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STAFF RECOMMENDATION**ON CONSISTENCY DETERMINATION**

Consistency Determination No.	CD-033-04
Staff:	MPD-SF
File Date:	5/17/2004
60th Day:	7/16/2004
75th Day:	7/31/2004
Commission Meeting:	7/14/2004

FEDERAL AGENCY: **National Park Service**

PROJECT**LOCATION:**

Freshwater Lagoon, Redwood National Park, Humboldt County
(Exhibits 1-2)

PROJECT**DESCRIPTION:**

Freshwater Lagoon Spit Development Concept Plan (Exhibits 3-7)

SUBSTANTIVE FILE**DOCUMENTS:**

See page 24.

EXECUTIVE SUMMARY

On March 14, 2000, the Commission concurred with the National Park Service's (Park Service's) consistency determination for a General Management Plan addressing the Park Service's responsibilities for the federally owned portions of Redwood National and State Parks (RNSP). The Plan was an overall framework for park management, designed to foster the Park Service's resource protection goals including protecting, preserving, and interpreting natural and cultural resources, and providing access to the full spectrum of resources to enhance visitor enjoyment and understanding of Redwood National and State Parks. Under the "phased review" procedures of the federal consistency process, the Park Service and the Commission identified several specific projects that would trigger the need for further federal consistency review, one of which was access management at Freshwater Lagoon. In its review of the management plan, the Commission determined:

The fundamental goals of the Park Service and the Coastal Act are synonymous, and the proposed management plan protects and supports coastal public access and recreation, in a manner balancing competing uses and protecting environmentally sensitive habitat, water quality, wetlands, rare, threatened and endangered species, marine resources, scenic public views, and archaeological resources. The plan also takes into account geologic hazards. In addition, the Commission will have the opportunity to review specific implementation proposals at a future date. At this time, insofar as the plan identifies and proposes overall solutions for balancing competing recreational uses, these need to be considered at this time for overall consistency with Coastal Act policies. Potential conflicts that have raised controversy in the development of the plan include: (a) overnight use at Freshwater Spit, which the Park Service intends to curtail, by limiting the use of Freshwater Spit to day use; (b) limiting off-road vehicle use on beaches. The Park Service has proposed resolutions of these issues in a manner consistent with Coastal Act public access and resource protection policies, and, as stated above, physical modifications associated with their implementation will also undergo future Commission federal consistency review. The plan is consistent with the applicable policies (Sections 30210-30214, 30220-30222, 30230-30233, 30234, 30234.5, 30240, 30244, 30253) of the Coastal Act.

The Park Service has now submitted a consistency determination for the specific plan for Freshwater Lagoon, which is also submitted under the “phased review” procedures and which may also involve further consistency review when specific projects are fully designed. At Freshwater Lagoon the specific plan includes formalized parking, interpretive exhibits, toilets, picnic tables, grills, and bicycle and pedestrian improvements. At Freshwater Lagoon the specific plan includes improvements to the existing boat launch, and parking, toilet, and pedestrian improvements along the western edge of the lagoon.

Like the overall management plan, the specific plan for Freshwater will protect and enhance coastal public access and recreation in a manner balancing competing uses and protecting environmentally sensitive habitat, water quality, wetlands, marine resources, scenic public views, and archaeological resources. The specific plan is therefore consistent with the applicable policies (Sections 30210-30214, 30220-30222, 30230-30233, 30234, 30234.5, 30240, 30244, 30251, and 30253) of the Coastal Act.

STAFF SUMMARY AND RECOMMENDATION

I. Project Description. The National Park Service (“Park Service” or “NPS”) proposes the Freshwater Lagoon Spit Development Concept Plan (DCP) to improve facilities serving day use visitors to the spit and lagoon. The Plan covers the area from the Kuchel Visitor Center (formerly the Redwood Information Center) south to the southern park boundary, including Freshwater Lagoon Spit (the spit) and Freshwater Lagoon (the lagoon) (Exhibits 1-3). The proposed development along Freshwater Lagoon Spit includes structured parking with delineated spaces, signs and interpretive exhibits, vault toilets, picnic tables, fire grills, a paved

bike-hike trail along the length of the spit, and a pedestrian boardwalk between the Kuchel Visitor Center and the Redwood Creek Picnic Area (Exhibits 3-7). The proposed development at Freshwater Lagoon includes improvements to the existing boat launch, structured parking, a vault toilet, and a footpath along the western edge of the lagoon. Also, in consultation with Caltrans, the Park Service states changes might be made within the highway prism if needed to provide safe access between the highway and the parking areas.

Individual elements of the conceptual plan are as follows:

- Three structured parking areas (Exhibit 3) would be constructed on the ocean side of the highway on the strip of graveled fill material between the paved highway shoulders and the edge of the dunes. The southern parking area would accommodate nine cars and four RVs; the middle parking area 12 cars and five RVs; and the north parking area 35-40 cars and 27 RVs. All three parking lots would have wildlife-resistant trash containers. Two of the three (the middle and south lots) would have modular vault toilets, interpretive information, and picnic tables.
- A paved trail for pedestrians and bicyclists (Exhibits 3-5) would be constructed along the length of the spit on the hardened fill area. This trail would connect with the existing paved bike trail that runs between the Redwood Creek Picnic Area and the Lookout Point road cut. A boardwalk would be constructed across the dunes between the Kuchel Visitor Center and the Redwood Creek Picnic Area. The bike-hike trail would be designated as part of the California Coastal Trail.
- The fill that is not needed as base for the parking areas or the trail would be excavated and shaped to resemble the adjacent sand spit and dunes. Winds, waves, tides, and storms will gradually move sand onto the reshaped fill, and native vegetation will recolonize or be planted in these areas. Low wooden split rail fencing or other natural materials such as boulders or large pieces of driftwood would be placed between the restored areas and the bike-hike trail.
- The existing park entrance sign would be relocated and a new entrance sign pullout constructed. An existing graveled pullout on the east side of the highway at mile post 117.8, several hundred yards south of the current entrance sign pullout, would be enlarged to serve as an orientation pullout. The pullout will be designed to be stable on the slope, to support heavy vehicles such as RVs, and to provide for safe access to and from the highway.
- At the lagoon, the existing boat launch area would be upgraded to a paved parking area with delineated pull-through parking for fifteen vehicles with boat trailers (Exhibit 6). The access road would be realigned and the current dirt access road

