

**NATIONAL PARK SERVICE
REDWOOD NATIONAL AND STATE PARKS
HUMBOLDT AND DEL NORTE COUNTIES
CALIFORNIA**

**COASTAL CONSISTENCY DETERMINATION
REDWOOD NATIONAL AND STATE PARKS
GENERAL MANAGEMENT PLAN**

I. AUTHORITY

The National Park Service (NPS) is submitting this Coastal Consistency Determination in compliance with Section 930.34 *et seq.* of the National Oceanic and Atmospheric Administration Federal Consistency Regulations (Title 15 Code of Federal Regulations Part 930).

II. DETERMINATION

In accordance with the Federal Coastal Zone Management Act of 1972, as amended, the NPS has determined that the General Management Plan for Redwood National and State Parks (RNSP) is consistent to the maximum extent practicable with the California Coastal Management Program (CCMP), pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, (CZMA) and the California Coastal Act of 1976, as amended (CCA).

III. JOINT FEDERAL AND STATE PLANNING AND THE COASTAL ACT

Redwood National and State Parks are a combination of federal and state lands. Three units of the California State Park system lie within the legislated boundary of Redwood National Park-Prairie Creek Redwoods, Del Norte Coast Redwoods, and Jedediah Smith Redwoods State Parks.

The NPS and the California Department of Parks and Recreation signed a Memorandum of Understanding (MOU) in 1994 for the cooperative management of parklands within the national park boundary as RNSP. In the MOU, the two agencies committed to develop a single joint management plan for the parks to provide consistent policies and guidance for future management of RNSP.

The General Management Plan/General Plan/Final Environmental Impact Statement/Report (GMP/GP/EIS/R) was completed in 1999. The NPS will prepare a Record of Decision under the National Environmental Policy Act as the final step in the federal planning process.

This consistency determination applies solely to federal actions and activities conducted on federal lands within the boundaries of Redwood National Park as established and expanded by P.L. 90-545 and P.L. 95-250. Two of the state parks, Prairie Creek

Redwoods and Del Norte Coast Redwoods, have lands within the coastal zone. Actions within the coastal zone in these parks will be subject to California Coastal Commission review under the state process.

The General Management Plan (GMP) contains proposals at varying levels of specificity in compliance with the Council on Environmental Quality's guidelines for implementing NEPA that require an EIS to address proposals that are ripe for decision, with later decisions to be tiered off the broad EIS. Future site-specific implementation planning on federal lands within coastal zone boundaries will be accompanied as needed by consistency determinations that provide additional detail for each proposal.

IV. PROJECT AREAS AND ACTIVITIES SUBJECT TO CONSISTENCY DETERMINATION

The implementing regulations of the CZMA and the policies of the California Coastal Commission apply to lands within coastal zone boundaries and to activities conducted outside the coastal zone that may affect lands within the coastal zone. The GMP includes actions and programs in both categories.

The GMP contains a mixture of general and specific actions and proposals. This consistency determination evaluates all these in as much detail as is presently available. Some actions, programs, and proposals will need additional federal consistency determinations in the future when site-specific information is available.

Standard of Review

Under Section 307 (c) (1) of the CZMA, 16 USC Section 1456 (c) (1), federal activities that effect any land or water use or natural resource of the coastal zone are required to be consistent with the affected state's coastal management program to the "maximum extent practicable." Section 930.32 of the National Oceanic and Atmospheric Administration's regulations implementing the CZMA (15 CFR part 930) defines "consistent to the maximum extent practicable" as follows:

(a)(1) The term "consistent to the maximum extent practicable" means fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency.

The standard of review for federal consistency determinations consists primarily of the principal component of the CCMP, namely the policies of Chapter 3 of the Coastal Act. Section A(6) of the Introduction to the CCMP also states, that, once incorporated into the CCMP, certified Local Coastal Programs (LCPs) "will be used in making federal consistency determinations". If an LCP that the Commission has certified and incorporated into the CCMP provides development standards that are applicable to the project site, the LCP can provide guidance in applying Chapter 3 policies in light of local circumstances. If the Commission has not incorporated the LCP into the CCMP, it cannot guide the Commission's decision, but it can provide background information.

The Commission has certified LCPs for areas in both Humboldt and Del Norte counties that are relevant to management of RNSP.

Prior Commission Action on NPS Proposals at Redwood National Park

Several previous NPS actions in Redwood National Park have been subject to federal consistency review. These actions were the 1979 General Management Plan (CD-01 7-79) the 1983 Redwood Creek estuary management plan (CD-031-83) and estuary management and wetland enhancement projects in 1984 and 1985 for the mouth of Redwood Creek (CD-01 8-84, CD-020-85); and the 1990 Freshwater Spit management plan (CD-022-90).

Project Description

The General Management Plan is intended to provide comprehensive guidance for managing the resources and visitor use of RNSP. The purpose of the plan is to provide an overall direction for resource preservation and visitor use in RNSP and a basic foundation for decision making for the next 15 to 20 years. More detailed implementation plans will be prepared for actions and programs to be tiered off the GMP/EIS. Some actions and programs might affect the coastal zone and will require additional federal consistency determinations and Commission review.

General actions typically undertaken in national parks that will occur throughout RNSP and within the coastal zone are protection, preservation, and interpretation of natural and cultural resources, and providing access to the full spectrum of resources to enhance visitor enjoyment and understanding of RNSP.

This part of the consistency determination summarizes NPS actions and programs that may occur in or affect the coastal zone, followed by more detailed descriptions of each actions or program in relation to specific coastal policies.

The major programs outlined in the GMP that are subject to consistency determination because they occur in or affect lands in the coastal zone include:

1. Management Zoning, including Marine Management Zone
2. Watershed Restoration, including Management and Restoration of the Redwood Creek Estuary
3. Vegetation Management
4. Cultural Resource Management
5. Public Use, Recreation, and Visitor Safety
6. Facility Development

Management Zoning

RNSP is divided into nine management zones that describe the desired resource conditions and visitor experience, and the type of facilities allowed (pp. 22-32; Alternative I maps a, b, c). The coastal zone boundary overlaps all the management zones, except the Bald Hills zone, at some location in RNSP. The management zones provide guidance for managing

areas in which the GMP makes no specific proposals or for resolving issues for resource management and visitor use that arise in the future. Different degrees of development and allowable uses distinguish the zones.

The developed and high-standard transportation zones are intended to have concentrated development and heavy use. Developed zones have been restricted to as small an area as necessary to provide essential services. NPS facilities in the coastal zone that are identified as developed zones are the Crescent Beach Education Center, the Redwood, Hostel at Wilson Creek, the Requa maintenance facility, and the Redwood Information Center. U. S. Highway 101 along the coast is in the high standard transportation zone. The highway is owned and managed by the California Department of Transportation (Caltrans) and is not subject to proposals in the GMP. The NPS will continue to work closely with Caltrans to ensure protection of the redwood forests in the highway corridor and that travelers on the highway would have a world-class scenic travel experience.

