

COASTAL CONSERVANCY

Staff Recommendation  
October 18, 2012

**CRESCENT CITY HARBOR PROMENADE AND COASTAL TRAIL CONSTRUCTION  
PHASE I**

Project No.09-021-02  
Project Manager: Peter Jarausch

**RECOMMENDED ACTION:** Authorization to disburse up to \$2,350,000 to the Crescent City Harbor District to construct a promenade around the Inner Boat Basin, a new approximately half mile long section of California Coastal Trail, and other public access improvements at the Crescent City Harbor, Del Norte County.

**LOCATION:** Crescent City Harbor, Del Norte County, CA

**PROGRAM CATEGORY:** Public Access

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**EXHIBITS**

- Exhibit 1: [Project Location and Site Maps](#)
- Exhibit 2: [Photos and Project Illustrations](#)
- Exhibit 3: [Mitigated Negative Declaration and Mitigation Monitoring Plan](#)
- Exhibit 4: [Interpretive Signs](#)
- Exhibit 5: [Project Letters](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31409 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two million three hundred and fifty thousand dollars (\$2,350,000) to the Crescent City Harbor District (“Harbor District”) to construct a promenade around the Inner Boat Basin, a new approximately a half-mile long section of California Coastal Trail, and other public access improvements at the Crescent City Harbor, Del Norte County, subject to the following conditions:

1)Prior to the disbursement of funds, the Harbor District shall submit for the written approval of the Conservancy’s Executive Officer a work program and budget for the project, the names and

qualifications of all contractors to be used on the project, and a plan for incorporating acknowledgment of Conservancy funding on project signs; and

2) The Harbor District shall provide evidence that all permits and approvals necessary to the completion of the project under applicable local, state and federal laws and regulations have been obtained.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on November 10, 2011.
3. The project will serve greater than local needs.
4. As a responsible agency, the Conservancy has independently reviewed and considered the information contained in the Final Mitigated Negative Declaration adopted by the Harbor District on September 4, 2012, which is attached to the accompanying staff recommendation as Exhibit 3, , and finds that the project, as mitigated, will not have a significant adverse effect on the environment. "

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### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize the disbursement of an amount not to exceed two million three hundred and fifty thousand dollars (\$2,350,000) to the Crescent City Harbor District (“Harbor District”) to construct a promenade around the Inner Boat Basin, a new approximately a half mile long section of California Coastal Trail, and other public access improvements at the Crescent City Harbor, Del Norte County (Exhibits 1 and 2).

The proposed project will enable the Harbor District to implement Phase I of the public access improvements recommended in the Crescent City Harbor District Harbor Master Plan (2006), developed through a 25-month process of analysis and public input and funded in part by the Coastal Conservancy and the Harbor District, and supported by the City of Crescent City and the County of Del Norte. Final design, engineering, and permitting for the proposed improvements were funded by the Conservancy in 2010. The proposed project consists of five components:

**1) Construction of a promenade around the Harbor’s Inner Boat Basin to provide an attractive and safe view of the harbor and its activities.** The promenade, known as the “Inner Boat Basin Promenade” will be a minimum of ten feet wide and constructed of concrete with a marine railing running the entire length where it meets the waterfront. Four viewing platforms are included, one in each corner of the Inner Boat Basin, as well as new lighting, landscaping, trash cans, and benches. The Promenade will be on the north, east, and south sides of the Inner Boat Basin, as well as along the entrance channel. (See Exhibit 2)

**2) Construction of .55 miles of California Coastal Trail from Sunset Circle to the intersection of Citizens Dock Road at Starfish Way,** thereby physically connecting the City of Crescent City to the Harbor (See Exhibit 2). This new section of the CCT will be a 10-foot wide, Class-I paved asphalt path, with shoulders, for pedestrians and cyclists. The new path will include lighting to expand the hours of operation for the path. There are two options for the connection to Sunset Circle and the City of Crescent City. One route requires securing an access easement from an adjacent property owner while the other is a slightly less direct route designed on existing Harbor District right-of-way. Designs and environmental review for both routes have been completed and negotiations with the landowner are ongoing. It is anticipated that if negotiations with the landowner are successful the Harbor District will make a request to the Conservancy to fund the acquisition by next spring, in time for construction. If the access easement is not obtained, the CCT will be completed on the alternative route.