along the shoulder of the lagoon would be redesigned as a footpath. An accessible boardwalk and fishing pier would be added. The Park Service will consult with the Yurok Tribe on designs for proposed improvements at the boat launch area. Based on a 1996 MOU between the Park Service and the Tribe, the Park Service will only make the improvements if continuing consultation Tribe results in a determination that no sensitive cultural resources will be adversely affected.

- Several modifications to the highway would be made to provide for safety of highway users and visitors to the Freshwater Lagoon Spit area. These changes will be designed and implemented in collaboration with Caltrans. Appropriate design elements such as pavement markings would be used to provide safe access between the parking areas and the highway. Caltrans indicates it will make any changes that are needed for safe operation of the highway, such as posting no parking zones.

II. Background. The Freshwater Lagoon Spit is the southern gateway to RNSP. In the 1950s, Caltrans rerouted U.S. Highway 101 from the eastern side of the lagoon onto the sand spit that separates Freshwater Lagoon from the ocean. This action included stabilizing and widening the spit (Caltrans originally planned a 4-lane highway). In 2002, Caltrans revised its Route Concept Report for Highway 101 across Freshwater Lagoon Spit to retain the existing 2-lane facility in light of current environmental regulations, as well the establishment of Redwood National Park in 1968.

The fill area adjacent to the highway was used for many years for overnight camping, primarily by recreational vehicles (RVs) but also by “transient residential” occupants. Freshwater Lagoon Spit and the lagoon were included within the national park boundary in 1968. In the early 1980s, with the concurrence of Caltrans, the NPS began to manage the overnight use and other uses at the spit and the lagoon to protect park resources and values. In 1990, the NPS leased the area not needed for highway operations from Caltrans and initiated management under an NPS plan to improve visitor services and protect park resources. The NPS instituted length-of-stay limits and provided portable toilets, garbage dumpsters, and law enforcement patrols to manage sanitation and public safety. The most recent lease was signed in August 2000 for a five year term.

In 1996, the NPS and the California Department of Parks and Recreation began preparation of a General Management Plan/General Plan (GMP) to provide broad management direction and goals for Redwood National and State Parks over a 15-20 year period. The environmental impact statement/report accompanying the plan was approved by the State Park and Recreation Commission on November 19, 1999, and by the National Park Service Pacific-West Regional Director on April 6, 2000. In the plan, the NPS stated its intention to enforce federal

regulations prohibiting off-road vehicle use on beaches within national parks including the beach at Freshwater Lagoon Spit, with the exception of off-road vehicles essential to provide access for commercial surf fishing activities.

The GMP also stated that the spit would be managed as a day-use facility, with overnight use phased out over a three-year period to allow the private sector the opportunity to develop replacement camping facilities elsewhere. The broad direction in the GMP for future use and management of a day use facility at Freshwater Lagoon Spit is to develop structured parking, safe access from the highway, pedestrian access to the beach, and appropriate interpretive exhibits and support facilities. The NPS submitted this plan to the Commission in consistency determination No. CD-011-00, with which the Commission unanimously concurred.

CD-011-00 described the NPS' intent to enforce its regulations prohibiting general off-road vehicle use on park beaches including the beach at Freshwater Lagoon Spit, to convert the spit to a day use facility after a three-year period, and to develop day use facilities on the spit. In its concurrence, the Commission informed the NPS that consistency determinations or negative determinations might be required for redesign of Freshwater Lagoon Spit facilities in conjunction with the conversion from overnight to day use and for changes in public access resulting from enforcement of park regulations prohibiting general off-road vehicle use.¹ The Park Service states that the purpose of eliminating recreational off-road vehicle use on federally owned 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. In its concurrence, the Commission noted that while enforcing existing regulations prohibiting general vehicle access was authorized, altering access through physical changes would necessitate further coordination under federal consistency provisions.

Based on this understanding, in June 2000 the Park Service submitted, and the Commission staff concurred with, a negative determination for physical changes needed to enforce regulations limiting vehicle access to the beach (ND-068-00). The physical changes consisted of installing locked gates at three existing vehicle access points (two along the spit and one at the Redwood Creek picnic area), posting signs and other information about permitted uses, and establishing a permit system for off-road vehicle use associated with commercial fishing. The Commission staff agreed with the Park Service that these actions implemented accepted features of the overall management plan and did not raise any new coastal zone resource issues that were not previously addressed through the Commission's concurrence with CD-011-00.

On January 12, 2004, the Park Service converted the spit from overnight to day use by replacing the signs to indicate that the spit was designated for day-use only and that parking was allowed between 5 a.m. and 11 p.m.

¹ These Park Service 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.

III. Procedures. 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 Park Service 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 Redwood National and State Parks. 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 the Parks.

