building would make it difficult to design, rehabilitate and fit an addition at the current location in a cost-effective manner. The site of the existing terminal facility is also not viable because it has limited space to accommodate ADA, FAA, and TSA design standards. To construct a functional terminal building, much of the existing structure would have to be demolished and altered. This approach is often less cost effective and efficient than constructing a new building. The sponsoring funding agency must ensure airport operations are maintained during terminal construction and/or renovation, which is not possible given the dimensions and configuration of the existing terminal building and trailer that houses the TSA screening function. Accordingly, a temporary terminal and screening activitiy would need to be provided elsewhere on the airport complex and the existing parking lot would be encroached onto to allow for adequate apron area to maintain a safe aircraft movement area and accommodate two aircraft directly in front of the terminal for passenger loading. This would displace the parking and require relocation and expansion in the adjoining areas to the southeast impacting 2.5 acres of emergent and riverine wetlands. For these reasons and taking into consideration the economic and environmental social factors, Alternative A-1, rehabilitation and expansion of the existing passenger terminal building, would result in more significant impacts compared to the Alternative 10 Option 2 proposed revised project.

"A-2" Construction of New Terminal Adjacent to Existing Terminal

Alternative A-2 would involve the construction of a new terminal building adjacent to the existing terminal facility and the expansion of the existing paved short-term parking lot to accommodate both short-term and long-term parking needs. Expansion of the aircraft apron area to accommodate two aircraft, of appropriate size, in the front of the terminal would be required for passenger loading and creation of a safe aircraft movement area. The overall realignment of Dale Rupert Road would not be required; however, road connections to other parts of the airport would be needed under this alternative. It would be difficult to situate a new terminal building adjacent to the existing terminal due to limited space to fit terminal functions including an adequately sized ramp and apron area,

set back from the taxiway. It would also have to be set back far enough to be compliant with current FAA landing visibility and TSA secured perimeter standards. This would require shifting the new terminal building to the south toward the current parking, which would impact the emergent wetland area on the northwestern side of the pine-spruce forest. Depending upon the configuration of Alternative A-2, a new terminal building in this area would remove several general aviation T-hangars and also require replacement of the Airport's only water tanks and relocation of the Airport emergency generator, impacting civil aviation-based coastal access and entailing additional construction having its own set of impacts. During construction, most of the existing short-term parking lot would be rendered unusable, requiring temporary automobile parking to be found elsewhere on site or off site. If the existing terminal was to be utilized in any manner, the parking lot would also have to be relocated further south into wetland areas. Alternative A-2 would arguably accommodate existing passenger demand, significantly improve the function of the airport, and increase the McNamara Field's opportunity for providing quality service. However, this alternative would have significant environmental impacts due to the displacement of 4.0 acres of wetlands and encroachment into the pine-spruce ESHA south of the existing parking area. Accordingly, , taking into consideration the economic, environmental, and social factors, Alternative A-2, construction of a new adjacent terminal building, would result in more significant impacts compared to the proposed project as amended for the Commission's de novo review.

"No Action"

The No-Action or "no project" alternative would not bring the airport into compliance with applicable federal operational and air security regulations, nor accommodate existing levels of passenger demand. Current airport users would continue to experience crowded and occasional overcrowded conditions, requiring in some instances for passengers to remain on in-bound aircraft until there is available space in the terminal, or even causing flights to be diverted to other airports. Eventually, the existing terminal would reach a state of dilapidation necessitating its closure, the subsequent loss of passenger terminal and security screening facilities, and the eventual decertification of McNamara Field for commercial aviation uses. Such a loss would significantly impact coastal access to Del Norte County. Therefore, taking into consideration the economic, environmental, and social factors, the No-Action alternative is not a less environmentally damaging feasible alternative.

Thus, based on the alternatives analysis above, the Commission concludes that there are no less environmentally damaging feasible alternatives to the proposed project as conditioned.

3. Feasible Mitigation Measures

The third test set forth by Section 30230 is whether feasible mitigation measures have been provided to minimize significant adverse environmental impacts.

Depending on the manner in which the proposed terminal facilities and related site improvements are constructed and maintained, the proposed project could have potential

adverse effects on the biological, aquatic, resources of the project site and its environs by: (a) filling an estimated .48 acres of emergent, riverine and palustrine wetlands from construction of terminal, aircraft apron, parking lot, and access roadway; (b) polluting terrestrial and aquatic fish and wildlife habitat with sediment, debris, or hazardous materials originating from the project site; (c) impacts from airport noise and lighting, and human activity on adjoining environmentally sensitive habitat areas; (d) planting of exotic invasive plant species in areas disturbed by construction or construction activities that foster the spread of exotic invasive species into potential rare plant habitat; and (e) using certain rodenticides that could deleteriously bio-accumulate in predator bird species.