The GMP describes a marine management zone, all of which lies within the coastal zone boundaries. The marine management zone includes 3,627 acres in Del Norte County and 2,312 acres in Humboldt County of coastline and ocean waters lying between the mean high water line and extending westward one-quarter mile to the Congressionally established national park boundary. This zone is dominated by marine forces and processes, which will be allowed to continue unhindered by management action. The desired visitor experience within the marine management zone varies widely, depending on the proximity to other management zones. Visitors to the coastline in RNSP may experience a range of conditions varying from areas that have never been altered by human beings (steep cliffs in the primitive zone and offshore rocks in the marine management zone) to areas developed specifically for visitor use (Redwood Information Center in the developed zone).

The majority of park lands in the coastal zone that lie inland of the marine management zone are included in the primitive or backcountry zones. The primitive zone is intended to include lands that are in essentially natural condition and where low use is desirable to protect resources. No facilities or development other than existing trails will be allowed in this zone.

Backcountry zones are intended to preserve resources in a pristine state while allowing for primitive developments to serve visitors. There are two subcategories of backcountry zone, mechanized and non-mechanized. The two backcountry zones are distinguished primarily by whether mechanized forms of visitor transportation such as mountain bikes are allowed on trails (backcountry mechanized). Unpaved trails, primitive campgrounds and camping areas, and walk-in picnic areas are allowed in the backcountry zones. The Coastal Trail south of Enderts Beach, and the Nickel Creek, DeMartin, and Flint Ridge primitive campgrounds are zoned as backcountry mechanized. In frontcountry zones, resource protection takes precedence over development. A full range of facilities to serve visitors is allowed in frontcountry zones but resources must be the dominant feature. Crescent Beach and Enderts Beach are frontcountry zones, as are the Lagoon Creek picnic area, the High Bluff overlook along the Coastal Drive south of the Klamath River, and Freshwater Spit.

The cultural zone is applied to areas whose primary resources are archeological, historical, or ethnographic properties, or cultural landscapes, or where the intended use is associated

with American Indian traditions. The area south of the Klamath River mouth and the mouth of Redwood Creek and its estuary are major cultural zones within the coastal zone.

Watershed Restoration

This program involves removal of, and projects to control erosion on, abandoned roads to prevent excessive sedimentation of park streams and degradation of aquatic resources caused by road erosion and failure (pp. 33-37, 48, 58). The majority of actions under this program will take place outside the coastal zone in the Redwood Creek basin, but lands and resources that lie downstream in the coastal zone would be affected. The Redwood Creek estuary in the coastal zone is affected by the watershed restoration program upstream, as well as being directly affected through restoration proposals described in the GMP. The watershed restoration program will have a beneficial effect on the Redwood Creek estuary and other lands in the coastal zone through reduction of excess sediment that would otherwise move downstream and be deposited into the estuary to the detriment of the wildlife and anadromous fish habitat and the estuarine wetlands.

Restoration of the Redwood Creek estuary will require coordination among many agencies and property owners (pp. 58). The GMP describes a range of proposals that would restore the estuary to varying degrees (pp. 299-304). Flood control levees along Redwood Creek have altered the physical and biological functioning of the estuary. This has resulted in decreased water circulation, fewer deepwater pools, decreased extent of wetlands and riparian habitat, deteriorated water quality, degraded juvenile rearing and adult holding habitat for fish, and reduced wildlife and invertebrate abundance and diversity. The estuary is critical to the survival of coho salmon, chinook salmon, and steelhead, all federally listed, proposed, or candidates for listing under the Endangered Species Act. The estuary and its tributaries are also important habitat for coastal cutthroat trout, a federal candidate for listing as threatened. When there is insufficient flow in Redwood Creek to break through the sand berm at the mouth, the water levels rise in the estuary and cause flooding on adjacent private agricultural land. Repeated breaching of the sand berm to protect private property during the summer months when fish use the estuary for holding and rearing adversely affects the biological and physical functioning of the estuary.

The NPS proposes to lead the effort to restore the functions of the estuary, which will require coordination and cooperation among private landowners and numerous public agencies. Strategies to be considered for restoration include combinations of land acquisition from willing sellers, conservation easements, partial levee removal, and restructuring affected roads and drainage structures. Water level management (e.g. controlled breaching of the sand berm and channel manipulation) to conserve salmonid habitat by preventing the negative effects of an uncontrolled natural breach and to protect the Redwood Information Center would continue.

Vegetation Management

The major vegetation management programs are management of second growth forests, prairie and oak woodland restoration, fire management, and exotic plant control. Actions that would occur in the coastal zone include control of exotic plant species and restoration of native dune communities at Freshwater Spit, and restoration of other naturally occurring

plant communities. The majority of vegetation management actions occur outside the coastal zone but could indirectly affect the coastal zone through restoration of large-scale ecosystem processes.

The fire management program includes both suppression of wildland fires and use of prescribed fire to meet resource management objectives. Most fire management actions occur outside coastal zone boundaries in the drier interior areas of RNSP. Prescribed fire is being used as a tool primarily to restore native plant communities in which fire was an important ecological process.

Cultural Resource Management

Archeological sites, historic structures, cultural landscapes, and ethnographic properties will be preserved, protected, and managed under Applicable NPS laws, regulations, policies, and guidelines (pp. 268-271). For any actions that might affect cultural resources, the NPS will consult with the California State Historic Preservation Office in compliance with the 1995 Programmatic Agreement among the National Conference of State Historic Preservation Officers, the Advisory Council on Historic Preservation, and the NPS, or with the Yurok Tribal Historic Preservation Office for properties within aboriginal Yurok lands.

Several cultural resource properties listed on the National Register of Historic Places are located within the coastal zone, including the World War II Radar Site B-71 along the Coastal Drive south of the Klamath River, and portions of the Coastal Drive itself (the former Redwood Highway) north of the Klamath River. Areas within the coastal zone of ethnographic significance to local American Indians include Crescent Beach, Enderts Beach, the mouth of the Klamath River, the mouth of Redwood Creek, and several coastal prairies.

Facility Development and Public Use, Recreation, and Visitor Safe

Facilities to serve visitors or RNSP administrative needs are allowed in all management zones, with the most intensive development allowed in developed zones and no new development or new uses allowed in primitive zones other than existing trails.

Visitor facilities include visitor centers, trailheads, trails, camping areas and campgrounds, picnic areas, scenic overlooks, roads and parking areas, and comfort stations. Visitor facilities within the Coastal Zone are located at the Redwood

Information Center, Freshwater Spit, High Bluff Overlook, primitive campgrounds at Flint Ridge, DeMartin Prairie, and Nickel Creek, the Crescent Beach picnic area, the Klamath River overlook at Requa, the Lagoon Creek picnic area and trailhead, and several overlooks and parking areas along the Coastal Drive. The Yurok Brush Dance site on the south bank of the Klamath River estuary is also within the coastal zone.

NPS administrative facilities located within the coastal zone include the Requa maintenance area and park headquarters in Crescent City.

The NPS proposes to expand the park trail system and to engage in coordinated planning with other agencies for a regional trail system with links between park trails and trail

systems outside the park (p. 67). A major goal of the trail program is to develop trail links between the California Coastal Trail and inland trails. Trail and backcountry management plans currently being prepared might require future federal consistency determinations for trail construction and backcountry use management proposals that are located in or affect use of lands in the coastal zone.