As the Commission noted in concurring with the Park Service’s consistency determination for its General Management Plan (GMP) (CD-011-00), under the “phased review” procedures of the federal consistency regulations the Commission’s review was premised on the future receipt of specific proposals, with later decisions to follow as elements of the plan are proposed. This consistency determination represents one of these follow-up phased reviews, partially implementing the GMP.

The regulations implementing the Coastal Zone Management Act (CZMA) provide for phased federal consistency review in cases where federal decisions to implement an activity are also made in phases. Section 930.37 (c) of those regulations states:

... in cases where major Federal decisions related to a proposed development project will be made in phases based upon developing information, with each subsequent phase subject to Federal agency discretion to implement alternative decisions upon such information (e.g., planning, siting, and design decisions), a consistency determination will be required for each major decision. [15 C.F.R. Section 930.37(c)]

In concurring with CD-11-00, the Commission noted, and the Park Service agreed, that a future consistency determination would be submitted for Freshwater Spit improvements. The Commission determined that:

... consistency determinations or negative determinations may be required for any of the following specific projects which the Park Service intends to implement under the draft GMP: (a) redesign of Freshwater Spit facilities in conjunction with the conversion from overnight to day use; (b) changes to public access needed to enforce existing park regulations prohibiting off-road vehicle use; (c) minor changes to several public roads located seaward of the coastal zone boundary; and (d) detailed trail plan and tidepool area management.

As the Park Service notes, the Commission concurred with the overall action of converting the spit from overnight to day use under CD-011-00. The subject consistency determination addresses the proposed conceptual plans for enhancing the scenic qualities along the spit and

providing facilities to serve day-use visitors to the spit and lagoon. The Park Service notes this proposed conceptual plan may itself involve further phases and consistency reviews, stating:

The DCP [Freshwater Lagoon Spit Development Concept Plan] proposes development at a conceptual level. This consistency determination evaluates the concepts in the DCP in as much detail as is presently available. Future site-specific designs and construction documents that provide the details for implementing the conceptual proposals in the DCP will be submitted for federal consistency review as needed.

The specific proposals under the plan that will need to undergo further coordination and possible federal consistency review prior to their implementation include: construction and/or installation of parking lots, interpretive exhibits, vault toilets, picnic tables, fire grills, bike and pedestrian trails and boardwalks, boat launch and fishing pier improvements, changes within the highway right-of-way to provide safe access between the highway and the parking areas, new or revised signs, and excavating and regrading existing fill not needed for highway operation.

IV. Status of Local Coastal Program. The standard of review for federal consistency determinations is the policies of Chapter 3 of the Coastal Act, and not the Local Coastal Program (LCP) of the affected area. If the LCP has been certified by the Commission and incorporated into the California Coastal Management Program (CCMP), it can provide guidance in applying Chapter 3 policies in light of local circumstances. If the LCP has not been incorporated into the CCMP, it cannot be used to guide the Commission's decision, but it can be used as background information. The Humboldt County LCP has been certified by the Commission and has been incorporated into the CCMP.

V. Federal Agency's Consistency Determination. The National Park Service has determined the plan consistent to the maximum extent practicable with the California Coastal Management Program.

VI. Staff Recommendation. The staff recommends that the Commission adopt the following motion:

MOTION: I move that the Commission concur with consistency determination CD-33-04 that the plan described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the California Coastal Management Program (CCMP).

STAFF RECOMMENDATION:

Staff recommends a **YES** vote on the motion. Passage of this motion will result in an agreement with the determination and adoption of the following resolution and findings. An affirmative vote of a majority of the Commissioners present is required to pass the motion.

RESOLUTION TO CONCUR WITH CONSISTENCY DETERMINATION:

The Commission hereby **concurs** with consistency determination CD-033-04 by the National Park Service on the grounds that the plan described therein is fully consistent, and thus is consistent to the maximum extent practicable, with the enforceable policies of the CCMP.

VII. Findings and Declarations:

The Commission finds and declares as follows:

1. Public Access and Recreation. Sections 30210-30212 of the Coastal Act provide for the maximization of public access and recreation opportunities, acknowledging that such access needs to be managed to take into account natural resource protection needs. Section 30212.5 provides that where 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.” Section 30213 provides for the protection of lower cost visitor and recreational facilities. Section 30214 provides that:

(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.

In reviewing CD-11-00, the Commission previously found the Park Service’s overall goals for Redwood National Park as expressed through the General Management Plan consistent with

the public access and recreation policies of the Coastal Act. Specifically with respect to Freshwater Spit the Commission previously found:

Freshwater Spit Visitor Use

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. ...

The Park Service proposed 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 when a specific redesign of Freshwater Spit facilities is proposed conjunction with this conversion. 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.

Freshwater Spit use –After leasing the area from Caltrans, the Park Service developed management alternatives for the spit in 1990 that were reviewed for consistency with the Coastal Act by the Coastal Commission in consistency determination CD-22-90. The Commission was very concerned with continuing adverse impacts from unmanaged overnight use at the spit. In reviewing CD-22-90 the Commission reiterated a finding it had adopted in reviewing the Park Service’s original Management Plan consistency determination in 1979 (CD-17-79), as follows:

The present use of the spit creates an undesirable visual intrusion on views of the ocean and the highly scenic lagoon area and creates unnecessarily crowded conditions, but inappropriate redesign of the area could reduce access to the tidelands and eliminate low-cost recreational facilities. The Commission finds that, to be consistent with the policies of the Coastal Act, redesign of the spit area should be specified in sufficient detail to assess its impacts and should include the following components:

- 1. Maintenance of access to state tidelands and Freshwater Lagoon*
- 2. Reduction of overnight use in conjunction with the construction of new low cost overnight facilities in the park and on private lands in the area.*
- 3. Concentration of parking areas and support facilities to maintain open vistas of the ocean and Freshwater Lagoon from US 101.*

4. *Management and patrol of the Freshwater spit and of other similar beaches, including Wilson Creek and Crescent Beach, to minimize informal overnight use in unauthorized areas within the national park boundary.*

Based on these concerns, expressed repeatedly since 1979, the Commission determined Park Service's GMP consistent with the above long-standing past Commission direction on this issue. The Park Service contends that the current proposal furthers this long-standing direction. The Park Service's consistency determination provides a detailed analysis of the project's consistency with the public access and recreation policies of the Coastal Act. Relevant summarizing excerpts from that analysis are as follows:

Access to Freshwater Lagoon Spit and Freshwater Lagoon will be available to pedestrians at all times. Any recreational activity that is not specifically prohibited by federal regulations or state codes, ... is allowed, provided the activity is consistent with public safety needs and with federal regulations promulgated for the protection of park resources. ... All proposed facilities including parking areas, the segment of the Coastal Trail and the boat launch ramp at the lagoon will be designed to be handicapped-accessible to the greatest extent practicable. This constitutes maximum access under Section 30210. ...

The intent of the DCP is to provide access from the highway to the spit, the beach, and lagoon by constructing parking areas along the highway. ... All parking areas will have well-marked pedestrian access points that lead directly to the shoreline and beach. This constitutes maximum access consistent with public safety needs and the need to protect natural resource areas under Sections 30210 and access from the nearest roadway consistent with public safety under Section 30212.

All proposed development is intended to facilitate, not interfere with, public access to the sea. The proposed development includes marked pedestrian access points from the parking areas to the beach. ... The pedestrian access points are intended to provide maximum public access to the beach, including the dune areas and the wave slope, while protecting some portions of the dune vegetation community from repeated trampling. ...

To protect coastal plant and animal life, general vehicle access is provided as far as the parking areas immediately adjacent to coastal dune communities. Native dune vegetation is susceptible to being trampled by pedestrians or crushed by bicycle tires. To provide areas where native vegetation can grow with minimal disturbance, a low open fence or other open barrier such as large boulders or logs will be placed along the length of the hike/bike trail to encourage trail users to remain on the trail and to use the designated pedestrian access points at the three parking areas. This satisfies the requirement to provide public access from

the nearest roadway consistent with the protection of fragile coastal resources under Section 30212. ...

The DCP proposes that three parking areas with a combined capacity of approximately sixty automobiles and thirty-six RVs will be constructed over a distance of 1.2 miles on the west (ocean) side of the highway. ...

The overall parking capacity will be reduced from as many as 300 RVs along the entire spit to a maximum of 100 vehicles in three discrete locations to create a sense of spaciousness along the spit and to emphasize the open views of the beach and the coastline.

... No entrance fee is charged for access to federal lands and waters in RNSP, including Freshwater Lagoon Spit. ... Recreational opportunities presently available at Freshwater Lagoon Spit include picnicking, surfing, scenery and wildlife viewing, walking on the beach, and sport-fishing with a valid California fishing license. Equestrian use is allowed but is not common. ... At Freshwater Lagoon, the primary recreational activities are fishing from shore or from watercraft, power boating (usually associated with fishing), canoeing, and kayaking. Waterfowl hunting in season and water skiing are observed infrequently on the lagoon.

The open level topography of the spit offers an opportunity for long-distance views and long stretches of open beach without major development. Providing three distinct parking areas along Freshwater Lagoon Spit will provide an open vista of the ocean uninterrupted by large vehicles parked along the length of the spit. This is consistent with Section 30214 (a) (1) which requires that public access policies be implemented in a manner consistent with the topographic characteristics of the site.

It is NPS policy (Management Policy 4.6.4) to “minimize potentially hazardous conditions associated with flooding.” Natural hazard areas include coastal high-hazard areas. Conversion of Freshwater Lagoon Spit from overnight to day-use has reduced visitor exposure to tsunami hazards, although reducing exposure to geologic hazards was not the primary reason for the conversion. The NPS will continue to provide signs explaining the hazards to human life and safety at Freshwater Lagoon Spit, the beach, and the lagoon from seismic events, tsunamis, sneaker waves, ocean currents, and cold water temperatures, and providing information on escape routes in case of tsunami. This is consistent with Section 30214 (a) (1) which requires that public access policies be implemented in a manner consistent with the geologic characteristics of the site.

Aside from open vistas of the ocean, dune vegetation at Freshwater Lagoon Spit is the resource most easily sensitive to repeated human use and disturbance.

Constant foot traffic keeps the sand loose and inhibits vegetation from becoming established or thriving. Placing a low open fence between the trail and the dunes, and providing three marked pedestrian access points from the parking areas will protect long stretches of the dunes and the plants. This is consistent with Sections 30214 (a) (2) and (3) which require that the policy for maximum public access be implemented in a manner that accounts for the capacity of the site to sustain public use at a level at which fragile natural resources, including visual quality and native vegetation, are protected. ...

The NPS does not propose to eliminate any of the current recreational activities that take place at Freshwater Lagoon Spit or Freshwater Lagoon.

All oceanfront federal lands in RNSP are and will continue to be available for recreational use consistent with NPS regulations and policies, and long-term management goals outlined in the 2000 General Management Plan. Overnight camping is available at the state park campgrounds, including oceanside camping at Gold Bluffs Beach campground in Prairie Creek Redwoods State Park about ten miles northeast of Freshwater Lagoon Spit and at Clam Beach County Park in Humboldt County twenty-five miles to the south. Numerous private RV campgrounds are available at Trinidad, Klamath, and Crescent City.

