

COASTAL CONSERVANCY

Staff Recommendation

January 18, 2007

LAGUNA DE SANTA ROSA WETLANDS TRAIL

File No. 05-082

Project Manager: Maxene Spellman/Carol Arnold

RECOMMENDED ACTION: Authorization to disburse up to \$500,000 to the Sonoma County Agricultural Preservation and Open Space District to construct 2.4 miles of trail, including a creek crossing and two staging areas and an overlook with interpretive signage, in the Laguna de Santa Rosa in Sonoma County.

LOCATION: A portion of the protected lands in the Laguna de Santa Rosa east of the City of Sebastopol in Sonoma County (See Exhibit 1, Location Map).

PROGRAM CATEGORY: San Francisco Bay Area Conservancy Program

EXHIBITS

Exhibit 1: Project Location and Site Map

Exhibit 2: Photographs of Laguna Region

Exhibit 3: Trails Connections

Exhibit 4: Letters of Support

Exhibit 5: Mitigated Negative Declaration, Mitigation Monitoring Program, Board Resolution and Notice of Determination

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the Sonoma County Agricultural Preservation and Open Space District (the “District”) to construct 2.4 miles of trail, including a bridge, two staging areas, and an overlook with interpretive signage, subject to the following conditions:

1. Prior to the disbursement of funds, the District shall submit for the review and written approval of the Executive Officer of the Conservancy:

- a. A detailed work program, schedule, and budget and the names and qualifications of any contractors to be employed in carrying out the project.
 - b. A written agreement by the District to maintain the trail, creek crossing, staging areas and interpretive signage following the completion of construction for a reasonable life of the project but no less than twenty years.
 - c. Written evidence that all permits and approvals necessary to the completion of the project under applicable local, state and federal laws and regulations have been obtained.
2. In carrying out the project, the grantee shall comply with all applicable mitigation and monitoring measures that are identified in the Laguna de Santa Rosa Protected Lands and Trails Plan Mitigated Negative Declaration and Initial Study adopted by the District on December 5, 2006, attached to the accompanying staff recommendation as Exhibit 5 and that are required by any permit or approval for the project including those identified in the site-specific Biological Opinion.
 3. For any project work that is on property that is not owned by the grantee, prior to commencement of project work on that property, the grantee shall provide documentation that it has authorization to undertake the activities on that property, including maintenance of the project.”

Staff further recommends that the Conservancy adopt the following findings:

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

1. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Pursuant to its responsibilities under the California Environmental Quality Act (“CEQA”), the Conservancy has independently reviewed the Laguna de Santa Rosa Protected Lands and Trails Plan Mitigated Negative Declaration and Initial Study adopted by the District on December 5, 2006, attached to the accompanying staff recommendation as Exhibit 5, and finds that the portion of the project to be funded by the Conservancy, as mitigated, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

PROJECT SUMMARY:

This project will result in the construction of 2.4 miles of trail, including a creek crossing, two staging areas and an overlook with interpretive signage, in the Laguna de Santa Rosa (Laguna) in Sonoma County (Exhibit 1: Location and Site Map). These public access improvements comprise Phase I of the Laguna de Santa Rosa Protected Lands Trails Plan (“Trails Plan”) adopted by the Sonoma County Agricultural and Preservation District (the “District”) in April,

2006. When the Trails Plan is fully implemented, 11 miles of trail and related amenities will be constructed east of Sebastopol on five protected properties known as the Alpha Farm, Brown Farm, Kelly Farm, Stone Farm and the Balletto Easement.

The Laguna de Santa Rosa is the largest freshwater wetland complex in Sonoma County, and the second largest in Northern California (Exhibit 2: Photographs). It drains a 250-square-mile watershed and functions as a major floodwater storage basin for the lower Russian River. The Laguna is an important stopover for thousands of birds migrating along the Pacific Flyway. In addition, important agricultural lands and cultural sites occur on the protected lands through which the trails will pass.

The Laguna trails will allow the public to experience the rich biological diversity and outstanding scenic features of the area, while protecting important natural, agricultural and cultural resources. The District will construct Phase I of the Trails Plan on the Kelly Farm and the Balletto Easement properties. The trail will be open to pedestrian, bicyclists and equestrians on one section, and to pedestrians only on the remainder. It will connect with a loop trail on the Laguna Wetlands Preserve and to other regional trails in the vicinity, including the popular Joe Rodota Trail used by over 250,000 visitors a year (Exhibit 3: Trail Connections). Other phases of the Trails Plan will be constructed as funding becomes available.