**3) Construction of a new restroom and fish cleaning station.** The restroom, known as the “North Restroom” will include 6 sinks, 4 shower stalls, 8 toilets, and two baby changing stations. The fish cleaning station, part of the North Restroom building, is indoors and enclosed and connected to the sanitary sewer which reduces conflicts between wildlife and fisherman, and eliminates a source of discharge into the Harbor. In addition, the North Restroom building will also house a small laundry facility accessible to fishermen and recreational boaters. (See Exhibit 2)

**4) Construction and installation of wayfinding and interpretive signage along the California Coastal Trail, Inner Boat Basin Promenade, and entrance to the Harbor.** The wayfinding signage will include signs guiding visitors to the Harbor as well as a Harbor entrance sign announcing what type of seafood is currently available for purchase. Interpretive signage will be located along the Inner Boat Basin Promenade to help explain harbor activities and provide insight into the natural and cultural history of the area. (For examples of the signs see exhibit 4)

**5) Construction of two wind shelters at the Inner Boat Basin Promenade to provide protection from the elements for visitors.** The wind shelters will provide a comfortable area for visitors to enjoy the Harbor during inclement weather. The wind shelters were designed to provide shelter both from the frequent summer winds out of the northwest and the winter storms which bring wind from the south. (See Exhibit 2)

Two recent tsunamis, in 2006 and 2011, served as a reminder that the proposed project must be designed to withstand impacts from tsunamis, and thus all improvements to the Harbor are designed to accommodate a 50 year tsunami. In 2010 an engineering study was conducted for the Harbor District to evaluate the history of tsunamis and assess the potential impacts from future events. The engineering study recommended designing the improvements to withstand a 50 year event which is equivalent to a rapid 15 foot increase in sea level. The primary destructive force from this type of an event would be rapid current through the inner boat basin, which in the 2006 and 2011 tsunami events displaced many of the docks, and caused the movement of some of the rock revetments. The new pilings, docks, and revetments currently being installed were designed to withstand this type of current. The proposed Promenade around the Inner Boat Basin is a concrete walkway that rests on the top of a new, improved rock slope revetment and is therefore unlikely to be affected by flooding during a 50 year tsunami event. It was not possible to design

the improvements to withstand a larger tsunami, such as a 100 year event, without altering the very layout of the Harbor itself. The funders of the inner boat basin reconstruction – the Federal Emergency Management Agency (FEMA), California Emergency Management Agency (Cal EMA) and the California Community Development Block Grant program, were all satisfied that the 50 year design standard was reasonable.

The Harbor District has successfully completed two Conservancy-funded projects - the Harbor Master Plan, and final engineering, design and permitting for the Promenade & Coastal Trail. They are also in the midst of the \$54 million reconstruction of the Inner Boat Basin to construct new docks and pilings designed to withstand a 50 year Tsunami.

**Site Description:**

Roughly 20 miles south of the Oregon Border, Crescent City Harbor is the main draw of the urban waterfront in Crescent City, Del Norte County. Visible driving north or south on Highway 101, the Harbor offers a viewshed that encompasses the landmark Battery Point Lighthouse (1856) to the north, commercial and recreational boats and the Pacific to the west, the rocky peninsula known as Whaler Island and coastal views down Crescent Beach to the south, and an expanse of permanently protected redwood forests and shoreline to the southeast.

Functionally, Crescent City Harbor in Del Norte County is the only “safe harbor” and commercial fishing port on the coast from Eureka, CA to Brookings, OR. While Northern California has seen a dramatic drop in seafood landings by poundage since the 1950s, Crescent City continues to hold a significant proportion of recent seafood landings for the region. Businesses located in the Harbor include a fish processing plant, a fishing supply merchant, a ship repair warehouse and approximately 38 leases for businesses operating on the 80-acre area managed by the Harbor District. The current \$54 million inner boat basin project being completed by the Harbor will provide 234 slips for use by commercial and recreational fishermen and women working out of Crescent City in addition to 1,000 feet of tie-up space for additional transient watercraft.