The 2000 GMP proposed a three-year period from the date of approval in April 2000 for phasing out the overnight use at Freshwater Lagoon Spit and converting it to a day-use area. The phase-out period was intended to allow private businesses to develop visitor-serving camping facilities near Orick to replace the camping along the ocean. The Redwood Park Lodge Company has received approval from the Humboldt County Community Development Services for a Coastal Development Permit (CDP-02-64/CDP-02-22) for a 167-unit RV Park/campground/recreation center to be located two miles north of Freshwater Lagoon Spit in Orick. The Project Description in the Notice of Completion issued by the State Clearinghouse (SCH #2003102073) describes the project as an RV and camping resort that would be developed in three phases within three years, with an ultimate goal of 148 RV sites, ten tent sites, and nine cabins. RV hookups, restrooms, showers, a covered picnic and gathering area, and a snack bar are proposed for the first two phases. The third phase would add additional RV sites, the cabins, convenience store, small café, cocktail lounge, swimming pool, putting green and pond.

The Redwood Trails RV park south of Orick offers RV hookups, camping, and horseback riding.

Freshwater Lagoon is available for recreational boating consistent with NPS regulations governing use of watercraft in national parks. The DCP proposes to improve the boat launching facility at Freshwater Lagoon provided that continuing consultations with the Yurok Tribe on designs for proposed improvements result in a determination that sensitive cultural resources will not be adversely affected. Most boating occurs incidental to recreational fishing or waterfowl hunting in the lagoon, with some kayaking and canoeing. The beach and nearshore waters at Freshwater Lagoon Spit are not used for recreational ocean boating because the steep beach leads directly through a surf zone to open ocean with no protected harbor or mooring area. The closest natural harbors that are used for recreational ocean boating are at Trinidad to the south and Crescent City to the north.

The Commission agrees with the Park Service that the proposed specific plan is consistent with and would help implement long-standing Commission and Park Service policy and would protect and support coastal public access and recreation, in a manner balancing conflicts between competing recreational uses and protecting environmentally sensitive habitat and other coastal resources. Furthermore, the Park Service will continue to coordinate the design and implementation of the specific plan components, to enable the Commission to further review (and assure Coastal Act consistency of) the specific proposals. With this commitment, the Commission concludes that the proposed specific plan is consistent with the public access and recreation policies (Sections 30210-30214 and 30220-30222) of the Coastal Act.

2. Wetlands and Marine Resources. The Coastal Act provides:

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.

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.

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: [eight specified uses, including]: ... (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

In reviewing the GMP (CD-11-00), the Commission previously found:

Along with maximizing recreational opportunities the primary purpose for establishing and managing Redwood National Park is the protection and restoration of the park's wildlife values. 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. The Pacific coastal, nearshore, and littoral environments and waters are considered significant attributes of the parks, and the Park Service recognizes that the marine environment in the Park is dominated by intense physical forces and any allowable uses must account for these forces. ...

Approximately 31 miles of the offshore waters in the Park between Cushing Creek and the southern end of Freshwater Spit were designated as the Redwood National Park Area of Special Biological Significance in 1974. The Park Service 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 Park Service will continue to inventory marine organisms and monitor their condition under general Park Service laws and policies. With the exception of those species that can be taken under commercial and sportfishing regulations as allowed under state law, Park Service laws, policies, and regulations dictate complete protection of marine organisms. ...

Based on the above discussion, the Commission finds the plan will protect, and restore where feasible, wetlands, marine resources, water quality, and environmentally sensitive habitat. The Commission will be afforded the opportunity for further consistency review for specific implementation proposals. The Commission concludes that the proposed Management Plan is consistent with Sections 30230, 30231, 30233, and 30240 of the Coastal Act.

Concerning habitat protection under the specific Freshwater Spit plan, the Park Service states:

None of the actions in the DCP directly affect coastal waters (excepting Freshwater Lagoon) or marine organisms. Vehicles used in association with commercial surf fishing that are driven on the sand below mean high tide line have an adverse effect on marine invertebrates living in the intertidal zone just beneath the surface of the sand (two to three inches). However, studies in 1979 found that the beach at Redwood Creek has a lower intertidal species diversity than Crescent Beach in the northern part of the park. The lower diversity was attributed to more intense wave action and greater seasonal change in beach profile in the intertidal zone at Redwood Creek beach. Enforcement of NPS regulations prohibiting general off-road vehicle access to the beach has reduced the number of vehicles driving in the intertidal zone and thus the potential for adverse effects to marine intertidal invertebrates.

Management of the coastal and offshore waters at Freshwater Lagoon Spit is consistent with ...[Section 30230] under the laws, regulations, and policies applicable to national parks, and under park goals outlined in the 2000 GMP. 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. The Pacific coastal, nearshore, and littoral environments and waters are considered significant resources of the parks because of the legislative direction.

Approximately 31 miles of the offshore waters in RNSP between Cushing Creek in Del Norte County and the southern end of Freshwater Lagoon Spit were designated as the Redwood National Park area of special biological significance in 1974. 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.