The District's comprehensive Trails Plan for the Laguna implements recommendations of several regional conservation plans, including the District's Acquisition Plan, the Laguna de Santa Rosa Resource Atlas and Protection Plan, and the Laguna Ecosystem Restoration and Management Plan, as well as the 1989 Sonoma County General Plan. These plans identify the Laguna as a priority site for preservation, restoration, and public access consistent with the protection of the biological, cultural and agricultural resources of the area.

With its extensive experience in this region, and its long-standing relationship with the Conservancy, the District is well suited to carry out this project. It will enter into an agreement with the Sonoma County Regional Parks Department to construct the trails and related amenities, ensuring solid construction management expertise. The County will also assume long-term management responsibilities for the public access improvements.

Site Description: The Laguna de Santa Rosa is located north and south of Highway 12 between Sebastopol and Santa Rosa in Sonoma County. The District will construct the 2.4-mile trail located east of the City of Sebastopol as Phase I of a comprehensive public access program for five protected Laguna properties known as the Alpha Farm, Brown Farm, Kelly Farm, Stone Farm and the Balletto Easement. All properties are located within the City of Santa Rosa.

The Laguna de Santa Rosa is one of Sonoma County's richest wildlife habitats (Exhibit 2: Photographs). The largest tributary of the Russian River, the Laguna drains a 250-square-mile watershed which encompasses nearly the entire Santa Rosa Plain and includes all or part of the cities of Windsor, Santa Rosa, Rohnert Park, Cotati, Sebastopol and the unincorporated community of Forestville.

The Laguna's 14-mile channel extends from Cotati to its confluence with the Russian River at

Forestville. It is a unique ecological system covering more than 30,000 acres and comprised of a mosaic of creeks, open water, perennial marshes, seasonal wetlands, riparian forests, oak woodlands and grasslands. The Laguna is an important stopover for thousands of birds migrating along the Pacific Flyway and is home to a wide variety of life: more than 200 species of birds ranging from bald eagles to hummingbirds, rare and endangered salmon, steelhead, salamanders and plants, mountain lion, bobcat, coyote, mink, badger, and river otter.

In addition to its extensive wildlife habitat, the Laguna is also used for agricultural, recreational and educational purposes. It serves as a natural holding basin during the wet season and as an overflow area for the Russian River during floods, slowing and capturing floodwaters and easing their impact on lower Russian River communities.

Project History: At one time, the Laguna de Santa Rosa contained wide expanses of oak woodland, deep riparian forests, lakes, perennial and seasonal freshwater wetlands. Native Americans hunted elk and pronghorn antelope, and mountain lions and grizzly bears roamed the oak forests and grasslands. Tens of thousands of migratory birds relied on the Laguna floodwaters in the winter and its rich food and shelter resources for breeding and nesting in the summer. Archeological evidence suggests that indigenous people lived along the Laguna as long as 4,000 years ago.

The first Mexican land grant in the Laguna was established in 1833 and was the beginning of ranching and farming in the area. In the 1870s the railroad began the first significant channelization of tributaries of the Laguna. In the 100 years that followed, the Laguna was dramatically changed. Early American settlers cleared the oak woodlands to make way for grain, row crops, orchards and hops. Hunters supplied San Francisco's markets with ducks from the Laguna.

The 20th century also brought apple canneries and factory-size dairies to Sebastopol; they lined up along the Laguna with their waste discharge pipes out the back. While people began recognizing the problems with dumping sewage into the Laguna by the late 1800s, it took polio and diphtheria outbreaks in 1943 for the channel to be closed to swimming, and it wasn't until 1978 that Sebastopol closed its sewage facilities in the Laguna.

Residential development boomed in the 1950s, and the U. S. Army Corps of Engineers drained acres of wetlands over this same period. Concrete channels moved storm water through Santa Rosa quickly, but also caused erosion and sediment buildup in the Laguna and more flooding of the Russian River. Every new building or paved street added to the runoff and subtracted from the water-holding sponge that had made up the Laguna, until by 1990 only 8 percent of the Laguna's former riparian areas remained. Additionally, the City of Santa Rosa released substantial volumes of treated wastewater into the Laguna for many years, creating protests from nearby residents.

Realizing the serious habitat degradation that had occurred in the Laguna, the Laguna de Santa Rosa Foundation, a private nonprofit organization, became the guiding force for the Laguna's restoration. The Foundation's Laguna Ecosystem Restoration Management Plan, funded in part

by the Conservancy, recommends various projects to restore the Laguna to some of its former biological richness. Restoration projects are now underway, some of which are being funded by the Conservancy. Additionally, the City of Santa Rosa developed alternatives for dealing with its treated wastewater, greatly reducing the amount released into the Laguna. Currently, some treated wastewater is used to irrigate hayfields.