Visitor Information Centers

Two visitor centers located in the coastal zone provide information, orientation, and interpretive services to park visitors-the Redwood Information Center at the southern end of RNSP near Orick and the Crescent City information center in the NPS headquarters building in Crescent City near the northern end of RNSP.

The Redwood Information Center is located on the beach south of the mouth of Redwood Creek and north of Freshwater Spit. New scientific information developed since the center was constructed in the mid-80s suggests that the earthquake and tsunami hazard from the Cascadia subduction zone located several miles offshore is much greater than was anticipated based on knowledge of earthquake faults at the time of construction (pp. 63-64). Thus, the center is located in a coastal high hazard zone and is subject to a greater potential hazard than the center was designed to withstand. The center is also subject to damage from changes in the course of Redwood Creek that were not anticipated at the time of construction because the sand berm at the mouth of the creek had been regularly breached to prevent flooding of private agricultural land.

If the Redwood Information Center is significantly damaged by future events, its functions would be relocated to a new visitor center to be situated somewhere in the vicinity of Orick out of the tsunami zone. The present site of the visitor center would be converted to a day-use area with interpretive opportunities including exhibits, beach access, and boardwalks to improve access to the beach and the estuary for persons of all physical abilities.

The information and orientation services at the Crescent City information center would continue until incorporated into a multi-agency visitor center if one is developed in the Crescent City area (p. 64).

Freshwater Spit Visitor Use

Freshwater Spit is the southern gateway to RNSP (pp. 67-68). The spit was stabilized and widened with fill when U. S. Highway 101 was rerouted onto the spit in the 1950s. Caltrans once planned to add two additional lanes to make a 4-lane highway but currently has no plans for a 4-lane road at this location. The fill area of the spit is a highway right-of-way owned by Caltrans and has been used for many years for overnight camping, primarily by recreational vehicles.

In the early 1980s after the expansion of the national park, the NPS agreed to manage the overnight camping to protect park resources and values. The NPS leased the area from Caltrans. Overnight use is allowed along a 1.5-mile-long strip of fill parallel to the west side of U.S. Highway 101. There is a 15-consecutive-day camping limit, with a 30-day annual

limit. No fee is charged although a \$7 donation is requested. NPS policies require that a certain level of facilities, including drinking water, must be provided if a camping fee is charged. The overnight use results in sanitation and public safety problems which the NPS manages by providing portable toilets, garbage dumpsters, and law enforcement patrols.

During the summer months, the entire length of the spit is occupied by overnight users. Overnight use degrades resources and detracts significantly from the outstanding visual qualities of the area by blocking the view of the beach and ocean. Merchants in the local community of Orick believe that the campers at Freshwater Spit contribute significantly to the economy of Orick through purchases of gas, food, and supplies. Private RV park owners in the area believe that allowing free camping constitutes unfair competition with their businesses.

The NPS proposes to change the use of Freshwater Spit from overnight to day use to provide all visitors with the opportunity to enjoy the outstanding scenic values and to improve public health and safety. Site-specific planning and design will be required to implement the proposal, which will require additional consistency review. The new facility would be developed to include structured parking, safe access to the highway, pedestrian access to the beach, and appropriate interpretive exhibits and support facilities. Overnight use would be phased out over a 3-year period to allow the private sector the opportunity to develop replacement camping facilities nearby. A fee would be charged for overnight use during the phase-out period.

Off-Road Vehicle Use on Beaches

Vehicles are operated on federally administered beaches at Freshwater Spit and north, of the mouth of Redwood Creek at Hidden Beach (Humboldt County), and in Del Norte County at the mouth of the Klamath River and Crescent Beach (pp. 68-69). This off-road vehicle use occurs in violation of NPS regulations that apply service-wide. Vehicle use at Crescent Beach is subject to a Del Norte County permit system but the other beaches are presently open to all properly registered vehicles capable of driving on soft sand. Vehicles are required to stay on the wave slope of the beach to avoid damaging native dune vegetation. Vehicles can cross Redwood Creek during those times when the sand berm prevents the creek from reaching the ocean or when the creek is low enough to allow safe crossing.

Some of the vehicle use is by commercial fishermen fishing for surf fish and smelt in accordance with the provisions of the legislative history of the 1968 legislation that established Redwood National Park. Other vehicles travel on the beaches for recreational activities such as sportfishing, beachcombing, and wood gathering, or for access for traditional American Indian uses. Removal of wood from the beaches is facilitated by off-road vehicle access. While limited wood gathering for the purpose of campfire wood collection is allowed under NPS regulations, off-road vehicle access facilitates removal of large pieces of woody debris for commercial purposes. Large woody debris on beaches in the Northwest provides shelter, nutrients, hiding places, perches, and nesting habitat for numerous species of wildlife. Wood also plays a key role in energy dissipation during storms and promotes the entrapment and retention of sand and the formation of dunes. These natural functions and processes are disturbed when large woody debris is regularly removed from the beaches after storms.

The NPS proposes to enforce its service-wide regulations (36 CFR 4.10) prohibiting off-road vehicle use in national parks, resulting in elimination of all off-road vehicle use other than that which is essential to provide access for commercial surf fishing activities (p. 69). These regulations are based on the requirements of Executive Orders 11644 and 11989 which established policies and constraints to protect the resources found on federal public lands from the adverse effects of off-road vehicle use.

Because of the provision in Redwood National Park's legislative history, off-road vehicle use associated with commercial fishing will be phased out over the long term, rather than eliminated immediately. Off-road vehicle use associated with commercial surf fishing at Freshwater Spit and Crescent Beach would continue by renewable, nontransferable annual permit only. Only permits issued between March 1996 and September 1, 1999 would be renewed. No new permits will be issued. Any permit not renewed in a given year will be terminated. Off-road vehicle use of beaches in connection with traditional American Indian cultural/religious activities consistent with the purposes of the parks will continue only at Gold Bluffs Beach in Prairie Creek Redwoods State Park.

The purpose of eliminating off-road vehicle use on federally owned or administered beaches is to maintain consistency in managing NPS units, to protect a nationally significant natural setting and resources, and to reduce public safety and public use conflicts that result from vehicles and pedestrians using the same beach.

Visitor Access and Circulation/Roads

The GMP proposes minor changes to several public roads located in the coastal zone. Changes to road design that might affect resources or use of lands in the coastal zone will require additional federal consistency review.

Enderts Beach Road and Crescent Beach Picnic Area

Enderts Beach Road provides 24-hour public access to the Crescent Beach picnic area, the Crescent Beach scenic overlook, a trailhead for the Coastal Trail, and the Nickel Creek primitive campground (pp. 66, 71).

At Crescent Beach, there is paved road access, a small parking area, restrooms, and a handicapped-accessible boardwalk and picnic area. The parking area, portions of the road, and the restrooms are located in a former wetland, and are occasionally flooded during intense rainy periods.

Enderts Beach Road would continue to provide public access to the Crescent Beach overlook and the trailhead for the Coastal Trail leading to Nickel Creek. campground. The overlook and nearby facilities have been subject to vandalism, generally after dark. Both the NPS and local agencies have offered rewards for information, but with little effect on the frequency or severity of the vandalism. Gating the road and/or conversion to day use has been suggested but would occur only as a last resort if efforts to resolve public use issues were unsuccessful.