a. Filling of Wetlands / Development Adjacent to ESHA

The project involves construction activities in and adjacent to the emergent, riverine, and palustrine wetlands along the periphery of the pine-spruce forested ESHA and within open areas between the taxiways and Dale Rupert Road Creek. As discussed in the Project Description Findings Section IV.B.2 and under the preceding permissible use criterion, although the dredging diking, and filling within site wetlands has been largely avoided by revisions to the project's original design, approximately .48 acre of unavoidable fill would need to be placed within the wetlands on the site to construct the secondary airport access road and minor portions of the terminal, apron, and parking lot improvements. To offset these potential impacts, the applicant proposes the following mitigation measures:

- The .48 acres of wetlands filled in the construction of the replacement terminal improvements will be replaced in-kind at off-site a compensatory site or sites at a 3:l replacement ratio.
- Offset the conversion of wetland area suitable for threatened western lily species through undertaking a habitat improvement project for restoration of over an area of between one to three acres on an appropriate candidate site of similarly suitable, but currently overgrown, habitat located just east of the project site.
- Conduct prior to construction vegetation clearing activities outside of the nesting season for migratory bird species.
- Install fencing around the perimeter of the pine-spruce forest/wetlands ESHA complex to reduce the adverse effects of noise, light, and human activity on the habitat resources within the area.
- Incorporate four "frog-friendly" crushed culvert or similar road undercrossings within the access roadways to facilitate safe movement of amphibian species of special concern through the wetland habitat areas.

Notwithstanding the above-listed mitigation measures having been incorporated into the proposed project, the Commission has further conditioned the permit to ensure that all potentially significant adverse impacts to environmentally sensitive habitat areas are minimized: Special Condition No. 7 requires the applicant to submit, for the review and approval of the Executive Director, a final wetlands mitigation and monitoring plan that provides for the establishment of emergent, riverine, and palustrine wetlands habitat at a

4:1 replacement to compensate for the direct spatial and indirect temporal loss of wetlands to be filled for the construction of the terminal eastern secondary access roadway, and small portions of the terminal proper, its apron, and parking lot. Given the size of the area affected, its location on the fringes of adjoining pine-spruce forest ESHA, the and the significance of the habitat it provides, namely to the rare red-legged frog, a species of special concern, the Commission finds the required mitigation at a 4:1 replacement ratio, rather than at the 3:1 ratio proffered by the applicant[5], is necessary to sufficiently mitigate for the filling of these high value wetlands.

Moreover, with respect to the specific off-site location for establishing the compensatory wetlands, the Commission notes that the applicant has proposed several potential mitigation sites, including the Pacific Shores Subdivisions, the former Del Norte County landfill, and the Crescent City Marsh. The Commission finds that the most suitable mitigation site for replacing the wetland values and functions at the development site must be one which reflects all of the following geo-physical attributes present on the project property: (1) An area having significant contiguous land base for undertaking the subject replacement wetlands mitigation, as contrasted with a series of smaller detached sites, where there is the greatest likelihood that the wetland values and functions being lost at the project can be replicated at the mitigation site; (2) An area having similar submerged, emergent, or near-surface saturated hydrologic conditions to those on the portions of the project site (i.e., non-tidally influenced, perched and/or seasonal shallow groundwater conditions within the Smith River Plan Hydrologic Sub-area); (3) An area

[5] The Commission notes that the applicant's rationale for the proposed 3:1 compensatory wetlands replacement ratio is based on reasoning relating to: (a) the candidate Pacific Shores Subdivision site may be the only large tract of land in Del Norte County where such wetlands replacement projects could be undertaken to meet current and future mitigation requirements and there are other pending wetland filling projects at McNamara Field (i.e., runway safety area improvements, animal exclusion perimeter fencing) that would require significant acreage at the same candidate site; (b) the costs of creating replacement wetlands at such a high mitigation ration could adversely affect the County's ability to provide matching funds for these public projects; (c) the quality and function of the wetlands that would be filled at the airport would allegedly be of a much lower value than that which would be created at the candidate site; and (d) how the Commission has purportedly only required the higher 4:1 replacement ratio to the loss of open water wetlands rather than to compensate for the loss of other forms of wetlands such as occur at the project site, and thus a 4:1 ration would be excessive. The Commission finds the first two reasons to be irrelevant bases by which the particular amount of compensatory wetlands should be based, and the third rationale to be presumptive that the mitigation efforts will be fully successful in an efficient and timely manner. With respect to the last basis, the Commission notes that the presence of open water areas within wetlands areas being proposed for dredging, diking, or filling, is not the sole determinant for setting a replacement ratio at 4:1. Other factors, such as the temporary losses to habitat associated with the lag in establishing the compensatory wetlands, the uncertainty that habitat conditions being lost can be fully reestablished at the mitigation site, and the presence of particular sensitive plant and animal species in the wetlands slated for conversion, are equally determinative of the mitigation replacement ratio.