Recognizing the need for more public access in the area, the District completed the Laguna de Santa Rosa Protected Lands Trails Plan in the Spring of 2006 recommending construction of approximately 12 miles of trail and other public amenities including the multi-use and pedestrian trails, creek crossing, staging areas, overlook and interpretive signage that are the subject of this recommendation. The Conservancy also helped fund the popular Joe Rodota Trail and a loop trail both of which will connect with the subject trail.

PROJECT FINANCING:

Coastal Conservancy	\$500,000
District	<u>800,000</u>
Total Project Cost	\$1,300,000

The Conservancy's contribution of \$500,000 is expected to come from its FY 04/05 appropriation from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40) for the San Francisco Bay Area Conservancy Program. This funding source may be used for the deployment and development of land and water resources in accordance with the provisions of the Conservancy's enabling legislation, Division 21 of the Public Resources Code. The proposed project serves to assist in the development of land-based public access by constructing 2.4 miles of trail and related public access amenities in the Laguna de Santa Rosa in Sonoma County, consistent with Chapter 4.5 of the Conservancy's enabling legislation as described below. Proposition 40 also requires the Conservancy to give priority to grant projects with matching funds (Public Resources Code Section 5096.651). The proposed project is supported by a commitment by the District to provide well over half of the funds needed to complete the Phase 1 trails.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project would be undertaken pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31165, to address recreational goals of the San Francisco Bay Area Conservancy Program.

Pursuant to Section 31162, the Conservancy may award grants in the nine-county San Francisco Bay Area that help to achieve various specific goals, including the goal of increasing public access. This project is located entirely within Sonoma County, one of the designated nine counties of the San Francisco Bay Area. Consistent with Section 31162(a), the project would improve public access by constructing recreational trails that will link with other trails and preserves in the region. As required by Section 31162(a), the project is consistent with the rights

of private property owners in that it is to be built on public lands, or lands subject to easements or offers to dedicate trails. Also consistent with Section 31162(a), the project will not have a significant adverse impact on agriculture, environmentally sensitive areas and wildlife.

The proposed project satisfies the criteria for determining project priorities under Section 31163(c) in the following respects: (1) the planned trail is supported by the District's Acquisition Plan of 2000, the Laguna de Santa Rosa Resource Atlas and Protection Plan, the Laguna Ecosystem Restoration and Management Plan, and the 1989 Sonoma County General Plan. (2) the trail will link with other trails in the area to serve a regional constituency; (3) the District is ready to move ahead on this project once funding is secured; (4) the project provides an opportunity for benefits that could be lost if the District is unable to construct the trail improvements due to lack of funding; and (5) the project includes a substantial matching contribution from the District.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 11, Objective A**, the proposed project involves the construction of 2.4 miles of new public trail across land that was previously not available to the public and will include staging areas and interpretive features. The trail will link up with other trails in the region.

Consistent with **Goal 11, Objective D**, the proposed multi-use section of the trail will include wheelchair-accessible and other ADA-compliant elements.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See "Consistency with Conservancy's Enabling Legislation" above.
2. **Consistency with purposes of the funding sources:** See "Project Financing" above.
3. **Support of the public:** There is substantial support for this project as evidenced by Letters of Support attached as Exhibit 4, including that of Senator Wesley Chesbro, Senator Patricia Wiggins and Assemblywoman Patty Berg.
4. **Location:** The project is located in Sonoma County, within the jurisdiction of the San Francisco Bay Area Conservancy Program.
5. **Need:** Public access in the Laguna area has historically been limited. There is a great need for recreational trails to promote public enjoyment of the many natural, scenic and historic resources of this ecologically rich region. When implemented, this project will

be part of a comprehensive program to expand public access within the Laguna area, and to provide linkages to other important trails and preserves in the region.

6. **Greater-than-local interest:** Due to its rich biological resources, the Laguna is a major regional attraction. When completed, the trail will enable visitors from around the Bay Area to enjoy the outstanding natural and scenic resources of the Laguna region.

Additional Criteria

1. **Urgency:** The District has prepared a comprehensive plan for expanding public access in the Laguna region. It is in the process of negotiating with the County to construct and manage the improvements. If the project does not move ahead in a timely manner, this opportunity will be lost.
2. **Leverage:** See the “Project Financing” section above.
3. **Readiness:** District and County staff are ready to proceed with the project once funding is secured.
4. **Realization of prior Conservancy goals:** See “Project History” above.
5. **Cooperation:** This project is a collaborative effort involving the District, County, local jurisdictions and landowners.

