

# Supplement

## MITIGATED NEGATIVE DECLARATION

for

### Point Cabrillo Light Station and Preserve Buildings and Infrastructure Rehabilitation Project

December 2008

Lead Agency



State of California  
**DEPARTMENT OF PARKS AND RECREATION**  
Acquisition and Development  
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## **SUPPLEMENT TO A MITIGATED NEGATIVE DECLARATION**

**PROJECT:**           **POINT CABRILLO LIGHT STATION AND PRESERVE BUILDINGS AND  
INFRASTRUCTURE REHABILITATION PROJECT**

**LEAD AGENCY:**   California Department of Parks and Recreation (DPR)

### **INTRODUCTION AND REGULATORY GUIDANCE**

A Supplement to the Final Mitigated Negative Declaration (MND) for the Point Cabrillo Light Station and Preserve Buildings and Infrastructure Rehabilitation Project at Point Cabrillo Light Station State Historic Park has been prepared by the California Department of Parks and Recreation (DPR). It discloses changes in project conditions that would require the preparation of a subsequent MND (per described in CCR §15162). However, the previous MND can be made adequate for the project in the changed situation, with only minor changes and additions to the previously adopted MND for this project, in accordance with CCR §15163(a)(1 & 2). This Supplement only contains that information necessary to make the previous MND adequate for the project as revised (CCR §15163(b)). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq.*, and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 *et seq.*

This Supplement addresses two additions of facilities improvements (relocation and installation of a water line and installation of an interpretive panel). It also evaluates potential impacts resulting from these proposed activities. Other elements include addition, deletion, and clarification of the text for several impact and mitigation statements.

This Supplement to the Final MND will receive the same notice and public review given to a draft MND, under CCR §15087 *et seq* and will be filed with the Office of Planning and Research/State Clearinghouse.

The Project Description below reflects changes as specified in the Corrections and Additions section of this document.

### **LEAD AGENCY**

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), "the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The lead agency for the proposed project is DPR.

### **SUMMARY OF FINDINGS**

Based on the revisions to the proposed project and the resulting changes and additions to scope and associated mitigation measures addressed in this document, findings have been made for each significant effect included in the previously certified MND, as revised herein. Findings have been noted following each revision, where applicable.

**AVAILABILITY OF DOCUMENTS:**

This Supplement to the MND for Point Cabrillo Light Station and Preserve Buildings and Infrastructure Rehabilitation Project will be available throughout the 30-day public review period at the following locations:

- Mendocino County Library, Fort Bragg Branch  
499 East Laurel  
Fort Bragg, CA 95437  
(707) 964-2020
- Department of Parks and Recreation  
Northern Service Center  
One Capital Mall - Suite 410  
Sacramento, California 95814
- Department of Parks and Recreation  
Mendocino District Headquarters  
Russian Gulch State Park Office  
(707) 937-5804

The Notice of Determination for the originally certified MND on this project was filed on December 10, 2008 (SCH#2003102069). This Supplement will be appended to the originally certified Final MND following filing of the NOD and will be available by request, along with all supporting materials, at DPR's Northern Service Center and the Mendocino District Headquarters office.

**PROJECT DESCRIPTION:**

State Parks proposes to replace an existing water line on the north side of the Point Cabrillo Light Station State Historic Park entrance road with a new 3" water line on the south side of the road. Currently the water line does not meet State Health Department regulations because it is too close to a sewer line. The new line will supply a 12,000 gallon tank at the top of the hill with water from the existing water system at the residence area near the light station. A backhoe will excavate an approximately 30" deep by several feet wide trench for approximately 2,465' (~0.5 miles) and an additional section of approximately 185' will be directionally drilled under a small perennial watercourse as well as a 100' section from the tank to the south side of the entrance road. An extra conduit for high-speed internet cable will be included in the trench for use at a future time.

Additionally, State Parks proposes to install one Frolic Cove history panel and low-profile frame, ~ 48 in. wide x 24 in. tall along the trailside at Frolic Cove. Two metal stanchion posts (~ 4" x 4") will be buried 2 ft. deep, and overall height after installation is ~ 4 ft.

### **CORRECTIONS AND ADDITIONS**

Corrections and additions included in this Supplement to the Point Cabrillo Light Station and Preserve Buildings and Infrastructure Rehabilitation Project MND could result in substantial changes to the circumstances under which the project will be undertaken, new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, as identified in CCR §15162, *et seq*, thereby requiring the preparation of a subsequent MND. However, these changes and potential effects can be identified with minor additions and changes to the previous MND; per CCR §15163(a)(1 & 2), this Supplement to an MND is, therefore, sufficient to identify and address these conditions and revisions, and preparation of a Subsequent MND is no longer required.