having similar wetland plant community composition to those on the wetlands portions of the project site to be filled (i.e., forested palustrine wetlands and palustrine emergent wetlands adjoining beach pine, Sitka spruce and beach pine-Sitka spruce forested areas) ; and (4) An area having similar soil and substrate conditions to those on the wetlands portions of the project site to be filled (uplifted marine terrace with sand dune derived course soil clastics). The Commission finds that there are several problematic conditions at some of the proposed mitigation sites that bring into question their suitability for valid and successful establishment of viable replacement wetlands for those to be filled as part of the terminal development project. These factors include: (a) dissimilar hydrologic, botanical, and soil conditions; and (b) limitations on the availability of cohesive tracts of upland within the landfill and marsh areas where the wetland functions and habitat characteristics of the project site wetlands could likely be replicated and not result in resource impacts at the replacement wetlands site. Therefore, the Commission includes within Special Condition No. 7 criteria for determining the selection of sites within Del Norte County suitable for replacement wetlands to those with similar geo-spatial project site characteristics.

With respect to impacts to sensitive amphibian species, as discussed further in Protection of Environmentally Sensitive Habitat Areas Findings Section IV.C, the Commission attaches Special Condition No. 8 requiring the applicant to provide a minimum of six sub-grade crossings subject to certain specified design criteria, on the secondary eastern access road, instead of the three crushed culverts proposed by the applicant. With the inclusion of these additional passageways, funneled openings, fencing, signage, and lighting restrictions, impacts to rare red legged frogs and other sensitive amphibian species will be reduced to less than significant levels.

b. Impacts to Estuarine Water Quality and Aquatic Habitat

Construction activities in and adjacent to the drainage courses on the project site could result in degradation of water quality through the entry of soil materials either directly or entrained in runoff passing over ground disturbed areas. To prevent sediment and other discharge from upland sources into adjoining watercourses and coast waters, including the environmentally sensitive Marhoffer Creek drainage, the applicant proposes the following mitigation measures:

- All construction would be performed consistent with all applicable County grading, drainage, and building ordinance requirements, and approved stormwater runoff and pollution control, and hazardous materials spill prevent, response, and cleanup plans.

Notwithstanding the applicant's commitment to prepare the various grading, drainage, stormwater control plans, and conduct the project according to County standards, the Commission has attached Special Condition Nos. 3 and 4, requiring the applicant to develop the project consistent to an erosion and runoff plan and subject to specified construction performance standards that contain established and proven water quality

best management practices developed by the California's Stormwater Quality Task Force and the state water resources and water quality regional boards. The water quality measures proposed by the applicant were quite vague and lacked specificity as to the locations and types of measures to be employed, development of a formal erosion and runoff control plan is necessary to address those deficiencies. As conditioned, the project will minimize adverse environmental effects on the quality of coastal waters in the project site vicinity.

c) Introduction of Exotic Invasive Plants

The use of native, non-invasive plant species adjacent to environmentally sensitive habitat areas (ESHAs) is critical to protecting such areas from disturbance. If exotic and/or invasive species are planted adjacent to an ESHA they can displace native species and alter the composition, function, and biological productivity of the ESHA.

The project description does not identify any specific landscaping to be installed as part of the replacement terminal project. In addition, the project only identifies the an erosion control plan would be developed to mitigate for loss of vegetation removed during project construction." Presumably such an erosion control plan would include mulching, hydro-seeding, or some other form of plant-based stabilization for treating exposed erodable surfaces. However, no detail is provided as to the source or composition of any such plant materials in the project materials.

To assure that the biological integrity of the project area is maintained, the Commission attaches Special Condition No. 6. Special Condition No. 4 requires that for all project landscaping utilize only native species appropriate to the site be installed. Plantings derived from local genetic stocks are to be used when available. The use of exotic invasive species are prohibited. Special Condition No. 6 also specifically prohibits the planting of any 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. Furthermore, no plant species listed as a 'noxious weed' by the governments of the State of California or the United States are to be utilized in project revegetation and landscaping areas.

d) Use of Anticoagulant-based Rodenticides

To help in the establishment of vegetation, rodenticides are sometimes used to prevent rats, moles, voles, and other similar small animals from eating the newly planted saplings. Certain rodenticides, particularly those utilizing blood anticoagulant compounds such as brodifacoum, bromadiolone and diphacinone, have been found to pose significant primary and secondary risks to non-target wildlife present in urban and urban/ wildland areas. As the target species are preyed upon by raptors or other environmentally sensitive predators and scavengers, these compounds can bio-accumulate in the animals that have consumed the rodents to concentrations toxic to the ingesting non-target species.

To avoid this potential cumulative impact to environmentally sensitive wildlife species, the Commission includes in the requirements for approval of a final landscaping plan, as set forth in Special Condition No. 6, a prohibition on the use of such anticoagulant-based rodenticides.

e) Mitigation Conclusion

Therefore as proposed and further conditioned as described above, the Commission finds that feasible mitigation is included within the project design to minimize all significant adverse impacts associated with the proposed filling of coastal waters, consistent with Section VII D.4 a and d of the LUP's Marine and Water Resources chapter.