Concerning water quality, the Park Service states:

Water quality and human health in the coastal zone at Freshwater Lagoon Spit, the Redwood Creek picnic area, and the Kuchel Visitor Center are protected through adequate waste water treatment methods in compliance with applicable federal and state regulations. The NPS proposes to install vault toilets at three of the four proposed parking areas (two parking areas at the northern end of the spit and the boat launch area at the lagoon if continuing consultations with the Yurok Tribe result in a determination that sensitive cultural resources would not be adversely affected.) ... The natural biological productivity of Freshwater Lagoon has been altered by the

stabilization of the spit for the highway in the 1950s which altered natural variations in water levels, by unintentional wastewater discharges from private lands on the east side of the lagoon, and by non-native fish stocking in the lagoon. Best management practices will be employed during construction to control runoff of sediment or petroleum from construction equipment into the lagoon or the ocean. The riparian zone around the lagoon will be retained and protected, and any bare ground following construction will be revegetated with native plants, if continuing consultations with the Yurok Tribe on proposed improvements result in a determination that sensitive cultural resources would not be adversely affected.

Concerning fill for the proposed dock at Freshwater Lagoon, the Park Service states:

The proposed improvements to the boat launching area at Freshwater Lagoon include a floating dock. The only dredging anticipated under the DCP is related to dock construction in the lagoon. Dredging will be limited to smallest amount necessary to install anchoring piers for the dock. If the level of the lagoon rises enough to reach the concrete outfall, Caltrans will perform any dredging needed to make the culvert function properly to protect the highway from overflow from the lagoon. These improvements will be made only if continuing consultations with the Yurok Tribe on designs for proposed improvements at the boat launch result in a determination that sensitive cultural resources would not be adversely affected.

Concerning Freshwater Lagoon habitat quality, the Park Service states:

The natural vegetation and wildlife communities at the lagoon have been substantially altered by the construction of the highway, which altered the natural physical processes, and by stocking the lagoon with non-native fish. The lagoon is also subject to blooms of elodea, a non-native aquarium plant that in some summers covers the entire surface of the lagoon, degrades water quality, and interferes with boating. Observations of the lagoon since the highway was constructed indicate that the water levels (capacity) have fluctuated dramatically. The lagoon water level is currently low, as evidenced by the water level in relation to the outflow culvert. The volume and area of wetland soils affected by dredging needed to install piers for a floating dock is anticipated to have negligible effects on the functional capacity of the lagoon. The improved boat launching ramp and floating dock proposed at the lagoon would be designed to minimize removal of or adverse effects to native wetland vegetation, primarily willows at the edges of the lagoon. The dock will be located in such a manner to avoid or reduce any adverse effects on aquatic resources from shading. The addition of a floating dock is not anticipated to adversely affect any significant natural vegetation or wildlife communities or populations in the lagoon. All construction plans for improvements to the boat launch ramp will be submitted for additional consistency review if needed. Improvements to the boat launch will occur only if continuing

consultations with the Yurok Tribe on designs for proposed improvements at the boat launch result in a determination that sensitive cultural resources would not be adversely affected.

Aside from the proposed boat ramp in the lagoon, the improvements contemplated in the proposed Freshwater Lagoon Spit conceptual plan would protect and benefit marine resources, water quality, and wetland habitat. While a boat ramp would be an allowable use under Section 30233(a)(4) of the Coastal Act, without further information the Commission is unable to determine at this point whether a future-proposed boat ramp could be found consistent with the alternatives and mitigation tests of Section 30233(a). That determination will have to await a specific proposal, which will need to be accompanied by an analysis of alternatives and, if warranted, mitigation requirements. Nevertheless, the Commission is able to find such a proposal at least conceptually consistent with Coastal Act goals, and with the Park Service's commitments for best management practices and revegetation and restoration efforts the Commission concludes that the proposed plan is consistent with the marine resource, water quality, and wetlands policies (Sections 30230, 30231 and 30233) of the Coastal Act.

3. Environmentally Sensitive Habitat. Section 30240 of the Coastal Act provides:

(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.

(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.

The Park Service states:

*Environmentally sensitive habitat at Freshwater Lagoon Spit consists primarily of the beach and dunes that are habitat for sensitive plant species, including beach layia (*Layia carnosa*) which is federally and state-listed as endangered. There is also suitable habitat for or populations of two other sensitive plant species identified by the California Native Plant Society as IB plants (rare throughout their range and judged to be vulnerable under present circumstances or to have a high potential for becoming so because of limited range, low numbers of individuals per population or limited numbers of populations). These species are Wolf's evening primrose (*Oenothera wolfii*) and pink sand verbena (*Abronia umbellata* ssp. *brevifolia*). Two other sensitive plants, the sea pea (*Lathyrus japonicus*) and the American silvertop (*Glehnia littoralis* ssp. *leiocarpa*), also occur on the beach.*

The DCP proposes to provide three parking areas along the spit, with two of the parking areas widely separated from each other. A low fence would be installed along the spit between the trail and the restored dune area. Limiting the parking to three areas along the spit and adding fencing is intended to channel pedestrian access to the beach to a small area rather than anywhere along the length of the spit. The fencing is intended to keep bicycles off the dunes. Channeling pedestrian access to the beach would reduce disturbance to most of the dune area, and protect the sensitive plants by providing areas that are not regularly trampled by people.

The NPS conducts regular seasonal surveys for nesting western snowy plovers, a federally listed threatened bird species. No plovers have been found during these surveys. Should plovers be found to be nesting on the beach, the NPS will protect the areas where the birds are seen and initiate consultation with the US Fish and Wildlife Service under Section 7 of the Endangered Species to develop appropriate measures to protect the birds. Appropriate protection could include temporary closures of sections of the beach to people and domestic animals, or fencing off nests.

