

COASTAL CONSERVANCY

Staff Recommendation  
March 14, 2019

**Elk Creek Restoration Feasibility Study**

Project No. 18-054-01  
Project Manager: Peter Jarausch

**RECOMMENDED ACTION:** Authorization to disburse up to \$150,000 to The Smith River Alliance, Inc. to prepare a feasibility study of fish and wildlife habitat restoration opportunities in Elk Creek in Del Norte County.

**LOCATION:** Elk Creek, Del Norte County

**PROGRAM CATEGORY:** Resource Enhancement

---

**EXHIBITS**

Exhibit 1: [Project Maps](#)

Exhibit 2: [Project Letters](#)

---

**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred and fifty thousand dollars (\$150,000) to The Smith River Alliance, Inc. (“the grantee”) to prepare a feasibility study of habitat restoration opportunities in the Elk Creek watershed in Del Norte County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget
2. Names and qualifications of any contractors to be employed in carrying out the project
3. A plan for acknowledgement of Conservancy funding and Proposition 1 as the source of that funding

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

1. The proposed authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code, regarding the restoration of fish and wildlife habitat within coastal watersheds.
  2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
  3. The Smith River Alliance is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code, and its purposes are consistent with Division 21 of the Public Resources Code.”
- 

### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize the disbursement of up to \$150,000 to The Smith River Alliance, Inc. (SRA) to prepare a feasibility study of habitat restoration in the Elk Creek watershed in Del Norte County. The study will identify restoration opportunities that enhance fish and wildlife habitat, fish passage, and community resilience by improving ecosystem processes and functions of Elk Creek.

Elk Creek is a small urban coastal watershed located on the southern end of Crescent City. The watershed has been altered by logging, grazing, as well as industrial and residential development over the last 100 years. These activities have simplified the streams, disconnected them from the floodplain, and degraded the quality of riparian vegetation. The altered channel and hydrologic conditions have reduced water storage capacity, aquatic and riparian habitats and the natural water cleansing ability of the basin. Historical channel modifications have also created ideal habitat for invasive reed canary grass.

Despite these conditions, the watershed has over 11 miles of potential habitat for threatened Southern Oregon/Northern California Coast coho salmon. According to the National Marine Fisheries Service, much of the habitat has high potential for use. The California Department of Fish and Wildlife (CDFW) has already documented the presence of juvenile coho salmon, coastal cutthroat trout and juvenile Chinook salmon in Elk Creek. Restoration activities could provide a direct benefit to the species already present.

The overall goal of the project is to conduct a feasibility study and companion stakeholder-landowner outreach to identify restoration opportunities that will enhance fish and wildlife habitat, fish passage, and community resilience to climate change by conserving and restoring ecosystem processes and functions of Elk Creek. It will start with an assessment of existing conditions including hydrology and geomorphology, aquatic habitat use and availability, riparian habitat, and fish passage. Then it will address opportunities and constraints in the watershed such as landowner consent and access, construction feasibility, and the potential for multi-benefit restoration. A technical advisory team made up of agency staff and collaborating landowners will select the recommended projects based on the restoration and resilience goals. The final report will be a valuable guide to local government, state agencies, and the restoration community. It

will also serve as the basis for future applications to CDFW and the Conservancy for implementation projects.

**Site Description:**

Elk Creek is a small coastal watershed located adjacent to Crescent City in Del Norte County. It is primarily in private ownership with about 14% owned by CDFW and the California Department of Parks and Recreation (DPR). The lower portion of the Elk Creek basin extends approximately one mile upstream from Highway 101. This area includes the historical main channel through the oxbow pond, the current main channel on the southern edge of the basin’s valley floor, and the unnamed downstream (western-most) tributary that flows through Crescent City industrial development and the former mill operation extending approximately one-half mile upstream from the confluence with Elk Creek. This area includes Elk Creek Wetlands Wildlife Area, owned by CDFW, the Del Norte County Fairgrounds, and private agricultural and industrial parcels. Farther up the watershed are low-gradient tributaries with gravel substrate, such as Nunes Creek, which contain ideal spawning habitat for coho salmon. Juvenile coho salmon have been documented rearing in these streams (Garwood 2018). Riparian vegetation is present in both areas and likely serves as wildlife migration corridors due to the proximity to Jedediah Smith Redwoods State Park and the coast. The upper portion of the watershed contains steeper slopes shaded by second growth redwoods and some remaining old growth trees. (See Exhibit 1)