The picnic area and beach access at Crescent Beach would be retained (p. 66). To protect the coastal wetlands, the access road, restroom, and parking area would be relocated out of

the wet areas to a non-wetland site within walking distance. Options for retaining access to the beach for visitors, including those with disabilities, and for interpreting the coastal wetlands and ponds would be considered during site planning.

Changing the vehicle access to Enderts Beach Road or redesigning the Crescent Beach picnic area will require site-specific planning and will be subject to additional consistency review.

Alder Camp Road

This road would be improved to provide access to trails, a picnic area, and Alder Camp Conservation Center (p. 71). Commission review for federal consistency would depend on the degree of improvement and associated development that is proposed.

Davison Road- Gold Bluffs Beach Road to Fern Canyon

Portions of this road lie within the coastal zone in Prairie Creek Redwoods State Park. These portions of the road will remain unpaved, as well as portions outside the coastal zone that are presently unpaved (p.71). Minor improvements will be made to facilitate access by two-wheel drive passenger vehicles.

Coastal Drive

Drainage and surface improvements will continue to be made on the Coastal Drive (p. 72). The road will remain unpaved. Major road failure would lead to conversion to a trail.

Administrative Facilities

The NPS primary maintenance facility is located in the former Air Force Radar Station at Requa. This facility lies about 800 feet above sea level in a geologically unstable area within the coastal zone. This facility and associated utilities would continue to be upgraded and improved to meet current codes. If the structural integrity of the buildings or the safety of the occupants is significantly threatened by geological instability, the maintenance functions would be relocated and the site restored (p. 74).

NPS housing at Crescent Beach will be removed when no longer needed as housing and the site restored with native vegetation.

V. RELATION OF RNSP GENERAL MANAGEMENT PLAN TO CERTIFIED LOCAL COASTAL PROGRAMS FOR HUMBOLDT AND DEL NORTE COUNTIES

This section summarizes the policies in the Humboldt and Del Norte County LCPs that are relevant to management of RNSP.

Del Norte County LCP

The Del Norte County LCP was certified in 1983. This plan will be revised as part of the county General Plan revision process currently underway. Policies in the 1983 LCP that are relevant to the GMP are access, protection of sensitive coastal habitats, recreation, hazard

areas, and visual quality. Management of NPS lands as guided by the GMP is maximally consistent with these policies.

Protection of Sensitive Coastal Habitats: The GMP is maximally consistent with the policies for protection of sensitive coastal habitats described on pages 60-70 of the Del Norte County LCP. Sensitive habitats listed on page 49 in the LCP that are within RNSP boundaries are the offshore rocks and islands, tidepools throughout the rocky coastline, the Klamath River estuary, wetlands and ponds in the coastal dune region at Crescent Beach, riparian systems associated with the coastal streams and creeks, and sea cliffs and bluffs. These sensitive habitats are protected by laws, regulations, policies and guidelines governing NPS areas.

The LCP directs heavy recreational use of beaches to sandy beaches rather than to tidepool areas which are susceptible to disturbance (LCP p. 62). Tidepools in RNSP are protected by NPS regulations prohibiting collecting, except for one gallon per person per day of unoccupied seashells. Offshore rocks are protected under existing NPS regulations prohibiting collection as well as under the state regulations protecting rocks lying within the Area of Special Biological Significance (pp. 176-177). The GMP does not propose any development or visitor use of the offshore rocks, although recreational use is not prohibited. The difficulty of access combined with the danger of approaching the rocks due to wind, waves, and currents provide general protection from recreational use of the rocks. Page 80 of the LCP identifies boating as a popular recreational activity on the Smith and Klamath Rivers but not on the ocean. The GMP is consistent with the LCP for protection of tidepools and offshore rocks.

The LCP notes on page 61 that a 1977 study found that vehicular traffic on tidal flats at Crescent Beach resulted in significant mortality to sand beach organisms. Thus, the NPS proposal to prohibit off-road vehicle use of Crescent Beach except by permit for commercial fishing is consistent with the LCP.

The LCP identifies the Sandmine Road ponds as important wetlands (LCP p. 64) and calls for a 100-foot buffer around adjacent development (LCP p. 66). The ponds near the Crescent Beach picnic area are part of the same system. The GMP calls for removal of some facilities out of the area adjacent to the pond and wetlands while retaining access to the sandy beach. Redesign of the existing development at Crescent Beach proposed in the GMP will require site-specific planning and design and will be subject to additional federal consistency review. This proposal is consistent with the LCP.

The LCP notes on page 68 that sea cliffs and bluffs are inherently unstable and potentially hazardous when associated with development. NPS development along the cliffs is limited to the Coastal Trail south of Enderts Beach and to the Coastal Drive south of the mouth of the Klamath River. The Coastal Drive will be converted to a trail if it fails (p.72). No direct access to the coast from unstable sea cliffs or bluffs is proposed in the GMP. The NPS Requa maintenance site is a former military site constructed in the 1950s and is known to be located on unstable ground (GMP p. 74, LCP p. 225). The GMP proposes that the maintenance functions be relocated if and when land movement threatens the integrity of the structures or safety of the occupants (p. 74). LCP policies listed on page 68 for construction on unstable areas apply to new construction. No new construction on sea cliffs

or bluffs is proposed. The GMP is maximally consistent with the LCP with respect to policies for sea cliffs and bluffs.

*Recreation-*Page 76 of the LCP identified the national park as dominating coastal recreational opportunities.' County goals for recreational development listed on page 77 are well-distributed facilities, maintenance of areas for future recreation, low-cost facilities, and protection of fragile coastal resources. The GMP proposals are maximally consistent with these goals and with the recreation policies listed on pages 83 and 84 of the LCP.

Page 79 of the LCP identifies off-road vehicle and pedestrian use of beaches as a notable recreational use conflict, which the county manages through closure of South Beach during the summer months. The NPS proposal to reduce potential pedestrian/vehicle conflicts on Crescent Beach through enforcing its regulations prohibiting general recreational off-road vehicle use on park beaches and to manage off-road vehicle access for commercial fishing by permit during a long term phase-out period is consistent with this policy and the county recommendation on pages 86 and 87 of the LCP.

It is county policy to encourage improved and increased access in the national park (LCP p. 82) while preserving and enhancing scenic and environmental values. Management of federal lands and waters under the NPS statutory mission to preserve resources while providing for visitor enjoyment of those resources and under goals specific to RNSP (GMP p. 22) is maximally consistent with these policies. A more specific county recreational policy found on page 83 is establishment of a regional trail and path system to link Crescent City to the national park. The GMP proposal that the RNSP trail system be expanded through links to trails in gateway communities and other jurisdictions to create a regional trail system (p. 67) is maximally consistent with the county policy.