E. Visual Resources.

1. Applicable LCP Provisions

The County of Del Norte's certified LCP contains several policies relating to the protection of visual resources within those portions of the coastal zone meeting the criteria for designations as "highly scenic areas."

LUP *Visual Resources* Policy No. 1 states:

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

LUP *Visual Resources* Policy No. 2 states:

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

LUP *Visual Resources* Policy No. 5 states:

> *The alteration of natural landforms in highly scenic areas shall be minimized, where feasible, in construction projects by:*
>
> *a. Designing roadways, driveways and other corridors to blend with the natural contours of the landscape by avoiding excessive cuts and fills.*
>
> *b. Concentrating development on relatively level areas over steep hillsides. Provisions to be considered include: clustering; density exchange and open space dedication.*

With regard to areas qualifying for recognition as "highly scenic areas," Section II.A & B of the LUP's *Visual Resources* chapter state, in applicable parts:

> *...Criteria for designating highly scenic coastal areas in Del Norte County are proposed as follows:*
>
> > *1. Views of special interest to the general public (e.g., Pacific Ocean; lighthouses, old growth forests);*
> >
> > *2. Visually distinctive scenes resulting from unique contrasts or diversity in landscape patterns (e.g., offshore rocks, forested uplands);*
> >
> > *3. Views with special integrity or unimpaired conditions (e.g., open space, nature preserves)...*
>
> *Views within the coastal region of Del Norte County with particular visual distinctiveness, integrity, harmony and/or of special interest to the general public include the following:*
>
> > *1. View of water bodies (e.g., ocean, estuary, streams);*
> >
> > *2. Views of sensitive habitats and open space (e.g., wetland, rocky intertidal);*
> >
> > *3. View of expressive topographic features (i., offshore rocks, sea cliffs);*
> >
> > *4. View of special cultural features (e.g., historical, maritime settings).*
>
> *Areas identified as having present one or more of the above elements are enventoried* [sic] *and evaluated by this study for their value as significant visual resources.*

In addition, the visual inventory within LUP *Visual Resources* Section III.C.6 identifies and described the following "view points" (alternately referred to as "vista points") and "view corridors," within the vicinity of the project site:

> *VIEWPOINTS:* (**V**)
>
> *1. <u>Point St. George</u>: The Point St. George Public Fishing Access offers a full panoramic view of marine and terrestrial features. Seaward are views of offshore rocks, sea cliffs, and the Point St. George*

Lighthouse. Landscape views include the vast coastal strand extending northward, distant uplands and mountains as far east as Preston Peak in Siskiyou County, and the surrounding agricultural grazing lands. An older Coast Guard Station dating from 1926 stands on the high terrace and is presently used as a medical facility. Archaeological sites have also been recognized within the Point St. George area.

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

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

LUP's *Visual Resources* Policy No. 6 also directs that:

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

2. Consistency Analysis.

The LUP's *Visual Resources* chapter provides an inventory of specific areas with significant scenic resources, lists criteria for the designation of "highly scenic areas," and sets forth policies requiring that the scenic and visual qualities of coastal areas be considered and protected by siting and designing permitted development, through, among other efforts:

- Protecting open views in highly scenic areas by encouraging the continuance of existing land uses, where appropriate;
- Ensuring that new development be visually compatible with its surroundings;
- Minimizing natural landform alteration and requiring post-development restoration of disturbed areas to a natural appearance;
- Installing new utilities underground, whenever feasible; and
- Minimizing the visual expression of utility placements in highly scenic areas that cannot be feasibly installed underground.

The project site is not located within a formally designated "highly scenic area" insofar as the County's LCP does not assign such distinction for any specific sites or areas, but instead focuses on inventorying the locations and characteristics of the visual resources visible from and within certain "view points" or "vista points" and "along "view corridors." Nonetheless, the project area surroundings would qualify for such a designation as it meets the several of the criteria set forth in Section II.A of the LUP Visual Resources chapter, as the project site: (1) contains views of special interest to the general public (e.g., Pacific Ocean, Saint George Reef Lighthouse, inland old growth forested hillsides); (2) has visually distinctive scenes resulting from unique contrasts or diversity in landscape patterns (e.g., offshore rocks, forested uplands); and (3) affords views with special integrity or unimpaired conditions (e.g., open spaces within Tolowa Dunes Sate Park, Point Saint George Management Area nature preserve). According, the policies relating to the protection of highly scenic areas would apply to development at the airport site.