The following corrections, additions, and deletions will supplement and, where contradictory, supersede the applicable portions of the previously certified Final MND for this project. Additions and corrections are underlined; ~~strikeout~~ indicates a deletion. In some cases, in areas where there were many individual changes, an entire paragraph or section was deleted and re-written, even if portions of the narrative remained the same in both versions. This was done for ease of presentation and public review. Minor punctuation, spelling, and grammatical corrections that contribute to ease of understanding, but have no significant impact on the content, have not been included in this document.

### ***Page i, Project Description***

Add text below as final two bullets in section:

- Install one Frolic Cove history panel and low-profile frame, ~ 48 in. wide x 24 in. tall along the trailside at Frolic Cove. Overall height after installation is ~ 4 ft.
- Replace an existing water line on the north side of the entrance road with a new 3" water line approximately 2, 465' long on the south side of the road to comply with State Health Department regulations. An approximately 185' section will be directionally drilled under a small perennial watercourse as well as a 100' section from the storage tank to the south side of the entrance road. An extra conduit for high-speed internet cable will be included in the trench for use at a future time.

### ***Summary of change and impact on significance***

Identifies additions in description of work.

### ***Finding***

Supplement to the MND  
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Point Cabrillo Light Station State Historic Park

Not applicable.

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**Page ii, Mitigation Measure Bio-1 Lotus Blue Butterfly Protection (Mitigation Measures, Biological Resources)**

Modify text as indicated below:

- Prior to any vegetation or ground disturbing activities (including excavation, trenching, vegetation removal, parking equipment in vegetated areas, etc.), and during the spring prior to construction, surveys will be conducted by a DPR-qualified Environmental Scientist for coast lotus (*Lotus formosissimus*) within 50 300 feet of areas where plants occur. All occurrences of the plant will be mapped on project maps and flagged before construction. ~~A fenced buffer area of 10 feet will be established around all plants, except where buffer will overlap the road shoulder, prior to the start of construction. No ground or vegetation disturbing activities will take place within the 10 foot buffer area. The temporary protective fencing will remain in place until all construction activities with the potential to impact the buffered areas are completed.~~
- ~~In the areas where plants are within five feet of the road shoulder, a DPR-qualified resource ecologist will monitor construction activities to divert activity away from plants within or immediately adjacent to the road shoulder, outside the fenced buffer areas.~~ A DPR Environmental Scientist will be onsite for the duration of trenching operations to ensure the soil of the flagged area with *Lotus formosissimus* are dug and set aside.
- The project manager, contractor, and/or State Representative will meet with the assigned Environmental Scientist to define details relating to the construction zone, access points, and avoidance of impacts along the Barn road and entrance road, prior to the start of construction. The Service Center or District Natural Resource Section will be contacted a minimum of three weeks prior to the start of construction to schedule the on-site meeting, unless other arrangements are made in advance.
- If USFWS-approved lotis blue butterfly surveys are conducted and result in no positive detections, open trenching can occur along the roadside where it may result in the disturbance or removal of *Lotus formosissimus*. To minimize the loss and disturbance of the plants, at least the top 12 inches of soil where *Lotus formosissimus* is growing will be removed and set aside by heavy equipment during trenching operations. The top 12 inches will be placed on top of the backfilled trench after installation of the water line.

**Summary of change and impact on significance**

Increases the survey area for *Lotus formosissimus* from 50 ft. to 300 ft. and removes the need for a fenced buffer area around occurrences of the plant. An allowance for

ground disturbance in and on areas of *Lotus formosissimus* is made, and measures for minimizing this disturbance are created by requiring excavation activities to commence after a DPR ecologist is on site and after the flagged *Lotus formosissimus* stands are dug and set aside with heavy equipment. These changes allow for disturbance of *Lotus formosissimus* stands once USFWS-approved surveys for the lotis blue butterfly have been conducted.

**Finding**

*Lotus formosissimus* is a CNPS List 4 plant (on a watch-list) and not considered rare. Implementation butterfly surveys (Mitigation Measure 1-B) and a determination that no lotis blue butterfly are present ensure that the disturbance of *Lotus formosissimus* will not impact the butterfly. No known impact will occur to the butterfly if it is not detected from the site.