California brown pelicans and bald eagles are observed flying over the ocean or foraging over Freshwater Lagoon, respectively. Pelicans and eagles would not be directly affected by any of the proposals in the DCP. These species continue to be observed in the area despite on-going human use of the highway, the spit, the beach, and the lagoon.

Laws, policies, regulations, and guidelines for managing national parks require protection of sensitive species, particularly threatened or endangered species. The NPS will enforce its regulations to protect sensitive species if it appears that human use of the beach or the lagoon would adversely affect these species.

There is no sensitive wildlife habitat at Freshwater Lagoon that will be affected by improvements to the boat launch. These improvements will be made only if continuing consultations with the Yurok Tribe on designs for proposed improvements at the boat launch result in a determination that sensitive cultural resources would not be adversely affected. ...

The DCP proposes to reduce the area along Freshwater Lagoon Spit that is subject to ongoing intensive human disturbance by providing three parking areas along the spit, installing a low fence between the trail and the dune areas, and by restoring some of the area currently covered with highway fill to a more natural condition similar to the sand spit and dune areas. Confining parking to three areas rather than anywhere along the length of the spit will provide a view of the beach and the ocean unobstructed by parked vehicles. Recreational activities will be allowed to the extent that these activities do not degrade resources or the visitor experience, and are consistent with statutes and policies governing appropriate recreational activities in national parks.

The Commission finds that the proposed plan has been designed to protect and restore environmentally sensitive habitat and to manage access and recreation in a manner consistent with habitat protection needs. Since none of the measures contemplated in the plan have been fully designed, the Commission expects the Park Service to continue to coordinate its plans with the Commission staff, and where appropriate, to submit consistency or negative determinations for the specific proposals, to enable the Commission to assure that habitat will be protected. In particular, the Commission expects to review, prior to implementation, any boat ramp improvements (as discussed above). The Commission also expects the Park Service to continue to coordinate with the Commission concerning any beach closures to protect snowy plovers that affect public access, prior to their implementation, as the Park Service and the California Dept. of Parks and Recreation have done within the context of the recent discovery of plover nesting at Gold Bluff's Beach (in the Prairie Creek Redwoods State Park portion of RNSP). With the Park Service's commitments for habitat protection and continued coordination with the Commission, the Commission finds the proposed plan consistent with the environmentally sensitive habitat protection policy (Section 30240) of the Coastal Act.

4. Commercial and Recreational Fishing. The Coastal Act provides:

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.

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

In reviewing Park Service's GMP (CD-11-00), the Commission concurred with the proposal for managing off-road vehicle access for commercial fishing on National Park beaches, including at Freshwater Spit, under a permit system described as follows:

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 Park Service and the Park. Commercial and recreational fishing will continue in park ocean 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 implemented, ... "to meet Park Service 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 Park Service and the California Department of Parks and Recreation within the Park."

Specifically addressing the proposed management of commercial surf fishing management at Freshwater Lagoon, the Park Service states:

Off-road vehicle access for commercial surf fishing at Freshwater Lagoon Spit is being managed under a permit system. Permittees are given keys to the gates at the three beach access points. All commercial fishing at Freshwater Lagoon Spit is done from the beach; no boats are used. Both commercial and recreational surf fishing are allowed at Freshwater Lagoon Spit beach under fishing regulations issued by the California Department of Fish and Game. Recreational boating is not a common use of park marine waters including those offshore of Freshwater Lagoon Spit because of the lack of safe harbors or anchorages, the steep beach profile off the spit, and unpredictable and often rough conditions typical of the open ocean off the spit.

Aside from continuing this management practice, the Park Service proposes improvements to the recreational boat launching facility at Freshwater Lagoon. The Park Service states these improvements will be made “only if continuing consultations with the Yurok Tribe on designs for proposed improvements at the boat launch result in a determination that sensitive cultural resources would not be adversely affected.” The Park Service also states: “These improvements will not affect commercial or recreational surf fishing from the beach at Freshwater Lagoon Spit.” Finally, the Park Service states:

The 2000 GMP under which the NPS proposed to limit off-road vehicle access to the beach was found to be consistent with Coastal Act public access and resource protection policies in CD-011-00. The DCP is consistent with this policy to the maximum extent allowed by NPS statutes and regulations for protecting park resources and for providing appropriate uses of the parks.

The Commission agrees and finds that the proposed management policies and proposed improvements would protect and, where feasible, upgrade commercial and recreational fishing opportunities, and that the proposed plan is therefore consistent with Sections 30234 and 30234.5 of the Coastal Act.

5. Geologic Hazards. Section 30253 of the Coastal Act provides that 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.

In reviewing CD-11-00, the Commission previously noted the geological hazards in the Parks, as well as the planning performed by the Park Service to address potential emergencies, posting appropriate warnings, and conduct disaster planning drills. The Commission also noted that the Park Service's proposal to convert Freshwater Spit from overnight use to day use was consistent with Park Service guidelines, which require that overnight accommodations such as campgrounds be located out of coastal high hazard zones, due to the difficulty of providing timely warning and adequate evacuation time.

For the current proposal, the Park Service states:

The NPS acknowledges that Freshwater Lagoon Spit and Freshwater Lagoon are located in an area subject to geological hazards including damaging seismic events, exceptionally large waves sometimes known as sneaker waves or rogue waves, and storm surges that occasionally allow wave overwash across the highway. The most significant seismic hazards are associated with the Cascadia Subduction Zone, which can produce major ground shaking and locally generated tsunamis. The entire Pacific Coast is also subject to distant source tsunamis generated by seismic activity within the Pacific basin.