*Hazard Areas--*GMP proposals are consistent with LCP policies listed on pages 230-233. NPS policies and guidelines for managing risk in floodplains, coastal high hazard zones, and geologically unstable areas are essentially equivalent to the county policies. Tsunami information for visitors and park staff who visit or occupy hazardous areas is being developed, and RNSP staff are working closely with county emergency services agencies to plan for evacuation in case of earthquakes and tsunamis. The US Army Corps of Engineers identified a critical erosion hazard area in RNSP along a mile of coastal cliffs south of False Klamath Cove (LCP p. 218). The GMP proposes no new development in this area but does propose retention of the existing section of the Coastal Trail.

Visual Resources- Under NPS laws, policies, and guidelines for managing parks, the GMP is maximally consistent with LCP policies listed on pages 257-260 relating to protection and enhancement of visual qualities and scenic values.

Humboldt County LCP

The portions of the North Coast Area Plan (NCAP) of the Humboldt County LCP that are relevant to management of RNSP have been certified.

The NCAP discusses policies applicable to the entire county, with occasional references to park lands, followed by more specific recommendations and policies. Specific county

policies relevant to GMP proposals are trail access to the Tall Trees Grove (NCAP 4-9); Freshwater Spit use (NCAP 4-11); commercial recreation sites at Freshwater Spit and Stone Lagoon (NCAP 4-11); and access in general (NCAP 4-14 through 4-18). Recommendations in the NCAP on planning issues related to the national park (NCAP 4- are covered in the access component The NPS proposals for Freshwater Spit use and commercial fishing access to beaches are discussed briefly under the NCAP access recommendations and in more detail under the relevant sections of the Coastal Act.

Federal lands, waters, and resources within RNSP associated with county policies for environmentally sensitive habitats (NCAP 3-22) are:

1. the offshore waters from the Humboldt/Del Norte County line included in the Redwood National Park Area of Special Biological Significance
2. Redwood Creek (rivers, streams and riparian habitats)
3. Freshwater Lagoon and the mouth of Redwood Creek (wetlands, lagoons, and estuaries)
4. Critical habitats for rare and endangered species (proposed critical habitat for coho and chinook salmon in Redwood Creek).

The NCAP encourages restoration of wetland habitat of the Redwood Creek oxbow in the estuary (NCAP 3-24) under certain conditions. Several policies described under public lands resource buffers on NCAP 3-36 apply to the NPS proposals for Redwood Creek estuary restoration. The GMP proposals for restoration of the estuary in cooperation with the county, other agencies, and private landowners are consistent with these policies.

The NCAP identifies Freshwater Spit as a coastal scenic area and coastal view area (page 3-37) and the wetlands associated with Redwood Creek estuary as significant visual resources (page 4-4). GMP proposals for management of scenic and visual qualities at these areas, as well as any views of the Pacific Ocean, are maximally consistent with county policies.

Coastal Trail *linkage-Improved linkage* of the Coastal Trail with inland trails, including a trail to the Tall Trees Grove in the Redwood Creek basin outside the coastal zone is identified as a high priority in the GMP (p. 67). The GMP is maximally consistent with this policy of the NCAP.

Freshwater Spit use -At the time the NCAP was certified in 1982, the plan noted that Freshwater Spit was being used as an overnight campground without authorization or adequate support facilities (NCAP 4-11). Subsequently, the NPS leased the area from Caltrans, developed management alternatives for the spit in 1990 that were reviewed for consistency by the Coastal Commission (CD-022-90), and provided minimal services to improve sanitation and safety. The GMP calls for development of a day-use area, with overnight use phased out over 3 years, and a fee charged for overnight use during the phase-out period. The NCAP states that the county policy is to prefer the private sector as the provider of visitor-serving facilities (page 3-5). The GMP proposal to phase out overnight use at Freshwater Spit over a three-year period to allow the private sector the opportunity to

develop replacement camping facilities elsewhere is maximally consistent with this policy. Based on NPS policies for charging camping fees proportionate to services provided, the temporary fee will be well within the "low cost" policy required under Section 30213. Full pedestrian access will be allowed at Freshwater Spit under the proposal, no day-use fee will be charged, and parking and restroom facilities will be provided in addition to the existing restrooms, parking, boardwalks, and picnic area at the Redwood Creek picnic area at the north end of the spit.

Commercial recreation-The NCAP recommends that the private landowner at the Redwood Trails development near Stone Lagoon investigate opportunities for establishing trail access to the national park. The landowner has initiated discussions with the NPS for trail access from the development as part of the trail planning process described in the GMP (p. 67).

Park Planning Issues-The primary planning issue is access which is covered under the next section.

Access-The NCAP notes that there are almost no property limits to access along the coastline. Pedestrian access to federal lands in the coastal zone in RNSP is free and unconstrained except by geological, physical, and coastal processes (cliffs, rivers and streams, tides, waves, etc.). The NCAP recommends that Davison Road be improved for access by conventional two-wheel drive sedans (NCAP 4-15). The GMP is consistent with this recommendation and proposes that minor road improvements be made to facilitate access. The GMP proposes that shuttle access be evaluated as an alternative to major road improvements that might create adverse effects on sensitive park resources. The road is presently accessible by two-wheel drive sedans, but trailers and large RVs are not recommended due to narrow width and tight curves. The GMP is partially consistent with NCAP recommendations for use of the mouth of Redwood Creek and for Redwood Creek County Park/Freshwater Lagoon, as follows.

The NCAP recommends parking, restroom, and separate pedestrian and off-road vehicle access to the beach at the mouth of Redwood Creek. This beach is continuous with the beach at Freshwater Spit except at high tides. Humboldt County granted the Redwood Creek County Park to the NPS in 1982 on the condition that it be used for park purposes in perpetuity. In 1997, the NPS upgraded the existing restroom and parking area, provided covered picnic area and boardwalks, provided separate vehicle and pedestrian access between Freshwater Spit and the picnic area, and landscaped the area with local driftwood and native plants. These improvements are consistent with the NCAP recommendations on page 4-4, and with the grant deed conditions that require that the former county park "be used and maintained in perpetuity as a public park, and only as a public park, and shall at all reasonable times be open to the public."

The GMP is not consistent with the 1982 NCAP recommendation for maintaining overnight use of Freshwater Spit, allowing vehicle access to the Freshwater Spit and Redwood Creek beaches, and allowing burl gathering. The NPS proposes to change Freshwater Spit use from overnight use to day use to improve the visual appearance of area, to protect resources, to improve public health and safety, and to provide consistency in management of this beach with other national park beaches off-road vehicle access is prohibited in national parks, and that regulation will be enforced, although off-road vehicle access for

commercial fishing at Freshwater Spit will be retained during a phase out period because of the provisions in the legislative history of the legislation that established the national park. The county encourages continued access for commercial wood (burl) gathering but both the off-road vehicle access and commercial removal of resources are prohibited by NPS regulations.

The NCAP recommended that parking at the boat ramp at Freshwater Lagoon be increased and the turnout improved. There were no requests for this action during the scoping and public comment periods for the recent revision of the GMP, thus it appears that this is no longer an issue. There appears to be adequate boat trailer parking along the east shoulder of Highway 101 along Freshwater Lagoon. However, the planning process for implementing the Freshwater Spit proposals will provide an opportunity for the public to reiterate this request, which the NPS would consider.