LUP Visual Resources Policy No. 2 requires that, "*Proposed development within established highly scenic areas shall be visually compatible with their scenic surroundings, by being reflective of the character of the existing land uses while conforming to the land use criteria…* (as) *set forth in the land use component and subsequent zoning ordinance*." Visual Resources Policy No. 6 continues on to require that, "*Activities which significantly and permanently alter natural landforms, such as mining and excavation, shall be required to restore disturbed areas to, close as possible, a natural appearance.*"

Though the airport site is presently developed with a number of buildings in a variety of heights and bulk, the development of the proposed two-story passenger terminal complex would introduce a significant new urban-appearing structure into the viewshed of this relatively rural, scenic area. While the project would not involve substantial grading, vegetation removal, other forms of landform altering construction, and would occur in an area back-dropped by a forested treeline, the proposed terminal complex would be visible from several vantage points along segments of the adjoining public streets as well from recreational areas, and affect the lateral inland-oriented views of the forested areas on the uplifted marine terrace portions of the Smith River/Crescent City coastal plain. The terminal's relative high visibility is due in part to its design: In an effort to make the terminal architecturally consistent with the other buildings on the open, active operational portions of the airport grounds, a relatively high-toned, brightly-hued exterior has been proposed (see Exhibit No. 6, page 4). While such an outward appearance may by appropriate on the cleared areas of the site where active runway flight operations make such visual distinctiveness desirable, when back-dropped against the relatively dark earth-toned pine-spruce forest area to the east of the proposed replacement terminal site, such highly contrasting light exterior treatments cause the building site to stand out to distant viewers (see Exhibit No. 8, pages 2 and 3).

Accordingly, to ensure the development's compatibility with the character of its surroundings, the Commission attaches Special Condition No. 5. Special Condition No.

5 requires that all exterior materials for the replacement terminal building, including the roofing materials and windows, be non-reflective to minimize glare. In addition terminal building siding and roofing materials must be of naturally-occurring earthtones to blend harmoniously in hue and shade with the color of the surrounding landforms and vegetation. Furthermore, all exterior lights, including lights attached to the outside of any structures, are to be of low-wattage, limited to levels necessary to provide adequate operational and site security illumination, non-reflective, and have full cut-off shielding, hooding, or sconces to cast lighting in a downward direction and not beyond the boundaries of the property. Aircraft apron operational lighting is also required to be designed to be powered down when not in active use. In addition, all related signage is required to conform to the standards of County's sign regulations.

The Commission therefore finds that as: (1) views to and along the ocean have been protected through placing limitations of the lighting of the replacement terminal exterior areas; (2) visually compatible of the terminal structure with the character of surrounding areas would be achieved through conditioning the exterior appearance of the terminal building to blend and harmonize with the character of its forested back-dropped setting; (2) natural landform alteration would be minimized, the proposed project as conditioned is consistent with the policies of the LUP's *Visual Resources* chapter.

F. Public Access.

1. Coastal Act Access Policies

Projects located between the first public road and the sea and within the coastal development permit jurisdiction of a local government are subject to the coastal access policies of both the Coastal Act and the LCP. Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, with limited exceptions. Section 30210 states that maximum access and recreational opportunities shall be provided consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Section 30211 states that development shall not interfere with the public's right 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 that public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, adequate access exists nearby, or agriculture would be adversely affected.

2. LCP Provisions

The Del Norte County LUP includes a number of policies regarding standards for providing and maintaining public access:

Section III.C of the LUP's Public Access chapter states that:

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

However, much of the focus of the LCP's policies and standards address the protection, acquisition, and improvement of lateral and vertical accessways in immediate shoreline settings, rather than in more inland locales such as where the subject property is situated.

3. Consistency Analysis

In its application of the above policies, the Commission is limited by the need to show that any denial of a permit application based on this section, 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.

The subject property is situated on a portion of an uplifted coastal terrace that is between the first through public road (Highway 101) and the sea (see Exhibit Nos. 1-3). The County's land use maps do not designate the subject parcel for public access, and, other than along the existing public roadsides, there does not appear to be any safe vertical access to the shoreline areas to the bluffs and beaches to the west that would avoid trespassing through private agricultural and rural residential properties to the south or passing through active airport operational areas or environmentally sensitive rare plant and wetland habitats of the Point Saint George Management Area.

The LUP identifies three coastal access points within the vicinity of the replacement terminal project site. Table 1, below, summarizes the location and features of these coastal access points:

Table 1: Inventory of Coastal Access Points in Proximity to Jack McNamara Field

Facility Name	Location	Distance from Project Site	Features
Lakeview Drive	Trailhead at Street End	1 mi. to northeast	Unpaved vertical accessway leading through forested dunes depression plain of the Dead Lake Unit of Tolowa Dunes to beach areas north of Point Saint George headlands
Point Saint George	Trailhead at Street End	±1 mi. to northwest	Improved footpath providing access to bluff and beach areas
North Beach	Western Street End	±½ mi. to southwest	Unimproved footpath entry to beach area at Castle Rock with limited roadside parking (4-6 spaces)
North Pebble Beach	Roadside	± 1⅛ mi. to southwest	Unimproved footpath entry to ¾-beach areas below Pebble Beach

Facility Name	Location	Distance from Project Site	Features
			Drive with several limited on-street parking (1-2 spaces each)

All of these beach access points are available for use within a reasonably short distance from the project site. According to the County, there is no evidence of public prescriptive use of the private lands bordering the site to the south, and so, the County did not instigate a prescriptive rights survey. Since the proposed development would not increase significantly the demand for public access to the shoreline and would have no other impacts on existing or potential public access, the Commission finds that the proposed project, which does not include provision of public access, is consistent with the public access policies of the Coastal Act and the County's LCP.