There are no feasible alternative locations for coastal-access facilities from the highway to the beach that are outside the hazard zones. It is not feasible to move US Highway 101 out of the coastal hazard zone. The only mitigations for coastal hazards are to provide information to visitors about the various hazards, to post warnings describing evacuation procedures in case of a damaging seismic event or tsunami, and to develop emergency action plans and procedures in cooperation with federal and state emergency service agencies.

The Kuchel Visitor Center was approved for construction in its present site based on scientific knowledge current in the early 1980s. New evidence about the existence of the Cascadia Subduction Zone indicates that the hazard due to damaging earthquakes and locally generated tsunami is substantially greater than known when the visitor center was planned and constructed. 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 conversion of Freshwater Lagoon 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 Lagoon Spit.

Visitor facilities located in coastal high-hazard zones throughout RNSP have tsunami warnings and evacuation procedures posted. NPS staff participate in a tsunami disaster planning workgroup with the Humboldt County Office of Emergency Services, as well as participating in the National Tsunami Hazard Mitigation Program. The tsunami workgroup is also developing language for signs that describe the hazard from sneaker waves in terms that people unfamiliar with coastal hazards can understand, rather than using terms like “undertow” or “rip current.”

As it found in CD-11-00, the Commission finds that the proposed plan recognizes and adequately plans for known geologic hazards. The Park Service will provide hazard warnings where appropriate, has developed evacuation procedures where warranted, and understands the need to relocate facilities in the event they are damaged by natural disasters. The Commission finds that the plan will minimize risks to life and property in areas of high hazard areas and will avoid the need for the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The Commission therefore concludes the plan is consistent with Section 30253 of the Coastal Act.

6. Archaeological Resources. Section 30244 of the Coastal Act provides:

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

In reviewing CD-11-00, the Commission previously noted the Park Service ongoing practice and agreement to 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 Yurok Tribal Historic Preservation Office for properties within aboriginal Yurok lands. For the proposed plan, the Park Service states:

Laws, policies and guidelines governing management of national parks require that the NPS actively protect and preserve natural and cultural resources including archeological and paleontological resources. There are no known significant archeological or paleontological resources that would be affected by any of the proposals in the DCP. The NPS conducts regular and ongoing consultations with the Yurok Tribe, a federally recognized tribe with whom the NPS has established a government-to-government relation under the provisions of a memorandum of understanding first signed in 1996 and renewed as needed. All subsequent site-specific designs for proposals in the DCP will be reviewed by the Tribe. All ground-disturbing

activities will be monitored by both an NPS archeologist and a Yurok monitor to ensure that any previously unknown cultural resources will be protected if encountered. Improvement will be made only if continuing consultations with the Yurok Tribe on designs for proposed improvements result in a determination that sensitive cultural resources would not be adversely affected.

With this coordination, the Commission finds that the plan will avoid, and where appropriate, mitigate impacts to archaeological or paleontological resources as identified by the State Historic Preservation Officer, and that the plan is therefore consistent with Section 30244 of the Coastal Act.

7. Public Views. Section 30251 of the Coastal Act provides:

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.

The Park Service has designed the proposed facilities at Freshwater Spit to improve scenic resources and reduce visual clutter, stating:

The DCP proposes construction of three parking areas on the ocean side of the spit to limit the area in which parked vehicles or visitor support facilities such as vault toilets intrude into the view of the beach, the ocean, and the rocky coastline. Almost one mile along the spit between the southern and middle parking areas will have no development other than the trail and the low fence between the trail and the dunes.

The vault toilets that will be located in the two northern parking areas along the spit will be as small as possible for the expected use, designed to be visually compatible with the Kuchel Visitor Center and the structures at the Redwood Creek picnic area, and painted or colored to blend into the surroundings [Exhibit 7]. The vault toilets are expected to be similar to the modular design installed at the Lagoon Creek and Crescent Beach picnic areas in the northern part of the parks. Kiosks and wayside exhibits will be placed in the middle and northern parking areas. The kiosks and exhibit panels will be small and designed to blend with the surrounding colors.

Removal of the excess highway fill and restoration of the sand spit, and restoration of the current site of the park entrance sign after it is relocated, will improve the visual quality of the area.

The Commission agrees with the Park Service and finds that the proposed plan would improve public views, avoid adverse scenic impacts, be compatible with the highly scenic character of the surrounding area, and be consistent with Section 30251 of the Coastal Act.

VIII. SUBSTANTIVE FILE DOCUMENTS:

1. General Management Plan, Redwood National and State Parks, Humboldt And Del Norte Counties, California, EIS/EIR, National Park Service and California Department of Parks and Recreation.

2. Consistency and Negative Determinations for prior National Park Service proposals at Redwood National Park:

- a) Consistency Determination for 1979 General Management Plan (CD-017-79);
- b) Consistency Determination for 1983 Redwood Creek estuary management plan (CD-031-83) and estuary management and wetland enhancement projects for the mouth of Redwood Creek (CD-018-84, CD-020-85, CD-007-86, ND-116-94, ND-020-95 and ND-82-97);
- c) Consistency Determination for 1990 Freshwater Spit management plan (CD-022-90);
- d) Consistency Determination for General Management Plan (CD-011-00) and subsequent Negative Determination for beach closure to general off-road vehicle access (limiting vehicle access to licensed commercial fishing) (ND-068-00); and
- e) Miscellaneous Park Service Negative Determinations for improvements at various Redwood National Park locations, including:
 - i) access for persons with disabilities (ND-015-94);
 - ii) enhancement of day use picnic area (ND-095-94);
 - iii) entrance sign relocation (CD-64-89); and
 - iv) Lagoon Creek restroom replacement (ND-110-01).