VI. CONSISTENCY OF NPS PROPOSALS WITH PROVISIONS OF THE CALIFORNIA COASTAL ACT

This portion of the federal consistency determination analyzes consistency between policy sections of the California Coastal Act (Division 20, California Public Resources Code) and NPS proposals and actions on federal lands in Redwood National and State Parks included within the California Coastal Zone boundary. The relevant policies are listed first, followed by comment and analysis. Page numbers in parentheses refer to pages in the final General Management Plan/Environmental Impact Statement (GMP).

Policies under the California Coastal Act that are not applicable to NPS proposals in the GMP are:

- Article 3 (Recreation), section 30222.5 Oceanfront land; protection for aquaculture use and development;
- Article 4 (Marine Environment), section 30233 Diking, filling, and dredging, subsections (a) (1-4); section 30236 Water supply and flood control; section 30237 Habitat conservation plan; Bolsa Chica;
- Article 5 (Land Resources) section 36243 Productivity of soils and timberlands; conversions;
- Article 6 (Development) section 30250 Location, generally, subsections (a) and (b); section 30254 Public works facilities; and
- all sections of Article 7 (Industrial Development).

ARTICLE 2, PUBLIC ACCESS

Section 30210. 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.

Section 30211. 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) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection Of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Analysis and Comment: Information on coastal access, interpretation of coastal resources, and warnings about coastal hazards will be provided to visitors in a variety of ways and at a number of locations (p. 63). Vehicle access to parklands in the coastal zone is available along the length of Freshwater Spit adjacent to U.S - Highway 101, at Freshwater Lagoon, at the Redwood Creek Picnic Area south of the Redwood Information Center (former Redwood Creek County Park), at the Redwood Information Center, via Davison Road leading to Gold Bluffs Beach, along the Coastal Drive north of Prairie Creek Redwoods State Park, along the Klamath Beach Road leading to the Coastal Drive, along Requa Road leading to the Klamath River Overlook, at Lagoon Creek picnic area, at the Redwood Hostel at Wilson Creek, at the Crescent Beach picnic area, and along Enderts Beach Road as far as the Crescent Beach Overlook.

Pedestrian access to the coastal zone is available from all the vehicle access points listed above and additionally along the length of the Coastal Trail, at the Yurok Loop Trail originating at the Lagoon Creek picnic area (Lagoon Creek fishing access), and at Crescent Beach extending south along Enderts Beach road to the Coastal Trail trailhead. Pedestrian access is allowed along the length of the coastline within RNSP, although safe access along the coastal bluffs and cliffs is dependent on tides.

General off-road vehicle use on federally owned beaches in RNSP will be prohibited under NPS general regulations found in 36 CFR 4. 10 pursuant to the requirements of Executive Orders 11644 and 11989. These regulations limit off-road vehicle use to designated routes and areas in certain units of the national park system but prohibit off-road vehicle use in national parks. Consistency for actions related to off-road vehicle access for commercial fishing is discussed under Sections 30234 and 30234.5.

Section 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Comment and Analysis. The management zoning described in the GMP prescribes resource conditions and visitor experiences that are acceptable in each zone. Facilities and use levels allowed in each zone must not exceed the conditions set for protecting resources or for the desired visitor experience. Developed and frontcountry zones in which roads and parking are allowed are well-distributed in areas that are able to withstand impacts along the 35 miles of park coastline. The GMP identifies several areas of RNSP as susceptible to

crowding and calls for carrying capacity studies prior to redesign of the areas (pp. 43, 65). None of these areas is subject to federal consistency review. The present use of Freshwater Spit for overnight camping is considered by some publics to be in excess of the social carrying capacity because the spit is crowded by vehicles that block the view of the ocean. GMP proposals for Freshwater Spit address the resource impacts from this overnight use.

Section 30213. Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided Developments providing public recreational opportunities are preferred.

Comment and Analysis. No entrance fee is charged for access to federal lands and waters in RNSP. A fee will be charged for overnight use at Freshwater Spit during the 3-year period during which overnight use will be phased out. At present, a \$7 donation is requested. Under NPS policies, any fees charged must reflect the level of services provided, e.g. potable water, portable toilets versus flush toilets in restrooms, RV hookups, etc' There is no charge for primitive camping at Nickel Creek, DeMartin Prairie, or Flint Ridge. The Redwood Hostel at Wilson Creek provides low cost overnight accommodations.

Section 30214. (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.

Comment and Analysis. Conversion of Freshwater Spit from overnight to day-use will reduce the potential earthquake and tsunami hazard to visitors. The NPS anticipates that parking will be managed so as to maintain open vistas of the ocean uninterrupted by vehicles parked along the length of the spit. Aesthetic values will be enhanced further by removing portable toilets and garbage dumpsters from the spit, with restrooms and trash containers provided at the new day-use parking area and the existing Redwood Creek picnic area. NPS maintenance staff will continue to provide regular trash pickup at this site and at other parking areas and trailheads in the coastal zone.

ARTICLE 3, RECREATION

Section 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Comment and Analysis. The primary water-oriented recreation activities in the coastal zone in RNSP are scenic viewing, beachcombing, wildlife-watching, and sport fishing. General NPS regulations prohibit removal of park resources except unoccupied sea shells as specified in the park regulations. Regulations specific to Redwood National Park allow collection of one gallon-bucket of unoccupied seashells per person per day (36 CFR 2.1 (c)(1)). The national park boundary runs north-south through the center of Freshwater Lagoon. Recreational use of waters of that portion of Freshwater Lagoon within the national park boundary is subject to general NPS regulations found in 36 CFR Part 3 that apply to boating, water skiing, fishing, hunting, and other water-based activities. The NPS has proposed general regulations under 36 CFR Parts 1 and 3 that would prohibit use of personal watercraft (jet skis) on federally administered waters in RNSP, although this use would be allowed on the east side of the lagoon outside the national park boundary. Jet skiing and water skiing are uncommon uses of Freshwater Lagoon because of its relatively small size.

Section 30221. *Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

Comment and Analysis: All oceanfront federal lands in RNSP are and will continue to be available for recreational use consistent with NPS regulations and policies, and management zoning as described in the GMP. Management zoning allows recreational uses consistent with the desired resource condition and visitor experience. The GMP proposal for converting Freshwater Spit to day-use only is consistent with the proposing that the phase-out occur over a 3-year period to allow private facilities to replace this use nearby. Overnight camping is also available at the state park campgrounds, including ocean-side camping at Gold Bluffs Beach campground in Prairie Creek Redwoods State Park and at Clam Beach County Park in Humboldt County 25 miles south of Freshwater Spit. Numerous private campgrounds are available at Trinidad, Klamath, and Crescent City.

Section 30222. *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

Comment and Analysis: It is NPS policy to encourage the private sector to provide commercial visitor-serving facilities outside parks. The management strategies described in the GMP reinforce this policy through NPS support of sustainable economic development and availability of visitor services in local communities that serve as gateways to RNSP (pp. 65, 69, 72).

Section 30223. *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Comment and Analysis: Upland areas in RNSP that support coastal recreation will be allowed consistent with site-specific planning, NPS regulations and policies, and

management zoning as described in the GMP. Management zoning allows recreational uses consistent with the desired resource condition and visitor experience.

