

COASTAL CONSERVANCY

Staff Recommendation
December 6, 2018

ELK RIVER ESTUARY RESTORATION AUGMENTATION

Project No. 15-033-03
Project Manager: Joel Gerwein

RECOMMENDED ACTION: Authorization to disburse up to \$397,000 to the City of Eureka to augment a previously authorized grant to construct tidal wetlands restoration and public access improvements in and adjacent to the Elk River Estuary on Humboldt Bay, within the City of Eureka.

LOCATION: Eureka, Humboldt County

PROGRAM CATEGORY: Public Access and Integrated Coastal and Marine Resources Protection

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Elk River Estuary Restoration staff recommendation dated September 6, 2018.](#)

Exhibit 3: [Access Facilities Designs](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 et seq. and 31220 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred ninety-seven thousand dollars (\$397,000) to the City of Eureka (City) to augment a previously authorized grant for construction of tidal wetlands restoration and public access improvements in and adjacent to the Elk River Estuary on Humboldt Bay, within the City of Eureka in Humboldt County.

This authorization is subject to all of the conditions imposed upon the City through the September 6, 2018 Conservancy authorization for this project (Exhibit 2).”

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 project is consistent with the current Project Selection Criteria and Guidelines.
 2. The proposed project is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding integrated coastal and marine resources protection projects, and with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding a system of public accessways.
 3. Public access facilities at this location would serve greater than local public needs.”
-

PROJECT SUMMARY:

Staff recommends the Conservancy augment its existing grant to the City of Eureka for construction of the Elk River Estuary/Inter-Tidal Wetlands Enhancement and Coastal Access Project, also known as the Elk River Estuary Restoration Project, by authorizing the disbursement of up to an additional \$397,000 to fund public access improvements at the site. The Conservancy previously granted the City \$980,000 in US Fish and Wildlife Service grant funds for construction of the restoration project. Because the access improvements and the restoration activities are parts of an integral whole, the term “project” in this staff recommendation refers to both the access improvements and the restoration activities. After augmentation, the total amount of the grant would be \$1,377,000. The additional funding is needed as the USFWS funds cannot be used for public access improvements. The Conservancy funds will be used for development of a one-mile segment of the Humboldt Bay Trail and Coastal Trail on the western edge of the project area, a kayak launch on the northern side of the project area, a parking lot and trailhead on the southern end of the project area, and for the required labor compliance plan and associated reporting.

More specifically, the project will construct one mile of coastal trail, a kayak launch, and a 100’ X 25’ paved and fenced parking area and trailhead (Exhibit 3). Non-motorized boat access will be provided at the north end of the widened and deepened navigation channel near the terminus of Pound Road. The boat ramp will be a textured, 12% to 15% sloping, concrete ramp approximately 15’ wide and 30’ long, extending from above mean annual maximum tides to minus 1 foot below mean lower low tides. It will have a 12" tall wall on one edge with a galvanized or aluminum pipe railing to hold onto. There will be 20 CYs of 4” crushed foundation rock, 10 CYs of Class 2 Aggregate Base, and 15 CYs of poured concrete below and within its footprint.

The trail will be 14 feet wide (two lanes with 5 feet for each lane, and an additional 2 feet of shoulder on each side). The side slope of the trail will be 1:3. The general design characteristics of the trail include a minimum vertical clearance of 8 feet (10 feet if emergency vehicles use trail), a minimum design speed of 20 miles per hour, a maximum gradient of 5%, and a minimum curve radius of 90 feet. The trail will be constructed to ADA standards.

The project is fully described in the September 6, 2018 staff recommendation (Exhibit 2). No changes have been made to the project.

Site Description: The project area remains as described in the September 6, 2018 staff recommendation (Exhibit 2).

Project History: The project history is described in the September 6, 2018 staff recommendation (Exhibit 2). The City applied to the Conservancy for a grant for the project in spring 2018. The Conservancy authorized a \$980,000 grant of USFWS funds on September 6, 2018. Conservancy funds are necessary for the project's access features.