G. Protection of Coastal Water Quality.

1. Applicable LCP Provisions

Policy No. 1 of the LUP's Marine and Water Resources chapter states:

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

Policy No. 3 of the LUP's Marine and Water Resources chapter states:

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

Policy No. 4 of the LUP's Marine and Water Resources chapter states:

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

2. Consistency Analysis

The subject parcel is located on a gently sloping portion of uplifted coastal terrace planned, zoned for public facility and associated compatible commercial-industrial development. Runoff from the property generally flows southerly and westerly across the property and into drainage ditching or streambed tributaries to Marhoffer Creek along the southwestern and southern sides of the airport property. The runoff eventually discharges onto the beach areas along the western side of Pebble Beach Road, approximately ¼ to ½ mile to the southwest of the project site.

Storm water runoff from new development can adversely affect the biological productivity of coastal waters by degrading water quality. Sedimentation impacts from runoff would be of the greatest concern during and immediately after construction of the replacement terminal improvements. In addition, pollutants entrained within stormwater runoff from long-term commercial aviation and related commercial-industrial facility uses have the potential to degrade water quality of the nearshore environment. Parking lots contain pollutants such as heavy metals, oil and grease, and polycyclic aromatic hydrocarbons that deposit on these surfaces from motor vehicle traffic. Outdoor maintenance equipment, routine washing and steam-cleaning have the potential to contribute metals, oil and grease, solvents, phosphates, and suspended solids to the stormwater conveyance system.

Policy No. 1 of the LUP's Marine and Water Resources chapter indicates that the County seeks to maintain and, where feasible, enhance the quality of water resources. Marine and Water Resources Policy No. 3 directs that all surface and subsurface waters are to be maintained at the highest level of quality to insure the public health and safety, and the biological productivity of coastal waters. Marine and Water Resources Policy 4 goes further to prohibit waste discharges from land uses that would cause public health hazards or result in the impairment of the biological productivity of coastal waters.

The proposed project identifies a series of measures to be undertaken to mitigate stormwater runoff impacts through development of a combination of drainage, grading, erosion and runoff, and pollution control plans (see Exhibit No. 5. However, no preliminary identification of the specific measures to be implemented or their feasibility for accomplishing the water quality objectives of the LUP Marine and Water Resources policies were identified.

To ensure that these mitigation measures will be implemented as proposed, the Commission attaches Special Condition No. 3. Special Condition No. 3 requires that the development be performed consistent with an erosion and runoff control plans comprised of a variety of established effected water quality best management practices designed to prevent, intercept, and/or treat a variety of potential construction phase and long-term pollutants, including sediment, oils and grease, cleaning solvents, and solid wastes.

In addition, the Commission attaches Special Condition No. 4. Special Condition No. 4 requires that the permittee comply with various construction-related standards designed to protect the site from water quality and aquatic habitat impacts, including: (1) prohibiting the placing and storage of materials outside of areas where they could enter coastal waters; (2) requiring that construction debris be removed promptly removed from the site upon the completion of construction; (3) excluding construction equipment or machinery from environmentally sensitive areas; (4) prohibiting the use of sand from the beach, cobbles, or shoreline rocks used for construction or landscaping materials; (5) limiting the rinsing of concrete trucks and tools used for construction only at the specific wash-out area(s) to be described within the approved erosion and runoff control plan; and (6) requiring that staging and storage of construction machinery or materials and storage

of debris not take place in any environmentally sensitive area or within public street rights-of-way.

As conditioned, the Commission finds that the project is consistent with the LUP's Marine and Water Resources Policy Nos. 1, 3 and 4, as the project is required to include best management practices (BMPs) for controlling stormwater runoff and maintaining water quality. The Commission further finds that with the BMPs for controlling stormwater runoff and maintaining water quality, and with the other provisions required by Special Condition Nos. 3 and 4, the project as conditioned will protect the biological productivity of the adjacent and downstream riverine and intertidal habitats from the impacts of the development consistent with Marine and Water Resources Policy Nos. 1, 3, and 4 of the LUP.