Section 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Comment and Analysis: This policy is generally not applicable to NPS proposals at RNSP because there are not suitable natural harbors or other safe locations within the parks for recreational boating of the type that requires launching, berthing, and storage facilities. However, the management strategies described in the GMP reinforce this policy through NPS support of sustainable economic development and availability of such facilities in Crescent City harbor.

ARTICLE 4, MARINE ENVIRONMENT

Section 30230. 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.

Comment and Analysis: Management of RNSP is maximally consistent with this policy under the laws, regulations, and policies applicable to national parks, and under park goals expressed in the GMP (p. 22). The legislation establishing Redwood National Park set aside the park in part to preserve seashores associated with the primeval redwood forests, for purposes of public inspiration, enjoyment, and scientific study (p. 8). The Pacific coastal, nearshore, and littoral environments and waters are considered significant attributes of the parks (p. 9).

The restoration of the Redwood Creek estuary has been a long-term goal of the NPS. The NPS recognizes that estuary restoration will require coordination and cooperation among many agencies and individuals, and proposes to take a leadership role to accomplish the restoration while seeking to maintain current land uses (p. 58).

The marine management zone specifies allowable uses of the area between mean high water and the national park boundary one-quarter mile offshore. The NPS recognizes that the marine environment in RNSP is dominated by intense physical forces and any allowable uses must account for these forces (p. 32).

Approximately 31 miles of the offshore waters in RNSP between Cushing Creek and the southern end of Freshwater Spit were designated as the Redwood National Park area of special biological significance in 1974 (p. 38). The NPS will continue to work with the California Department of Fish and Game to ensure that these waters are protected to the

greatest extent practicable, and to seek additional protection through modification of existing CDFG regulations if needed. The NPS will continue to inventory marine organisms and monitor their condition under general NPS laws and policies. With the exception of those species that can be taken under commercial and sport-fishing regulations as allowed under state law, NPS laws, policies, and regulations dictate complete protection of marine organisms.

NPS staff actively participated in the preparation of the *North Coast Area Contingency Plan* pursuant to the Oil Spill Act of 1990 and continue to participate on the planning committee to ensure continued protection of marine resources (p. 38).

Section 30231. 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.

Comment and Analysis: Management of RNSP is maximally consistent with this policy. Restoration of watersheds impacted by previous timber harvest is mandated by the, 1978 legislation expanding the national park (p. 8). The restoration program is designed to reduce erosion that degrades water quality and to restore natural topography of hillslopes and stream channels (pp. 9, 17, 48, 58). Most of the restoration occurs outside the coastal zone but indirectly affects coastal resources downstream. The restoration of the Redwood Creek estuary directly affects the Coastal Zone (p. 58).

Water quality and human health in the coastal zone at visitor use areas at Freshwater Spit, the Redwood Creek picnic area, the Redwood Information Center, Lagoon Creek and Crescent Beach picnic areas are protected through adequate waste water treatment methods in compliance with applicable federal and state regulations.

Section 30232. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

Comment and Analysis: NPS staff actively participated in the preparation of the *North Coast Area Contingency Plan* pursuant to the Oil Spill Act of 1990 and continue to participate on the planning committee to ensure continued protection of marine resources (p. 38).

Management of RNSP does not entail activities that develop, generate, or require large volumes of hazardous substances, but the NPS does use petroleum products and hazardous substances incidental to actions such as facility maintenance. The NPS is in full compliance with federal, state and Department of the Interior regulations for use and storage of these materials, including a hazardous materials management plan.

Section 30233(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:

(5) 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.

Comment and Analysis: Future NPS proposals for development or maintenance requiring burial of utilities in wetlands or estuaries will be submitted for additional federal consistency determination. Likely locations for such development are Freshwater Spit, Redwood Information Center, Lagoon Creek, and Crescent Beach areas.

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

Comment and Analysis: NPS policies encourage natural coastal processes and, in most cases, prohibit beach nourishment. NPS policies for developing in-park borrow sites (including sand) for construction require that the site be the only economic source of such materials, and that such use be identified in the GMP. The GMP did not identify any construction that might need an in-park borrow source. No construction projects requiring in-park borrow sources are anticipated for management.

(7) Restoration purposes.

Comment and Analysis: Management of the water levels in the Redwood Creek estuary to conserve salmon habitat and protect the Redwood Information Center requires periodic dredging to control the breaching of the sand berm separating the estuary from the ocean (p. 58). Additional dredging might be necessary as part of the program to restore the functions and values of the estuary (p. 275). The *NPS will* take a leadership role in organizing a multidisciplinary, multi-jurisdictional approach to restoration of the estuary (p. 58). The Commission found that previous actions by the NPS for estuary management were consistent with this section (CD-31-83).

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

Comment and Analysis: Minor dredging for scientific study might occur in coastal wetlands or estuaries. Examples include core samples in and adjacent to coastal lagoons for study of sediments deposited by tsunamis, or for studies related to sediment deposition in the Redwood Creek estuary.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

Comment and Analysis: NPS policies encourage natural coastal processes and, in most cases, prohibit beach nourishment. NPS policies for developing borrow sites (including

sand) for construction require that the site be the only economic source of such materials, and that such use be identified in the GMP. No such proposals are anticipated for management of RNSP. The Commission found no evidence of beach regression in the vicinity of Freshwater Spit and found that previous management actions by the NPS associated with estuary restoration were consistent with the beach sand supply policies of this section (CD-31-83).

(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. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California ", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

Comment and Analysis: Management of the water levels in the Redwood Creek estuary to conserve salmon habitat and protect the Redwood Information Center requires periodic dredging to control the breaching of the sand berm separating the estuary from the ocean (p. 58). Additional dredging of excess sediment might be necessary as part of the program to restore the functions and values of the estuary and associated sloughs (p. 275).

(d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement time of year of placement, and sensitivity of the placement area.

Comment and Analysis: The GMP discusses the effects of the flood control levees on the circulation and functions of the Redwood Creek estuary (pp. 179-182). The flood control levees altered circulation patterns in the estuary. Management of the water levels in the Redwood Creek estuary to conserve salmon habitat and protect the Redwood Information Center requires periodic dredging to control the breaching of the sand berm separating the estuary from the ocean (p. 58). Additional dredging might be necessary as part of the program to restore the functions and values of the estuary (p. 275). NPS staff will prepare the Redwood Creek Estuary Aquatic Resource Management Plan to outline issues, resource conditions, and threats to aquatic habitats in the estuary, summarize past research, and describe alternatives for restoring natural processes and physical conditions (p. 44). This plan will be submitted for additional federal consistency determination. The new plan will update the 1983 *Management Alternatives for the Redwood Creek Estuary*. The Commission concurred with earlier consistency determinations submitted by the NPS for management projects for the estuary beginning in 1983 and in subsequent years (CD-31-83, CD- 18-84, CD-20-85).

Section 30234.

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Comment and Analysis: Off-road vehicle access for commercial fishing on beaches at Freshwater Spit, Klamath, and Crescent Beach will be managed under a permit system similar to that used at Gold Bluffs Beach in Prairie Creek Redwoods State Park and at those portions of Crescent Beach owned by Del Norte County. Recreational boating is not a common use of park marine waters because of the lack of safe harbors or anchorages in RNSP, and rough conditions typical in marine waters of northwestern California.