**Grantee Qualifications:** SRA has a strong track record of completing feasibility studies as well as implementing habitat restoration projects. SRA just completed the Smith River Estuary Restoration Plan (funded by the Conservancy in 2016). This evaluated potential restoration projects in the Smith River Estuary, near the current project area, and SRA has received funding from CDFW to implement several of the projects identified in the study. In addition, the Conservancy has successfully worked with SRA on watershed restoration and fish barrier removal projects at nearby Mill Creek, one of the Smith River’s most productive watersheds for salmonids; and on pre-acquisition feasibility studies at Pacific Shores, adjacent to Lake Earl.

**Project History:** This project arose from SRA’s focus long term work on the health of the nearby Smith River. As part of that effort CDFW evaluated the presence of salmonids in area streams and identified Elk Creek as an important site for juvenile salmon. The Conservancy also funded the Elk Creek Enhancement project in 1986, which improved public access to the lower portions of Elk Creek. The project was submitted to the Conservancy through the Conservancy’s Spring 2018 Proposition 1 Request for Proposals. The project received favorable reviews and was recommended for funding.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$150,000</b>
<b>Project Total</b>	<b>\$150,000</b>

The expected source of Conservancy funds for this project are funds appropriated to the Conservancy from the Water Quality, Supply, and Infrastructure Improvement Act of 2014

(“Proposition 1”, Water Code Sections 79700 et seq.). These funds derive from Chapter 6 of Proposition 1 and may be used “for multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state” (Section 79731). Section 79732 identifies specific purposes of Chapter 6 and includes: protect and restore aquatic, wetland and migratory bird ecosystems, including fish and wildlife corridors; protect and restore coastal watersheds, including, but not limited to bays, marine estuaries, and nearshore ecosystems; and assist in the recovery of endangered, threatened or migratory species by improving watershed health, instream flows, fish passage and coastal or inland wetland restoration. The proposed project will help achieve these Chapter 6 purposes by identifying projects that restore aquatic habitat, provide new rearing habitat for salmonids, and improve watershed health to benefit endangered fish.

As required by Proposition 1, the proposed project provides multiple benefits. The proposed feasibility study will identify projects that can restore juvenile salmonid rearing habitat, improve water quality, and improve community resilience to climate change.

The proposed project was selected through a competitive grant process under the Conservancy’s Proposition 1 Grant Program Guidelines adopted in June 2015 (“Prop 1 Guidelines”). (See *Id.* § 79706(a)). The proposed project meets each of the evaluation criteria in the Prop 1 Guidelines as described in further detail in this “Project Financing” section, the “Project Summary” section and the “Consistency with Conservancy’s Project Selection Criteria & Guidelines” section of this report.

#### **CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed authorization is undertaken pursuant to Chapter 6 of Division 21 of the Public Resources Code, as follows:

Pursuant to section 31251, the Conservancy may award grants to local public agencies and nonprofit organizations for the purpose of enhancement of coastal resources which, because of human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. Consistent with this section, the proposed authorization provides funds to the SRA to enhance coastal fishery resources disturbed by incompatible land uses, timber harvest, industrial development and other legacy land uses that have disrupted the channel and floodplain processes in the Elk Creek watershed.

Under section 31253, “[t]he Conservancy may provide up to the total of the cost of any coastal resource enhancement project . . .”. Consistent with this section, staff has proposed the funding amount considering the fiscal resources of the applicant, the urgency of the matter, and the application of other factors relevant to project eligibility, as detailed in the “Consistency with Conservancy’s Project Selection Criteria & Guidelines” section, below.

#### **CONSISTENCY WITH CONSERVANCY’S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 6, Objective C** of the Conservancy’s 2018-2022 Strategic Plan, the proposed project will develop a plan to enhance a coastal watershed.