PROJECT FINANCING

Grant Augmentation

Coastal Conservancy \$397,000

Overall Grant

Coastal Conservancy \$397,000

Coastal Conservancy (USFWS- NCWC grant) \$980,000

Other Funds

Humboldt Baykeeper \$27,000

Ocean Protection Council \$1,038,853

To Be Determined \$2,523,147

Project Total \$4,966,000

The USFWS funds are discussed in the September 6, 2018 staff recommendation (Exhibit 2).

The anticipated source of funding for this authorization is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 ("Proposition 84"). Proposition 84 authorizes the use of these funds for the purposes of restoring natural habitat values of coastal waters and lands of the state and promoting access to and enjoyment of the coastal resources of the state (Section 75060 of the Public Resources Code). Section 75060(b) of the Public Resources Code specifically allocates funding to the Conservancy for expenditure pursuant to the Conservancy's enabling legislation, Division 21 of the Public Resources Code. The proposed project serves to restore coastal habitat values and promote access to coastal lands and waters, and, as discussed in the section found immediately below, the project is consistent with Chapters 5.5 and 9 of Division 21 of the Public Resources Code. The proposed project for the protection of natural resources meets two criteria for prioritization under Section 75071, as follows:

b) Watershed Protection: The project will improve the biological quality of Humboldt Bay's tidal marshes, which includes critical habitat for four species listed under the federal Endangered Species Act (Coho and Chinook salmon, steelhead, and tidewater goby).

e) Non-state matching contributions: State funding from the Conservancy will be

matched by funding from the U.S. Fish and Wildlife Service, which has committed \$980,000 for project implementation.

The City has applied to multiple funding sources for the remaining funds needed for the project and is confident that it will secure adequate funding for implementation.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapters 5.5 and 9 of Division 21 of the Public Resources Code (Sections 31220 and 31400 et seq.). The project's consistency with Chapters 5.5 and 9 is discussed in the September 6, 2018 staff recommendation.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

The project will construct one mile of coastal trail, a kayak launch, and a 100' X 25' paved and fenced parking area and trailhead (Exhibit 3). As discussed in the September 6, 2018 staff recommendation, these access facilities will be consistent with the Conservancy's Access Program Standards.

CONSISTENCY WITH CONSERVANCY'S 2018-2022 STRATEGIC PLAN GOALS & OBJECTIVES:

The project is consistent with the Conservancy's 2018-2022 Strategic Plan Goals and Objectives, as discussed in the September 6, 2018 staff recommendation.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The project remains consistent with the Conservancy project selection criteria and guidelines.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The project is consistent with Local Coastal Program policies, as discussed in the September 6, 2018 staff recommendation.

**CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/
STATE WATER QUALITY CONTROL PLAN:**

The project is consistent with the local watershed management program, as discussed in the September 6, 2018 authorization.

COMPLIANCE WITH CEQA:

The City of Eureka, as lead agency for the project under the California Environmental Quality Act (CEQA), adopted the Initial Study/Mitigated Negative Declaration - Elk River Estuary/Intertidal Wetlands Enhancement and Coastal Access Project (“IS/MND”) and a Mitigation Monitoring and Reporting Plan (“MMRP”) on November 13, 2017. At its November 30, 2017 meeting, the Conservancy reviewed the IS/MND and MMRP, and found that the project, as modified by incorporation of the mitigation measures identified in the IS/MND, will avoid, reduce, or mitigate all of the possible significant environmental effects of the project to a level that is less than significant. The Conservancy found that, based on the record as a whole, there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment. Conservancy staff filed a Notice of Determination on December 1, 2017. There have been no changes or new information since November 30, 2017 that trigger the need for additional CEQA review of the project pursuant to 14 Cal. Code Regs. Section 15162. Accordingly, no further environmental review is required.