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**Page iv, Mitigation Measure Bio-7 Sensitive Plant Communities (Mitigation Measures, Biological Resources)**

Add text below as final two bullets in section:

- The interpretative panel at Frolic Cove will be installed outside of coastal bluff scrub habitat.
- All directional drilling entry and exit points will be outside of the riparian zone.

**Summary of change and impact on significance**

A low-profile educational panel interpreting the history of the Frolic shipwreck will be installed on the southern bluff of Frolic Cove. A DPR ecologist has surveyed and approved the location to ensure that it is not located on sensitive coastal bluff scrub habitat.

Directional drilling entry and exit points are located approximately 25 ft outside of any riparian vegetation to ensure there is no impact to the vegetation community.

**Finding**

The interpretive panel will be located to avoid coastal bluff scrub habitat. Operations for directional drilling under the Class II watercourse will remain outside of the riparian vegetation. Sensitive vegetation communities are avoided and no significant impact will occur.

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**Page iv-v, Mitigation Measure Bio-8 Wetlands (Mitigation Measures, Biological Resources)**

Modify last 3 bulleted items and add final bulleted item with text below:

- Directional drilling will be used to minimize impacts to wetlands and sensitive plants, to the extent feasible; pipes will be installed at a depth of three feet or

more below wetlands, except along the roadside where there are elements of road base, compacted soils, and the existing utility corridor.

- All equipment and pedestrian access pathways that cross native vegetation or wetlands between the barn site and the water supply pond, or between Lighthouse Road and the water supply pond, will be protected with plywood, protective matting, or other appropriate material to prevent soil compaction and destruction of vegetation. The number of access points to the pond will be limited to protect bank soil and vegetation. Directional drilling equipment will use only paved roads and avoid vegetated areas except between the barn site and the pond and adjacent to the entrance road, but outside of the riparian vegetation (Figure 1). Location of access pathways will be reviewed and approved by a DPR-approved resource ecologist prior to use; equipment and pedestrian access along these routes will be monitored by the project resource ecologist during all phases of work.
- Work will be conducted during the driest period of the year to protect wetlands (generally August-September). Directional drilling and trenching can occur at all times of the year, except during rain when access is immediately adjacent to the road. Heavy equipment will operate primarily on the paved road and previously disturbed road prism or side cast berm.
- Trenching for the 3 in. water line along the entrance road will occur adjacent to the road in the existing utility corridor. Trenching will also occur immediately adjacent to the existing water tank where the proposed water line will connect to the water tank. All soil removed for trenching will be replaced.

### ***Summary of change and impact on significance***

The addition of the text to the first bulleted item allows for trenching in Coastal Act wetlands where there is an existing buried utility line. It allows for temporary disturbance of poor-quality wetlands that are adjacent to the paved entrance road, have been partially filled by the creation of the paved road, are annually mowed, and have compacted soils associated with the road.

The second bulleted item includes provisions for installing the new water line. The original wording did not include this portion of the project.

The third bulleted item allows for directional drilling and trenching to occur during the year other than just during August and September. Because the water line is adjacent to a paved road and located through portions of wetland that is not inundated (Coastal Act Wetland) during the wet season, there are no anticipated significant impacts if work is done outside the period from August to September.

The addition of the fourth bulleted item ensures that trenching will only occur in those areas intended for the water line and not elsewhere.

### ***Finding***

State Parks consulted with the Department of Fish and Game after discussions with the County of Mendocino Planning and Building to determine the significance of operating in an existing utility corridor and graded roadside where non-inundated Coastal Act

wetlands may occur. Because all soil will be replaced with the same excavated soil, no significant impact to Coastal Act wetlands is expected to occur.

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**Page x, Mitigation Measure Hydro-1 (Mitigation Measures, Hydrology and Water Quality)**

Add text below as bullet in section:

- All directional drilling and associated equipment will be located outside of the riparian vegetation to avoid potential impacts to the water quality of the watercourse. Temporary fencing or flagging will be installed approximately 25 ft. from both sides of the watercourse to delineate the edge of the riparian vegetation.

**Summary of change and impact on significance**

Because there is a possibility that the directional drilling operations could encroach into the riparian vegetation and introduce pollutants into the watercourse, thus affecting water quality, a measure for avoidance is added here. This addition is a protective measure and does not introduce any new impacts.

**Finding**

Through avoidance and implementation of other bullet item in Hydro-1, (installation of silt fencing, straw wattle, etc.) to prevent materials from entering the watercourse, there is no significant impact to the water quality.