**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 October 2, 2014, 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. **Promotion and implementation of state plans and policies:** The proposed project is consistent with the recommendations of the following plans:

*2014 Final Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon (Oncorhynchus kisutch)* (U. S. National Marine Fisheries Service). Elk Creek plays an important role in helping support coho Salmon in the Smith River ESU. It is also considered a valuable location for juvenile salmon. This project will improve riparian areas, the most important step in the recovery of the species in Elk Creek (Final SONCC Coho Recovery Plan 2014, p16-13)

*Recovery Strategy for California Coho Salmon* (California Department of Fish and Wildlife, 2004). The proposed project will address two priorities under this Recovery Strategy: SR-HU-02 (assess, prioritize and treat barriers to fish passage and other impediments); and SR-HU-03 (develop and implement a plan to restore the effectiveness and use of off-channel areas, sloughs, and wetlands for Coho Salmon).

*California Water Action Plan*, is a collaborative effort of the California Natural Resources Agency, the California Environmental Protection Agency, and the California Department of Food and Agriculture, issued in 2014. This Plan was developed to meet three broad objectives: more reliable water supplies, the restoration of species and habitat, and a more resilient, sustainably managed water resources system. It lays out the state's challenges, goals and actions needed to put California's water resources on a safer, more sustainable path. The plan identifies ten overarching strategies to protect our resources, including one which this project will implement: Protect and restore important ecosystems (restore coastal watersheds and strategic coastal estuaries to restore ecological health and nature system connectivity to benefit local water systems and help defend against sea level rise, eliminate barriers to fish migration).

4. **Support of the public:** See Exhibit 2: Project Letters
5. **Location:** The project site is located partially within the Coastal Zone for Del Norte County. It will benefit numerous coastal resources by providing coastal salmon populations with sufficient access throughout a watershed to fulfill their life history patterns.
6. **Need:** Without this grant funding, SRA will not be able to proceed with the project.

7. **Greater-than-local interest:** The project helps fulfill the objectives of state and federal species recovery plans and is therefore of greater-than-local interest.
8. **Sea level rise vulnerability:** The proposed project is not vulnerable to sea level rise. In the future tidal influence may be felt farther upstream, but this is not expected to degrade the habitat.

#### **Additional Criteria**

9. **Urgency:** Coho salmon are a listed species and efforts are needed to quickly provide improved conditions.
10. **Readiness:** The grantee is ready to carry out this project. All partners and consultants are prepared to start work.
11. **Cooperation:** A Technical Advisory Committee will bring together local agency experts, landowners, and tribes.
12. **Vulnerability from climate change impacts other than sea level rise:** Restoring the riparian vegetation in the Elk Creek Watershed should provide colder water and therefore benefit salmonids over the long term. The current project will evaluate climate change in the context of possible restoration activities.

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

The authorization is consistent with the relevant portions of the Del Norte County Local Coastal Program (DNLCP), which was certified by the Coastal Commission on October 12, 1983. It is due to the diversity in life history patterns of anadromous fish species that the Del Norte LCP acknowledges the importance of coastal streams and riparian vegetation systems as Sensitive Coastal Habitat, necessary to both the aquatic life and the quality of water courses. Under the DNLCP, Chapter VI, the following goals and objectives are identified:

*The County shall maintain all existing species of fish, wildlife, and vegetation for their economic, intrinsic and ecological values as well as providing adequate protection of rare and endangered species.” (p. 55)*

*The County should establish riparian corridors along local streams, creeks, and sloughs to maintain their aesthetic appeal, wildlife habitat, control of erosion... (p. 56)*

*The County encourages programs (e.g., fish hatcheries, habitat rehabilitation) designed to improve the quality of coastal fisheries and other marine resources. (p. 57)*

*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. (p. 58)*

The proposed project will identify projects to improve anadromous fish habitat by improving juvenile rearing habitat thereby enhancing the aquatic resources of the county, and, thus, is consistent with the DNLCP.

**CEQA COMPLIANCE:**

The proposed project involves only data gathering, resource evaluation, planning, and feasibility analyses for possible future actions that have not yet been approved or funded. Thus, the proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations title 14, section 15262 and categorically exempt from CEQA pursuant to section 15306. Section 15262 exempts feasibility and planning studies evaluating future actions that have not yet been approved or funded.

Section 15306 exempts basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The research activities associated with the project will not disturb environmental resources along the creek.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.