Significant declines in forestry and fishing over the past few decades have shifted focus to service sectors of the economy. Recreation and tourism are seen as central to the efforts to revitalize Del Norte County. The area offers a tremendous wealth of publicly protected redwood forests, rugged mountains, coastal dunes, beaches, rocky shoreline and dramatic offshore sea stacks. Coastal access and outdoor recreational opportunities are very attractive to tourists and visitors who are critical to the local economy. Currently, the California Employment Development Department estimates the March 2010 unemployment rate for Del Norte County at 14%. Based on the most recent 2000 Census data, the County has a poverty rate of twenty point two percent (20.2%) and Crescent City has a poverty rate of thirty-four point six percent (34.6%). Making improvements to encourage visitors and thereby increase visitor usage to the Harbor and the Crescent City area will have a positive economic benefit consistent with economic development plans for the area.

Many feel the Harbor is central to the definition of the County’s character and a visual hub to encourage visitors to stay longer in Del Norte County. Businesses located at the Harbor are diverse, from fishing related services to an art gallery and upscale ocean-view dining. Future leases anticipated in the Harbor Master Plan and being discussed with the Harbor include a

multi-agency visitors center for the National Park Service, the National Forest Service, local nonprofits and the Chamber of Commerce, and additional visitor-serving businesses like hotels and restaurants. Locating a destination level feature like a promenade at the Harbor will work with the significant harbor improvements currently underway to attract the public to improved coastal access and recreation. Funding for design of the multi-agency visitor was awarded to the Harbor District by the Wildlife Conservation Board in 2012.

The proposed project for the Harbor District will connect California Coastal Trail access from Crescent Beach north up through the Harbor to link with additional Conservancy supported Coastal Trail improvements including the City's recently completed pedestrian bridge over Elk Creek, the County's two miles of access improvements along Pebble Beach Drive and two miles of Coastal Trail being planned at Del Norte County's Point Saint George Heritage Area, a part of 11,000 acres of protected public land including Tolowa Dunes State Park and Department of Fish and Game's Lake Earl Wildlife Area.

**Project History:**

Crescent City Harbor was built in a natural bay at Crescent Beach in the mid-1850s and grew along with the discovery of gold and the export of old growth redwood. Use of the harbor for timber exported by boat peaked after World War II as supply of old growth redwood declined and more recently environmental protections began to increase. Commercial fishing became a mainstay of the economy with timber, but this industry too has declined following its peak in the 1950s. In 1964, a powerful tsunami created by the Great Alaska Earthquake (magnitude 9.2) devastated much of Crescent City. Subsequently, the Army Corps of Engineers dredged the harbor and deposited the spoils along the perimeter of the harbor creating present day Beachfront Park, a portion of the RV Park and the current waterfront north of the harbor. Concerns for declining fishing related revenue and interest in revitalizing the Harbor led to planning to expand the use of the Harbor.

The Conservancy has assisted Crescent City with waterfront revitalization and access efforts since 1984. Past projects include the Crescent City "B" Street Wharf, Battery Point Lighthouse, waterfront planning and a visitor destination study, and waterfront access such as along Howe Drive. In June 2002, the Conservancy authorized funds to Crescent City to conduct a feasibility analysis for the Harbor Trail segment of the City's Coastal Trail, and in 2005, with additional Conservancy support, the City constructed .28 miles of this Coastal Trail segment, a pedestrian bridge over Elk Creek, an interpretive kiosk, a restroom and a parking lot just north of the Harbor.