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**Page 1, Appendices**

Add text below as final two numbers in section:

- D ADDITIONAL PROJECT MAPS
- E WETLAND MAP AND DESCRIPTION
- F LOTIS BLUE BUTTERFLY SURVEY REPORT

**Summary of change and impact on significance**

Adds several appendices to show locations of the interpretive panel and new water line, including directional drilling; to depict the extent of wetlands, and to provide the methodology and results of the lotis blue butterfly surveys.

**Finding**

Not applicable.

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**Page 14, Telephone Service (Project Description, Utilities)**

Supplement to the MND  
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Point Cabrillo Light Station State Historic Park

Add text below as final bullet in section:

- Install a new high-speed internet cable conduit adjacent to the proposed 3 in. water line.

***Summary of change and impact on significance***

Allows for the possibility of adding a high-speed cable internet service to the Point Cabrillo Lighthouse facilities. The conduit for the cable would be buried in the same trench adjacent to the water line. Adding the cable conduit does not introduce new impacts.

***Finding***

Cable installation does not introduce new impacts.

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***Page 15, Potable Water Distribution System (Project Description, Water System)***

Add text below as final bullet in section:

- Install a new 3 in. waterline along the south side of the entrance road from the existing water system at the residence areas near the light station to the existing 12,000 gallon tank at the top of the hill to provide water to the Kearn Farmhouse. The existing water line on the north side of the road does not meet State Health Department regulations and will be abandoned. A backhoe will excavate an approximately 30" deep by several feet wide trench for approximately 2,465' (~0.5 miles) and an approximately 185' section will be directionally drilled under a small perennial watercourse as well as a 100' section from the tank to the south side of the entrance road (See Appendix D).

***Summary of change and impact on significance***

This addition is the primary reason for preparing this supplement to the mitigated negative declaration document. It describes the extent of the facilities improvements, allowing for the minor expansion of water improvements in light of a system that does not meet State Health Department regulations.

***Finding***

While the installation of the water line may have potential significant impacts, primarily on biological resources and secondarily on hydrology and water quality, implementation of Mitigation Measure Bio-1 (Lotis Blue Butterfly Protection), Bio-7 (Sensitive Natural Plant Communities), and Bio-8 (Wetlands) will reduce impacts to a level that is less than significant.

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**Page 21, Signage (Project Description, Sitework – Roads, Walkways, Parking, Fencing, and Landscaping)**

Modify second bullet item with text below:

Install interpretive panels or signs at various historic or natural sites throughout the historic core, including one interpretative panel in the vicinity of Frolic Cove. The panel uses a low-profile frame, ~ 48 in. wide x 24 in. Overall height after installation is ~ 4 ft.

**Summary of change and impact on significance**

Includes minor addition to signage throughout the Preserve.

**Finding**

Through implementation of Mitigation Measure Bio-7 (Sensitive Natural Plant Communities), the sign will be placed outside of coastal bluff scrub habitat. No significant impact is anticipated with measures for avoidance.

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**Page 38, Special-Status Species (Biological Resources – Environmental Setting)**

Insert text below:

Sensitive biological resources that occur or potentially occur within the proposed project site include plants and animals that have been given special recognition by federal, state, or local resource agencies and organizations. Habitats that are listed as critical for the survival of a listed species or have special value for wildlife, and plant communities that are unique or of limited distribution are also considered. The species evaluated are listed in Appendix 1.

The U.S. Fish and Wildlife Service (USFWS) provided a list of sensitive species that may be present in the project area or may be affected by the project (June 2002).

Sensitive species includes Threatened and Endangered plant and wildlife species and California Species of Special Concern, which are special-status species that have legal protection. All sensitive species and their habitats were evaluated for potential impacts by this project. A query of the California Department of Fish and Game's Natural Diversity Database (CNDDDB 2002 and 2008) was conducted for sensitive species and habitats within the Fort Bragg and Mendocino 7.5-minute USGS quadrangle maps and Mendocino County. Special-status plant species potentially occurring in the Mendocino quadrangle map were derived from the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants of California (6<sup>th</sup> edition, electronic version, 2001 and 2008).

**Summary of change and impact on significance**

New text adds the year 2008 for surveys conducted in area of proposed water line, and a site survey for the proposed interpretive panel.

**Finding**

Not applicable.