H. Planning and Locating New Development.

1. Applicable LCP Provisions

The LUP's New Development chapter includes the following policies relevant to the proposed development:

> *1. Proposed development within the urban boundary shall meet land use criteria described in each area plan and in Land Use Plan policies.*
>
> *2. Proposed development within the urban boundary may be approved only after it has been adequately proven that the location of the proposed development will accommodate the development. These factors include but are not limited to sewage disposal, water supply and street system capacity.*

The LUP Land Use Categories chapter defines the purpose of the Light Industrial / Heavy Commercial (LI/HC) category as follows:

> *Light Industry - Includes industrial uses without nuisance features and industrial parks.*
>
> *Heavy Commercial - This category includes lumber yards, warehousing, contractors yards, food processing and light industrial uses without nuisance features.*

The LUP Land Use Categories chapter defines the purpose of the Public Facility (PF) category as follows:

> *All undesignated areas on the land use plan map owned by the county, state or federal governments shall be shown as public facilities and will be*

> *subject to and consistent with all applicable policies of the county's final certified land use plan.*

LCPZEO Chapter 21.32 establishes the prescriptive use and development standards for the Manufacturing and Industrial Performance (MP) zoning district. LCPZEO Section 21.32.010 states, in applicable part:

> *This district classification is intended to apply to areas suited to normal operations of industries, subject to such regulations as are necessary to protect the public health, safety, convenience and general welfare within the district and adjacent districts. All uses shall be subject to the use performance standards set forth in Section 21.32.110. No MP district shall be located adjacent to an R district.*

The list of enumerated conditionally permitted uses in Section 21.33.030 for MP zoning districts include:

> *Other commercial and industrial uses which might be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright lights, vibration or involving the handling of explosive or dangerous materials.*

With respect to special regulations as to the density and intensity of development within MP zoning districts, LCPZEO Section 21.32.040 through 21.32.100 direct, in part:

> *Building height limit shall be seventy-five feet…*
>
> *Required front yard shall be thirty feet, except as provided in Section 21.46.090 (exceptions for certain structural projections into setbacks, accessory structures, etc.)…*
>
> *Required side yard shall be none, except that the side yard on the street side of a corner lot shall be no less than thirty feet…*
>
> *Required rear yard shall be none.*

In addition, as previously stated, Section 21.32.110, all activities allowed in the MP district shall be subject to limitations of their external effects to be applied as conditions attached to the approval of all such uses permitted, including:

> *Noise or vibration created by or resulting directly or indirectly from any industrial machinery or process…*
>
> *Odors, glare or heat created by or resulting directly or indirectly from any use…*

> *Discharge into the atmosphere of air contaminants including1 but not limited to sulphur compounds, nitrogen compounds1 smoke, charred paper, dust, soot, grime, carbon, noxious acids, fumes, gases, mist, odors or particulate matter or any combination thereof from any single source of emission whatsoever…*
>
> *Industrial activities…*
>
> *Water supply, drainage, rubbish and waste disposal systems and practices…*

LCPZEO Chapter 21.33 establishes the prescriptive use and development standards for the Public Facilities (PF) zoning district. LCPZEO Section 21.33.010 states, in applicable part:

> *This district classification is designed to provide for the reservation of land for, development of, and the continued operation of public facilities which serve the community on a county-wide or regional basis and is to be applied in those areas designated by the General Plan for public or quasi-public use...*

The list of enumerated conditionally permitted uses in Section 21.33.030 for PF zoning districts include:

> *Airports… when consistent with adopted General Plan land use policies…*
> *Public buildings…*

With respect to special regulations as to the density and intensity of development within PF zoning districts, LCPZEO Section 21.33.040 directs that:

> *Special regulations regarding issues such as yards, building height and lot coverage shall be determined at the time of issuance of the use permit.*

2. Consistency Analysis

Conformance with Base Zone Requirements

The portion of the county airport on which the proposed replacement terminal improvements would be developed is designated on the Crescent City / Lake Earl Area Land Use diagram as a combination of "Light Industrial / Heavy Commercial" (LI/HC), along the frontages of Dale Rupert Road, and "Public Facility" (PF), within the developed airport operational and general aviation areas. These land use designations are implemented respectively through two corresponding zoning designations, Manufacturing and Industrial Performance (MP) and Public Facility with Coastal Area Combining Zone "Access" and "Hazard" Overlays (PF-C(A)(H)). Local Coastal Program Zoning Enabling Ordinance (LCPZEO) Chapter 21.32 establishes the

prescriptive standards for development within PF zoning districts. The MP zoning district enumerates its conditionally permitted uses as including those other commercial and industrial uses (such as commercial aviation facilities) which might be objectionable for locating elsewhere by reason of their production or emission of noise, offensive odor, smoke, dust, bright lights, vibration or their handling of explosive or dangerous materials. Airports and public buildings identified are principally permitted uses in the PF zoning district. The proposed replacement terminal project would conform with the use restrictions and prescriptive standards of both of the MP and PF zoning districts. With respect to the prescriptive height, bulk, and areal development regulations, as proposed at a 32-foot-height, comprising less than ½-acre of coverage on a 155-acre parcel, and situated over 1,000 feet from the nearest property line, the replacement terminal project would conform with the MP and PF zoning districts prescriptions standards.