In 2003 the Conservancy provided funding for development of the Crescent City Harbor District Harbor Master Plan. Conceptual plans for revitalization of the Harbor were developed over a 25-month process led by a consultant team working with public input as well as cooperation between Crescent City Harbor District, the City of Crescent City, and the County of Del Norte. Adopted by the Harbor District in 2006, the Master Plan identifies coastal tourism and visitor-serving business as important components to build into the business plan for Crescent City Harbor. The Master Plan includes an implementation plan for improvements to existing public facilities including the reconfiguration of inner boat basin, replacement of restrooms, Americans

with Disabilities Act (ADA) access improvements and infrastructure improvements such as the construction of the waterfront Promenade and an extension of the Coastal Trail.

The same year the Master Plan was adopted, a tsunami caused damage to the inner boat basin to such an extent that California's Office of Emergency Services (OES) provided \$15 million (75% of the funding necessary) to complete a redesign and construction of a new inner boat basin for the Harbor. Approximately \$4.9 million in additional grant funds to support the project were secured from the Community Development Block Grant (CDBG) program in 2009.

In 2010 the Conservancy awarded a grant to the Harbor District for final design of the Promenade and Coastal Trail and design guidelines for the overall development of the Harbor. In the midst of that project the 2011 tsunami caused new damage to the inner boat basin raising the estimated cost of reconstruction to \$54 million. A combination of funds from Cal EMA, CDBG Funds, and FEMA are covering \$45 million of the repairs and the Harbor District has secured a loan for the remaining \$5 million. This substantial investment in the infrastructure of the Harbor gives testimony to the fact that fishing will remain an important feature of the economy and character of Del Norte.

The multi-million dollar improvement and reconstruction of the inner boat basin is currently underway, and offers a cost saving opportunity for construction of the Promenade. The Harbor District can save up to \$1.5 million by starting construction of the Promenade late fall 2012 to coincide with the rebuilding of the inner boat basin. This represents a significant cost savings to the proposed access improvements at the Harbor.

## PROJECT FINANCING

<b>Coastal Conservancy</b>	\$2,350,000
<b>Wildlife Conservation Board (pending)</b>	<u>\$577,000</u>
<b>Total Project Costs</b>	\$2,927,000

The proposed source of Conservancy funds for this authorization is a 2002 appropriation to the Conservancy from Proposition 40, i.e., "The California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002," Public Resources Code Section 5096.600 et seq. These funds are allocated to the Conservancy for development, rehabilitation, restoration and protection of land and water resources in accordance with the Conservancy's enabling legislation, Division 21 of the Public Resources Code. Public Resources Code Section 5096.650(b). Proposition 40 also requires the Conservancy to give priority to projects that include a commitment for a matching contribution.

The proposed project will develop and rehabilitate land resources by construction of public access improvements and a section of coastal trail. The proposed project is consistent with the Conservancy's enabling legislation, as discussed in the "Consistency with Conservancy's enabling legislation" section of this report, below. In addition, the Harbor District is providing a matching contribution in the form of funding (most likely through a grant from the Wildlife Conservation Board). The proposed authorization is thus consistent with Proposition 40.

Authorization of this project will leverage \$1,565,000 in cost savings. These savings will come from timing the construction of the Promenade with the final stage of improvements to the Inner Boat Basin this fall. If the Conservancy does not authorize funds for the project at this time, construction of the Promenade will be delayed and the cost savings will be lost. Reconstruction of the Inner Boat Basin is a \$54 million dollar project funded by the Harbor District, Cal EMA, FEMA, and CDBG funds.

The Wildlife Conservation Board will consider approval of funds for the North Restroom at its meeting in November, 2012.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed project will be undertaken pursuant to Chapter 9 of the Conservancy's enabling legislation, i.e., Public Resources Code Sections 31400-31409, regarding the provision of a system of public accessways.

Funding the proposed project is consistent with the legislature's intent that the Coastal Conservancy has a principal role in the development of public accessways to and along the state's coastline, as indicated in Public Resources Code section 31400.