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Point Cabrillo Light Station and Preserve Buildings and Infrastructure Rehabilitation Project

Point Cabrillo Light Station State Historic Park

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**Page 41, Lotus (Lotis) blue butterfly (Biological Resources – Environmental Setting, Threatened and Endangered Species and Species of Special Concern, Animal Species, Invertebrates)**

Modify two paragraphs with text below to read:

**Lotus (Lotis) blue butterfly** (*Lycaeides argyrognomon lotis*) (also *L. idas lotis*) (Federal Endangered) is known from only a few locations in Mendocino County but has not been observed in recent years. Habitat requirements are not well known, but may include large stands of perennial plants of the family Fabaceae (Pea Family). Coast lotus (also Coast Hosackia) (*Lotus formosissimus*) is a likely host plant and is present at PCLS. Eggs are laid singly on stems of the host plant or in debris beneath it. Second-stage caterpillars overwinter and one brood is produced from ~~July to August~~ approximately mid-April to mid-July. Adults feed on nectar from flowers. The lotus blue butterfly may be dependent on bogs, the short-lived successional stages of former ponds. The species may have been naturally rare with low population densities. Because agriculture and human development have altered natural habitats in the region, new bog habitats may no longer be created and the host plant may have been reduced or eliminated in much of its former range.

Botanical surveys were conducted in April – May 2002 and April – July 2008. *Lotus formosissimus* was found in the area of the proposed barn reconstruction and along the road to the lighthouse. The US Fish and Wildlife Service surveyed for Lotis blue butterfly in the spring of 2003, but did not locate any populations. California State Parks surveyed again for lotis blue butterfly; however, no individuals were found.

**Summary of change and impact on significance**

Text is added to correct the flight period of adult lotis blue butterflies (see Appendix F) and to add the most recent survey dates for *Lotus formosissimus*.

**Finding**

Not applicable.

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**Page 43, Wetlands and Waters of the United States (Biological Resources – Environmental Setting)**

Modify paragraph with text below to read:

The U.S. Army Corps of Engineers (USACE) defines wetlands as areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The majority of USACE jurisdictional wetlands meet three wetland delineation criteria: (1) hydrophytic

vegetation, (2) hydric soil types, and (3) wetland hydrology. Two ponds and four perennial streams are among the wetlands that occur in the park. Other wetland areas within the park are seasonally inundated. Some of the soils along the entrance road and water line installation site are hydric soils that support wetland vegetation. This is especially true in the ditch along the road. This area meets the definition of a coastal wetland as defined under the California Coastal Act based on vegetation and soils (Appendix E). These wetlands have hydric soils and areas of hydric vegetation, but are not inundated.

**Summary of change and impact on significance**

Adds text to clarify that California Coastal Act wetlands are present on the site and that they may differ in definition from the USACE wetlands.

**Finding**

Not applicable.

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**Page 44-45, Biological Resources – Environmental Setting, Issues  
Pages 44, Discussion a)**

**1. Discussion a) (i), Page 44 – Modify paragraph with text below:**

The larval host plant (*Lotus formosissimus*) for the Lotis blue butterfly is within the project area. Surveys sponsored by the USFWS in 2003 and surveys by State Parks in 2008 failed to locate any of the butterflies at Point Cabrillo and it is possible this species does not occur at the preserve. *Lotus formosissimus* has not been identified in the proposed project area along Lighthouse Road from the Residences to the Lighthouse or within the historic footprint of the barn foundation and roadway surrounding the barn. However, host plants have been identified along the roadway between the Residences and the barn site and could be affected by the project. Additionally, it occurs in the meadows on both sides of the entrance road, along the road prism, and in the existing utility corridor (buried phone line) on the south side of the entrance road. To avoid the possibility of incidental take, and to protect potentially suitable habitat for possible future species recovery and re-colonization, the following mitigation measures, as recommended by USFWS, will be implemented to reduce any potential impact to a less than significant level.

**2. Mitigation Measure Bio-1 Lotis blue butterfly protection – Modify mitigation measure with text below:**

- Prior to any vegetation or ground disturbing activities (including excavation, trenching, vegetation removal, parking equipment in vegetated areas, etc.), and during the spring prior to construction, surveys will be conducted by a DPR-qualified resource ecologist for *Lotus formosissimus* within ~~50~~ 300 feet of areas where plants may occur. All occurrences of the plant will be mapped on project maps and flagged before construction. ~~A fenced buffer area of 10 feet will be~~

~~established around all plants, except where buffer will overlap the road shoulder, prior to the start of construction. No ground or vegetation disturbing activities will take place within the 10 foot buffer area. The temporary protective fencing will remain in place until all construction activities with the potential to impact the buffered areas are completed.~~

- ~~• In the areas where plants are within five feet of the road shoulder, a DPR-qualified resource ecologist will monitor construction activities to divert activity away from plants within or immediately adjacent to the road shoulder, outside the fenced buffer areas. A DPR ecologist will be onsite prior to trenching to ensure the soil of the flagged area with *Lotus formosissimus* are dug and set aside.~~
- The project manager, contractor, and/or State Representative will meet with the assigned resource ecologist, to define details relating to the construction zone, access points, and avoidance of impacts along the Barn road and entrance road, prior to the start of construction. The Service Center or District Natural Resource Section will be contacted a minimum of three weeks prior to the start of construction to schedule the on-site meeting, unless other arrangements are made in advance.