Adequate Services

Domestic water service for the proposed replacement passenger terminal would be provided from the City of Crescent City as the project site, though situated within an unincorporated area, is located within the Urban Services Boundary. As detailed within the project environmental impact report, the City has reserve water system volumetric and transmission capacity to provide the replacement terminal with an adequate and dependable supply of water for domestic consumption and fire-fighting to support the proposed public facility use, provided certain transmission line pumping improvements are made to at the existing 50,000-gallon storage reservoir.

Wastewater from the replacement terminal would be accommodated by an individual septic disposal system to be located on open field areas adjacent to the terminal building. Since Appeal No. A-1-DNC-09-048 was filed with the Commission, the preliminary sewage disposal plan design has received a preliminary approval "clearance" letter from the County Department of Environmental Health (see Exhibit No. 10). In addition, the staff of the North Coast Regional Water Quality Control Board has recently indicated its concurrence with the local agency's conclusion that wastewater treatment can feasibly be accommodated at the project site.[6]

With regard to the adequacy of roadway circulation, the project's environmental review identified that certain turn pocket and lane striping improvements would be needed to resolve the unsafe turning movement situation at the intersection of Dale Rupert Road and Washington Boulevard. In addition, similar restriping and turn lane improvements are also indicated along Washington Boulevard at its intersection with the eastern secondary access roadway.

The development of the property with a passenger terminal and related aircraft loading and unloading, parking, roadway, and utility site improvements is envisioned under the certified LCP. The potential direct and cumulative impacts of the proposed development on water supply, wastewater treatment capabilities, and traffic capacity, and their relative capacities to serve the project, were addressed as part of the project's environmental

[6] Pers. comm. John Short, Senior Water Resources Control Engineer, April 19, 2010.

document, which, in turn, identified specific water system and street improvements needed to ensure adequate support infrastructure for the replacement terminal project. Further, the proposed development would meet the prescriptive standards for development within its zoning districts in terms of maximum structural height and coverage, and minimum yard area and property line setbacks. Therefore, the proposed development is consistent with the LI/HC and PF land use designations, and the LCPZEO's MP and PF zoning and Coastal Access and Hazards combining zone district standards, and would not adversely impact transportation or public service infrastructure capacities consistent with applicable provisions of the Public Facilities and New Development chapters of the LUP.

I. California Environmental Quality Act.

On April 2, 2010, the Board of Commissioners of the Border Coast Regional Airport Authority ("Authority") adopted Resolution No. 2009-01 certifying the FEIR Final Environmental Impact Report (FEIR) for the *Terminal Replacement Project – Jack McNamara Field (CEC) Del Norte County Regional Airport* (SCH 2006112120). Following from public testimony received at the April 2nd meeting in which concerns were voiced regarding the scope of alternatives investigated in the document, on May 7, 2009, the Authority adopted Resolution No. 2009-02, rescinding its previous resolution and recertifying the FEIR with the addition of a response to the April 2, 2009 comments and an addendum containing detailed coverage of the extent of environmentally sensitive areas on the project site.

On October 14, 2009, the Planning Commission of the County of Del Norte, as a responsible agency under the California Environmental Quality Act (CEQA), adopted Resolution No. 2009-01, effectively tiering its environmental review of the replacement terminal project from the FEIR previously adopted by the Airport Authority, and certifying the document with supplemental coverage of substituted mitigations measures found to be providing equivalent or additional protection than those previously adopted, as complete and adequate under CEQA.

Section 13906 of the Commission's administrative regulation requires Coastal Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as modified by any conditions of approval, is consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are any feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect the proposed development may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. Those 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 above, the proposed project has been conditioned to be consistent with the policies of the Coastal Act. As specifically discussed in these above findings, which are hereby incorporated by reference, mitigation

measures that will minimize or avoid all significant adverse environmental impacts have been required. As conditioned, there are no other feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts, which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act and to conform to CEQA.

III. EXHIBITS:

1. Regional Location Map
2. Vicinity Map
3. Project Site Aerial Photograph
4. Project Site Oblique Aerial Photograph
5. *"Alternative 10, Option 2"* Revised Project Narrative
6. *"Alternative 10, Option 2"* Revised Project Site and Elevation Plans
7. Terminal Space Plan Analysis
8. Visual Resources Impact Analysis
9. Commission Staff Biologist's Review Memo
10. Agency Correspondence

NOTE: These exhibits appear as pages 69 through 130 of the staff report posted on the Commission's website at: http://documents.coastal.ca.gov/reports/2010/5/W15c-5-2010.pdf

ATTACHMENT A:

STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

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

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

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