Consistent with Section 31400.1, the proposed project will develop land for public access along the coast by providing funds to a public entity, the Harbor District, to construct a segment of the California Coastal Trail and a public promenade, with accompanying restrooms and signs, through Harbor District waterfront property. The promenade will provide views of the Battery Point Lighthouse and Crescent Beach. The project will improve public access for regional and international tourists that visit the Crescent City harbor while traveling through Del Norte County on their way to Redwood National and State Parks or to other parts of northern California or Oregon. Thus, the proposed project will serve greater than local public needs, as required by Public Resources Code section 31400.1.

Consistent with Section 31400.2, the amount of funding proposed for this project has been determined by the total amount of funding available for coastal public accessway projects, the fiscal resources of the Harbor District, the urgency of the project relative to other eligible projects, and the application of the Conservancy's Project Selection Criteria and Guidelines as described in the section below.

Pursuant to Section 31408, the Conservancy "shall, in consultation with the Department of Parks and Recreation, and the Coastal Commission, coordinate the development of the California Coastal Trail." The proposed project will support the Harbor District's construction of 0.55 miles of the California Coastal Trail on Harbor District property, connecting to the Harbor North segment of the California Coastal Trail recently completed by the City of Crescent City with Conservancy support. Thus, the proposed funding authorization helps fulfill the Conservancy's obligations under Section 31408.

### CONSISTENCY WITH ACCESSWAY STANDARDS

The proposed project is consistent with the Conservancy's Accessway Standards as discussed below.

**Standard No. 1, Protect the Public and Coastal Resources** The new section of Coastal Trail and the Promenade will improve public safety by providing a separated non-motorized connection to the City of Crescent City, and by defining pedestrian and bicycle routes through the Harbor. The routes have been designed to minimize conflict between commercial fishing operations at the Harbor and visitors. The construction is taking place largely on already paved areas and therefore will continue to protect coastal resources.

There will be a continuing risk to visitors and residents of the Crescent City area from a potential Tsunami. An active warning system of sirens exists and they were successfully used to evacuate low lying areas during the 2006 and 2011 events. Improvements to the Harbor will not increase the risk to the visiting public.

**Standard No. 2, Correct Hazards.** The Harbor will be a safer place to visit once the proposed project has been completed. The Promenade includes a new railing around the inner boat basin to keep visitors from falling into the Harbor. The multi-use path will include pavement markings to help guide pedestrians safely through the Harbor and to alert motorists to their presence.

**Standard No. 12, Support Facilities.** Support facilities will be improved by installing a new restroom, benches, trashcans, signage, and wind shelters. The wind shelters will enhance visitor's ability to use the area during inclement weather. New directional and interpretive signage throughout the project area will also improve visitor access by providing route information, and by helping the public better understand coastal resources.

**Standard No. 13, Barrier-Free Access.** The Promenade, the restroom, and the new section of Coastal Trail have been designed to be wheelchair accessible.

### CONSISTENCY WITH CONSERVANCY'S 2007 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1 – Objective D**, the proposed project will construct approximately a half mile of new California Coastal Trail.

Consistent with **Goal 3 – Objective B** the proposed project will implement several of the waterfront restoration projects that are identified in the Crescent City Harbor District Master Plan (2006) and that will increase public access, tourism and economic vitality.

Consistent with **Goal 3 – Objective C**, the proposed project will implement interpretive signage to support public access to and awareness of coastal resources.

### CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on November 10, 2011, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy’s statutory programs and purposes:** See the “Consistency with Conservancy’s Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Support of the public:** The project has strong support from elected officials including Congressman Mike Thompson, State Senator Doug La Malfa, Assemblyman Wesley Chesbro, the Del Norte Board of Supervisors, and the Crescent City City Council as well as the Elk Valley Rancheria, Smith River Rancheria and the Del Norte Chamber of Commerce. Letters of support are included in Exhibit 5.
4. **Location:** The proposed project is located in the coastal zone in Del Norte County.
5. **Need:** Conservancy funding is necessary to construct the access improvements. Without Conservancy funding, the planned public access improvements cannot go forward. By providing funding now, the Conservancy can capitalize on the current harbor rebuilding project, resulting in a savings of more than \$1.5 million to the promenade project.
6. **Greater-than-local interest:** The proposed project will construct an approximately half mile of the California Coastal Trail and create a promenade around the inner boat basin at the Crescent City Harbor adjacent to Del Norte County’s only incorporated city. Improvements to public access throughout the Harbor and connecting the Harbor to the City of Crescent City will serve the not only the local community but also the growing number of travelers visiting the City of Crescent City as they travel between Oregon and northern California to visit Redwood National and State Parks.
7. **Sea level rise vulnerability:** The proposed Coastal Trail segment and Promenade are at an elevation of roughly 13 to 15 feet above sea level. If constructed, these coastal access improvements will remain more than 10 feet above the projected sea level rise of 16 inches by 2050. Should sea level rise reach 59 inches by 2100, the access improvements will be approximately 8 to 11 feet above sea level.

Unlike much of California sea level rise in Crescent City currently has an annual decrease of 0.65mm a year (average for 1930’s to present). This is a combination of an annual seismic uplift and sea level rise. This seismic uplift will somewhat mitigate the predicted sea level rise and further reduce the Harbor’s vulnerability.

**Additional Criteria**

8. **Urgency:** Two recent tsunamis caused damage to Crescent City Harbor and there is great need for improvement to public access throughout the Harbor. If the funds are approved the Harbor District will be able to leverage the existing construction funds from FEMA/CALEMA and save nearly \$1.5 million on the construction of the Promenade.
9. **Leverage:** See the “Project Financing” section above.
10. **Readiness:** The Harbor District has completed the final designs and plans for this project in a timely fashion and is currently applying for permits to construct the project.

11. **Realization of prior Conservancy goals:** “See “Project History”

12. **Vulnerability from climate change impacts other than sea level rise:** Should there be an increase in storm event frequency or severity as a result of climate change, the Harbor can anticipate heavy wave and wind action. The public access improvements in the proposed project will be engineered to withstand these types of impacts, to the extent feasible, in particular with the footings of the Promenade. Minimal native habitat remains on the highly developed Harbor property; landscaping design may include native plants appropriate to the type of heavy wind and rains that can be expected for the climate.

13. **Minimization of greenhouse gas emissions:**

The proposed project will cause a short term increase in GHG emissions due to construction and a minor long term increase from increased vehicles at the Harbor. Improved non-motorized access in and around the Harbor may offset this minor long term increase. Visitors and locals will be able to walk or bicycle from Crescent City to the Harbor along the new section of Coastal Trail. Visitors will also be able to follow the Coastal Trail by bicycle, or by foot, from the Harbor along the Crescent City waterfront all the way to the Battery Point Lighthouse. This will connect the two most prominent tourist attractions in Crescent City. Further reductions in GHG emissions were achieved by designing the improvements to withstand the challenging marine environment and therefore have a longer lifespan.

GHG emissions during construction will be reduced through timing, by sourcing materials locally whenever possible, and by reducing vehicle idling. All three of these activities can reduce the vehicle emissions. By starting construction on the Promenade in late fall 2012 to coincide with the last stage of the restoration of the inner boat basin the crews and construction equipment can be maintained on-site instead of moving it to another job and then returning it to the Harbor. Reducing the idling of construction equipment is a standard procedure for reducing emissions. Sourcing materials, such as aggregate, locally reduces the distance the material must travel to the construction site.

#### **CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The proposed project is located in the Coastal Zone in Del Norte County. The majority of the harbor area is located within Del Norte County and a small area is within the City of Crescent City. Both Del Norte County and the City of Crescent City have certified local coastal programs. The Harbor is addressed in the Crescent City Harbor segment of the Del Norte County Local Coastal Program (“Harbor LCP”). The proposed project is consistent with the relevant policies of the Harbor LCP and the City of Crescent City LCP.