After USFWS-approved lotis blue butterfly surveys have been conducted and they result in no positive detections, open trenching can occur along the roadside where it may result in the disturbance or removal of *Lotus formosissimus*. To minimize the loss and disturbance of the plants, at least the top 12 inches of soil where *Lotus formosissimus* is growing will be removed and set aside by heavy equipment during trenching operations. The soil plug will be placed on top of the backfilled trench after installation of the water line.

### **Summary of change and impact on significance**

Increases the survey area for *Lotus formosissimus* from 50 ft. to 300 ft. and removes the need for fenced buffer around occurrences of the plant. An allowance for ground disturbance in and on areas of *Lotus formosissimus* is made, and measures for minimizing this disturbance are created by requiring excavation activities to commence after a DPR ecologist is on site and after the flagged *Lotus formosissimus* stands are dug and set aside with heavy equipment. Generally, these changes allow for disturbance of *Lotus formosissimus* stands once USFWS-approved surveys for the lotis blue butterfly have been conducted. No known impact will occur to the butterfly if it is not detected from the site.

### **Finding**

*Lotus formosissimus* is a CNPS List 4 plant (on a watch-list) and not considered rare. Once a determination is made that there is no presence of lotis blue butterfly, there is not significant impact anticipated. Implementation of the requirements to conduct surveys for the butterfly (Mitigation Measure 1-B ensure that the disturbance of *Lotus formosissimus* will not impact the butterfly).

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### **Page 87, Discussion a), (Public Services, Environmental Setting)**

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Add text to second paragraph to read as:

Work related to this project could cause minor delays and inconveniences around the historic core, especially during periods of road and sidewalk construction, and along the entrance road. The Smithy building will be temporarily closed during and immediately following its relocation and access to the Lighthouse may be limited for short periods of time. However, no facilities within the PCLS will be closed or reduced in capacity as a result of this project. The proposed project will not result in any significant adverse impact to park facilities or increased use at other parks in the area

***Summary of change and impact on significance***

Adds a provision for the potential to encounter delays along the entrance road where the water line is proposed.

***Finding***

Not applicable.

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***Page 93, Discussion, e), (Transportation/Traffic, Environmental Setting)***

Add text below to section e):

- e) All construction activities associated with the proposed project will occur within the boundaries of PCLS and work will not restrict access to or block any road outside the immediate construction area. Minimum access requirements for emergency vehicles and access to all areas of the Light Station will be maintained at all times. State Parks will coordinate scheduling with the Point Cabrillo Light Station Staff. Pedestrian traffic will be routed on an alternate trail to the light station or routed around construction activities, whichever provides adequate park access to the greatest extent feasible. Less than significant impact.

***Summary of change and impact on significance***

Acknowledges that there may be temporary rerouting and scheduling modifications needed while work is done.

***Finding***

The finding, less than significant, remains the same when considering that an alternate trail may be used and that scheduling will be coordinated with the concessionaire.

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***Page 99, Discussion a), (Chapter 4 – Mandatory Findings of Significance)***

Add text to the third bullet item to read as below:

- Threaten to eliminate a plant community (CNPS List 1B and 2 plant species; coastal wetlands, Northern Bluff Scrub, Sitka Willow Series, and Hooker Willow Series plant communities);

### **Summary of change and impact on significance**

Adds coastal wetlands to plant communities and address these potential impacts and mitigations in Mitigation Measure Bio-8 Wetlands.

### **Finding**

Not applicable.