Section 30234.5. *The economic, commercial, and recreational importance of fishing activities shall be recognized and protected*

Comment and Analysis. Beach access by motor vehicle for coastal-dependent industrial uses will be allowed to the extent such uses are consistent with regulations and statutes applicable to the NPS and RNSP. Commercial and recreational fishing will continue in park waters and be governed under state laws, as provided in the legislative history for the legislation that established Redwood National Park. Limiting off-road vehicle use to vehicles used for commercial fishing only and eventually phasing out off-road vehicle use altogether will be done to meet NPS statutory obligations to protect park resources and enhance public enjoyment of park resources and values, and to provide consistent management of vehicles on beaches owned by the NPS and the California Department of Parks and Recreation within RNSP. Commercial fishing at Freshwater Spit, Klamath, and Crescent Beach will be managed under a permit system similar to that used at Gold Bluffs Beach in Prairie Creek Redwoods State Park and at those portions of Crescent Beach owned by Del Norte County 6. 68-69).

Section 30235. *Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Comment and Analysis : NPS policies require that facilities be sited where there is no need for extensive alteration of natural topography. No future developments that would require protection from coastal processes are planned for any of the locations in the, coastal zone identified in the GMP as development zones. Breaching of the sand berm, at the mouth of the Redwood Creek estuary will continue if needed to protect the Redwood -Information Center (p. 58).

ARTICLE 5, LAND RESOURCES

Section 30240(a). *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

Comment and Analysis: Management of RNSP is maximally consistent with this section under existing NPS laws, policies, and guidelines.

(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.

Comment and Analysis: Management of national parks is maximally consistent with this section under existing laws, policies, and guidelines. Management zones (pp. 22-32) prescribe desired resource conditions and visitor experiences, and set allowable types of uses and facilities that will not detract from desired conditions.

Section 30241. *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and-conflicts shall be minimized between agricultural and urban land uses through all of the following:*

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(1) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Comment and Analysis: These sections are not applicable to proposals for use of federal lands in RNSP but might apply some proposals for restoration of the Redwood Creek

estuary. Under some restoration scenarios (pp. 300-302), estuary restoration would remove land from agricultural production for wetland restoration and protection of endangered species. The NPS is seeking to restore functions and values of the estuary while retaining current land uses (p. 58).

Section 30241.5(a). If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:

- (1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.*
- (2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.*

For purposes of this subdivision, "area - means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.

(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected only by local government and the executive director of the commission.

.Comment and Analysis: An economic valuation of agricultural land would be required for purchase of private agricultural land or conservation easements that are among the proposed management options for restoration of the Redwood Creek estuary (p. 301).

Section 30242. *All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

Comment and Analysis : *The NPS proposes to take a leadership role in restoring the natural functions and values of the Redwood Creek estuary while retaining current land uses, including agricultural uses, in the lower Redwood Creek valley (p. 58). Land adjacent to the estuary purchased by the NPS from willing sellers would be used for park purposes which would include preservation of environmentally sensitive habitat such as wetlands, fish and*

wildlife habitat, and endangered species habitat. Land that becomes part of RNSP would be available for public access. If conservation easements are purchased, agricultural uses would be retained on the private lands.

Section 30244. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Comment and Analysis: Laws, policies and guidelines governing management of units of the national park system require that the NPS actively protect and preserve natural and cultural resources, including archeological and paleontological resources. Laws and regulations specific to the management of cultural resources are summarized on pp. 268- The GMP is maximally consistent with this section.

ARTICLE 6, DEVELOPMENT

Section 30250(a). New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Comment and Analysis: Management zoning (pp. 22-32) prescribes locations of developments to serve park visitors. No new major visitor-serving developments are proposed in the coastal zone or outside of any currently developed area. GMP proposals are maximally consistent with this section.

Section 30251. 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 in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Comment and Analysis: NPS management of coastal areas is maximally consistent with this section under NPS laws, policies and guidelines that require that scenic and visual qualities

of a park be protected and that all development be compatible with the visual quality of an area.

Section 30252. The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Comment and Analysis. Management strategies for visitor access and circulation in RNSP (p. 70) are maximally consistent with this section. The NPS is cooperating with Del Norte County to develop new or enhance existing public transit to serve park visitors, e.g. public transportation serving the Coastal Trail trailhead at Damnation Creek and the Redwood Hostel at Wilson Creek. The existing access and circulation system within RNSP is intended to enhance both vehicle access and pedestrian access to coastal areas. US Highway 10 1 through RNSP provides the primary access to park developments and visitor facilities, including coastal areas at Freshwater Spit, Lagoon Creek, and Enderts Beach. Major coastal access areas have adequate parking (Freshwater Spit, Redwood Creek picnic area, Redwood Information Center, Lagoon Creek and Crescent Beach picnic areas.)

Section 30253. New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*
- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.*
- (4) Minimize energy consumption and vehicle miles traveled.*
- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

Comment and Analysis: Proposals in the GMP are consistent to the greatest extent possible with this section. Existing NPS laws, regulations, policies, and guidelines require that RNSP be managed in a manner that is maximally consistent with this section.

The NPS acknowledges that RNSP are located in an area subject to geological hazards (Cascadia subduction zone, local and distant source tsunamis, river and stream flooding, landslides). Where there is no feasible location for facilities outside the hazard zones, the

hazards are mitigated by developing emergency action plans and procedures, and posting warnings. NPS staff participate in tsunami disaster planning with Humboldt and Del Norte county emergency services offices, as well as participating in the National Tsunami Hazard Mitigation Program.

Based on public comments on the draft plan, the NPS changed its original proposal to move the existing Redwood Information Center out of the tsunami zone. The final proposal is to relocate the center only if it should be destroyed or severely damaged by future events (pp. 63-64). The center was approved for construction in its present site based on scientific knowledge current in the early 1980s. New evidence indicates that the chance of a tsunami or damaging earthquake is substantially greater than known at that time. However, the cost of relocating the relatively new structure was determined to be excessive, based on estimates of potentially available funding. To protect visitors and employees who might occupy the center at the time of a tsunami, NPS staff have prepared a tsunami evacuation plan and are participating in the National Tsunami Hazard Mitigation Program.

The NPS proposal to convert Freshwater Spit from overnight use to day use is consistent with the NPS guidelines for implementing Executive Order 11988, "Floodplain Management." These guidelines require that overnight occupation areas such as campgrounds be located out of coastal high hazard zones, because of the difficulty of providing timely warning and adequate evacuation time. Presently, there are tsunami warning signs and evacuation procedures posted on the information kiosks along Freshwater Spit.

Visitor facilities located in coastal high-hazard zones throughout RNSP have tsunami warnings and evacuation procedures posted.

Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Comment and Analysis: NPS proposals and programs outlined in the GMP are maximally consistent with this policy. Management strategies for public use (p. 65) described in the GMP indicate that proposals for development and use of coastal and marine areas must support and facilitate appropriate use and enjoyment and participation in activities related to the resources at that area; that facilities are provided in appropriate locations; that access is provided to the full range of park resources, including coastal and marine resources; and that such use is managed to protect the resources.