Specifically, the Harbor LCP contains policies supporting coastal public access and recreation. The land use plan portion of the Harbor LCP states: “As a viable source of economic activity – much of which is visitor-related – the Harbor seeks to maintain maximum accessibility to the public. . . . In planning for future development of the Harbor, provision of recreational and visitor-serving facilities is a major consideration.” (Page 30) The implementation plan portion of the Harbor LCP prohibits development from interfering with public access but acknowledges that public access should not be located at harbor-dependent uses where access would create a

hazard for the public (Harbor LCP, Harbor Area Public Access Provisions, section 21.47.030). The proposed project is consistent with these provisions in that it will provide, enhance and encourage public access through the Harbor in a safe manner.

The City of Crescent City LCP, which was updated in 2011, also contains policies supporting public access and the California Coastal Trail. Goal 5.D.1 of the LCP is “To provide the maximum benefits of access to coastal recreational resources to all residents and visitors to Crescent City.” The Coastal Trail is specifically addressed in Policy 5.D.7 and under Other Initiatives which describes how the City of Crescent City will strive to develop the Coastal Trail through the City of Crescent City as well as connect it to lands outside of the City. The trail itself is to be located on a variety of terrains including the beach, footpaths, and paved bicycle paths.

Thus, the proposed project is consistent with the Del Norte County and Crescent City LCPs as it will improve public access, visitor-serving facilities and pedestrian and bicycle access on Harbor property.

#### **COMPLIANCE WITH CEQA:**

As the lead agency for the proposed project, the Harbor District adopted the *Initial Study and Mitigated Negative Declaration for the Crescent City Harbor District Promenade and Coastal Trail* (MND) and approved the proposed project on September 4, 2012.

The MND identified potentially significant environmental effects in four categories: Biological Resources, Cultural Resources, Geology/soils, and Water Quality. The potentially significant effects are discussed below along with the proposed mitigation measures that will reduce the impacts to less than significant.

#### **Biological Resources**

A wetland is located near the proposed California Coastal Trail segment. A fence or other physical barrier will be constructed to deter trail users from entering the wetland.

#### **Cultural Resources**

No identified historic, archeological, or paleontological resources are known to be in the project area. However, any earthmoving, grading, and excavating activities will be monitored by the Harbor District, or their agents, for archeological and paleontological artifacts. If any suspected resources are uncovered, work will be immediately halted and the area inspected by a qualified archeologist. The archeologist’s recommendations will be implemented before resuming construction in the area.

If human remains are uncovered construction in the immediate vicinity of the remains shall be halted and the Harbor District will notify local and state representatives including the County Coroner and the Elk Valley Rancheria. Any remains shall be treated in accordance with Native American Heritage Commission requirements and all applicable federal, state, local and tribal requirements before continuing project activities in the area of the discovery.

### **Geology and Soils**

A geotechnical report was prepared for the project area in 2011. To mitigate the potential risk from ground shaking, liquefaction, and unstable soils the project will be constructed using the recommendations from the 2011 Treadwell & Rollo geotechnical investigation and supplemental geotechnical consultation, as well as the requirements of the California Building Code.

### **Hydrology and Water Quality**

Construction activities have the potential to violate water quality standards due to runoff from the site. To mitigate these potential impacts the Harbor District will implement a Storm Water Pollution Prevention Plan and employ Best Management Practices (BMPs) during construction. A full list of the BMPs can be found on page 38 of the MND.

### **Mitigation Monitoring and Reporting Program (MMRP)**

The Harbor District adopted the *Crescent City Harbor District Promenade and Coastal Trail Project Mitigation Monitoring and Reporting Program* (MMRP) to ensure effective implementation of the mitigation measures discussed above. Documentation for how the measures are implemented will be contained within the contract language between the Harbor District and the companies hired to do the construction. Additional instructions will be on the construction plans. Monitoring of the mitigation will include review of the contracts and plans for inclusion of the mitigations. The construction manager and the Harbor Master will be responsible for reviewing the contracts and ensuring that they are held to throughout construction.

Based on its independent review of the MND and the MMRP, staff recommends that the Conservancy find that the proposed project as mitigated will not have a significant effect on the environment. Upon approval, staff will file a Notice of Determination.