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### **Page 101, Mitigation Measures Bio-1 Lotus Blue Butterfly Protection (Chapter 5, Summary of Mitigation Measures, Biological Resources)**

Modify all mitigation measures with text below:

- Prior to any vegetation or ground disturbing activities (including excavation, trenching, vegetation removal, parking equipment in vegetated areas, etc.), and during the spring prior to construction, surveys will be conducted by a DPR-qualified Environmental Scientist for coast lotus (*Lotus formosissimus*) within 50-300 feet of areas where plants occur. All occurrences of the plant will be mapped on project maps and flagged before construction. ~~A fenced buffer area of 10 feet will be established around all plants, except where buffer will overlap the road shoulder, prior to the start of construction. No ground or vegetation disturbing activities will take place within the 10 foot buffer area. The temporary protective fencing will remain in place until all construction activities with the potential to impact the buffered areas are completed.~~
- ~~In the areas where plants are within five feet of the road shoulder, a DPR-qualified resource ecologist will monitor construction activities to divert activity away from plants within or immediately adjacent to the road shoulder, outside the fenced buffer areas.~~ A DPR Environmental Scientist will be onsite for the duration of trenching operations to ensure the soil of the flagged area with *Lotus formosissimus* are dug and set aside.
- The project manager, contractor, and/or State Representative will meet with the assigned Environmental Scientist to define details relating to the construction zone, access points, and avoidance of impacts along the Barn road and entrance road, prior to the start of construction. The Service Center or District Natural Resource Section will be contacted a minimum of three weeks prior to the start of construction to schedule the on-site meeting, unless other arrangements are made in advance.
- If USFWS-approved lotis blue butterfly surveys are conducted and result in no positive detections, open trenching can occur along the roadside where it may result in the disturbance or removal of *Lotus formosissimus*. To minimize the loss and disturbance of the plants, at least the top 12 inches of soil where *Lotus formosissimus* is growing will be removed and set aside by heavy equipment during trenching operations. The top 12 inches will be placed on top of the backfilled trench after installation of the water line.

### **Summary of change and impact on significance**

Increases the survey area for *Lotus formosissimus* from 50 ft. to 300 ft. and removes the need for fenced buffer around occurrences of the plant. An allowance for ground disturbance in and on areas of *Lotus formosissimus* is made, and measures for minimizing this disturbance are created by requiring excavation activities to commence after a DPR ecologist is on site and after the flagged *Lotus formosissimus* stands are dug and set aside with heavy equipment. Generally, these changes allow for disturbance of *Lotus formosissimus* stands once USFWS-approved surveys for the lotis blue butterfly have been conducted. No known impact will occur to the butterfly if it is not detected from the site.

### **Finding**

*Lotus formosissimus* is a CNPS List 4 plant (on a watch-list) and not considered rare. Once a determination is made that there is no presence of lotis blue butterfly, there is not significant impact anticipated. Implementation of the requirements to conduct surveys for the butterfly (Mitigation Measure 1-B ensure that the disturbance of *Lotus formosissimus* will not impact the butterfly.

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### **Page 103, Mitigation Measure Bio-7 Sensitive Natural Plant Communities (Chapter 5, Summary of Mitigation Measures, Biological Resources)**

Add two bulleted items below as final two bullets in section:

- The interpretative panel at Frolic Cove will be placed outside of coastal bluff scrub habitat.
- All directional drilling entry and exit points will be outside of the riparian zone.

### **Summary of change and impact on significance**

A low-profile educational panel interpreting the history of Frolic shipwreck will be installed on the southern bluff of Frolic Cove. A DPR ecologist has visited the location and approved the location so that it is not located on sensitive coastal bluff scrub habitat.

Directional drilling entry and exit points are set outside of any riparian vegetation by approximately 25 ft to ensure there is no impact to the vegetation community.

### **Finding**

No impact to the coastal bluff scrub vegetation community will occur as the stanchion for the interpretative panel will avoid the habitat. DFG was consulted for the need of a Lake and Streambed Alteration Agreement for the directional drill under the Class II watercourse. No permit is needed if the drilling operation remains outside of the riparian vegetation. Sensitive vegetation communities are avoided and no significant impact will occur.

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**Page 103, Mitigation Measure Bio-8 Wetlands (Chapter 5, Summary of Mitigation Measures, Biological Resources)**

Replace last 3 bulleted items and add final bulleted item with text below:

- Consultation with CCC, USACE, DFG, and other appropriate regulatory or permitting agencies will occur prior to the start of construction. Mitigation measures recommended or required by the regulatory agencies will be implemented, as appropriate, in addition to project mitigation measures indicated below.
- Trenching for the 3 in. water line along the entrance road will only occur adjacent to the road in the existing utility corridor. All soil removed for trenching will be replaced.
- Directional drilling will be used to minimize impacts to wetlands and sensitive plants, to the extent feasible; pipes will be installed at a depth of three feet or more below wetlands, except along the roadside where there are elements of road base, compacted soils, and the existing utility corridor.
- All equipment and pedestrian access pathways that cross native vegetation or wetlands between the barn site and the water supply pond, or between Lighthouse Road and the water supply pond, will be protected with plywood, protective matting, or other appropriate material to prevent soil compaction and destruction of vegetation. The number of access points to the pond will be limited to protect bank soil and vegetation. Directional drilling equipment will use only paved roads and avoid vegetated areas except between the barn site and the pond and immediately adjacent to the entrance road, but outside of the riparian vegetation (Figure 1). Location of access pathways will be reviewed and approved by a DPR-approved resource ecologist prior to use; equipment and pedestrian access along these routes will be monitored by the project resource ecologist during all phases of work.
- Work will be conducted during the driest period of the year to protect wetlands (generally August-September). Directional drilling and open trenching can occur at all times of the year, weather permitting, because access is immediately adjacent to the road. Heavy equipment will operate primarily on the paved road and previously disturbed road prism or side cast berm.

**Summary of change and impact on significance**

The addition of the text to the first bulleted item allows for trenching in Coastal Act wetlands where there is an existing buried utility line. It allows for temporary disturbance of poor-quality wetlands that are adjacent to the paved entrance road, have been partially filled by the creation of the paved road, are annually mowed, and have compacted soils associated with the road.

The second bulleted item includes provisions for installing the new water line. The original wording was too specific and did not include this portion of the project.

The third bulleted item allows for directional drilling and trenching to occur during the year other than just during two months. The original text referred to wetlands that were

inundated and that could have suffered potentially significant damage if operations took place during the wet season. Because the water line is adjacent to a paved road and occurring through portions of wetland that is not inundated (Coastal Act Wetland) there are no anticipated significant impacts if work is done outside the period from August to September.

The addition of the fourth bulleted item ensures that trenching will only occur in those areas intended for the water line and not elsewhere.

### ***Finding***

State Parks consulted with the Department of Fish and Game after discussions with the County of Mendocino Planning and Building to determine the significance of operating in an existing utility corridor and graded roadside where non-inundated Coastal Act wetlands may occur. Because all soil will be replaced with the same excavated soil, no significant impact to Coastal Act wetlands is expected to occur.

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### ***Page 108, Mitigation Measures Hydro-1 (Chapter 5, Summary of Mitigation Measures, Hydrology and Water Quality)***

Add final bulleted item with text below:

- Directional drilling will avoid potential impacts to the water quality of the watercourse by keeping all equipment and boring outside of the riparian vegetation. Temporary fencing or flagging will be installed to delineate the edge of the riparian vegetation, which is approximately 25 ft. from both sides of the watercourse.

### ***Summary of change and impact on significance***

Because there is a possibility that the directional drilling operations could encroach into the riparian vegetation and introduce pollutants into the watercourse, thus affecting water quality, a measure for avoidance is added here. This addition is a protective measure and does not introduce any new impacts.

### ***Finding***

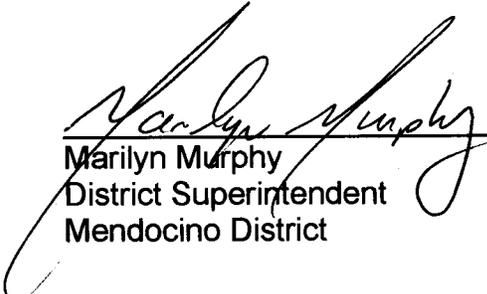
No new or additional impacts to water quality. No change in mitigation, as the watercourse is avoided. Through avoidance and implementation of other bullet item in Hydro-1, (installation of silt fencing, straw wattle, etc. to prevent materials from entering the watercourse, there is no significant impact to the water quality.

This Supplement to the MND, along with the previously adopted Final MND (SCH#2003102069), will now constitute the Final MND for the Point Cabrillo Light Station and Preserve Buildings and Infrastructure Rehabilitation Project Project.

Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Department of Parks and Recreation (DPR) has independently reviewed and analyzed the information contained in the Supplement to the MND for the proposed project and finds that this document reflects the independent judgment of DPR. DPR, as lead agency, also confirms that the project mitigation measures detailed in these documents are feasible and will be implemented as stated in the Final MND, including this Supplement.

  
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Renee Pasquinelli  
Environmental Coordinator  
California Department of Parks & Recreation  
Mendocino District

12/8/08  
Date

  
\_\_\_\_\_  
Marilyn Murphy  
District Superintendent  
Mendocino District

12-8-08  
Date