COMPLIANCE WITH CEQA:

District staff prepared a draft Initial Study and Mitigated Negative Declaration for the Laguna de Santa Rosa Protected Lands Trails Plan, including Phase I, the subject of this recommendation.

The Initial Study identified potentially significant impacts in the areas of air quality, biological resources, hydrology and water quality and cultural resources. Mitigation measures were incorporated into the Trails Plan to assure that these potentially significant impacts were eliminated or reduced to less-than-significant levels. Mitigation measures are discussed below:

1. **Air Quality:** Specific dust control practices will be followed during construction to mitigate potential air quality issues.
2. **Biological Resources:** Prior to construction surveys will be conducted consistent with approved protocols. If special status plants are located, trails or other features will be relocated away from such habitats. The U.S. Fish & Wildlife Service will be consulted prior to construction to avoid impacts to the California tiger salamander (CTS). Mitigation measures within 1.3 miles of known CTS breeding areas will be applied during construction and maintenance of trails and other improvements. Potential impacts to nesting birds will be minimized during construction through seasonal restrictions and surveys. Measures will be implemented to reduce indirect effects on riparian and wetland communities. If any limited portion of trails cannot be relocated to avoid impacts to wetlands, mitigation will be provided on a ratio of two acres for every one acre lost, or the rate recommended by the U.S. Army Corps of Engineers during the permitting process. With respect to Phase I, small segments of the trail and staging areas on Kelly Farm will be relocated outside the wetland delineation to avoid impacts.
3. **Cultural Resources:** Although no known historic resources were identified for Phase I,

historic resource surveys will be conducted and the alignment or associated features will be relocated away from any such resources unless determined not to be eligible for listing on the California Register of Historical Resources. If eligible sites cannot be avoided, protective elements would be installed. If paleontological resources are encountered during construction, construction will be halted and qualified professional will be consulted. If significant, a complete survey and removal of resources if necessary would be performed. If human remains are encountered, work would also be halted and qualified professional contacted. Recommendations as to proper treatment of remains will be followed.

4. **Hydrology and Water Quality:** Sonoma County Best Management Practices will be followed during construction. Disturbed areas will be stabilized using accepted environmentally sound practices. Crossing structures will be designed to allow for passage of high flows.

The Initial Study and Mitigated Negative Declaration were noticed and circulated for public review on August 14, 2006. The comment period ended on September 14, 2006. Written comments and responses related to Phase I of the Trails Plan are summarized below:

1. The **Sonoma County Bicycle Coalition** expressed concerns about bicycle trail connections to the Joe Rodota Trail. Phase I will include a bicycle trail that will connect to the Joe Rodota Trail.
2. The **California Department of Fish & Game** noted the need for an environmental filing fee and the potential need for a California Endangered Species Act permit, a Streambed Alteration Agreement, and other surveys and protocols. The District will pay all necessary fees and will obtain all necessary permits before constructing Phase I.
3. The **California Department of Transportation** noted the need for an encroachment permit with the State right-of-way that requires an archaeological records search no more than five years old. The District will obtain all necessary permits and has completed the appropriate archeological records search. The archeological records search did not raise any issues of concern for the Phase I portion of the trails project, for which Conservancy funding is proposed. (For other subsequent phases of the trails project, not the subject of the proposed Conservancy funding, the archeological records search did identify some concerns, resulting in a realignment of the proposed trail plan.
4. The **City of Santa Rosa** noted potential trail damage from horses and dogs during wet periods, suggesting trail postings stating specific times when animals would not be allowed due to wet conditions. The District will allow horses and on-leash dogs on the Phase I multi-use trail of when conditions are sufficiently dry to prevent damage and notes it will define and post the time period if it become necessary to do so, in consultation with the City.
5. The **City of Sebastopol** noted concerns about potential firearm and hunting use. The District will not allow such use and added language to the Trails Plan to that effect.
6. The **Laguna de Santa Rosa Foundation** expressed the need to protect endangered species and seasonal wetlands and recommended the use of boardwalks to avoid impacts. Boardwalks will not be constructed during Phase I as impacts will be avoided by other

mitigation measures (see discussion under “Biological Resources”, above). Boardwalks may be considered in future construction phases of the Trails Plan.

7. **Gary and Suzanne Nelson** submitted a letter from residents living on the west side of the Laguna across from the Balletto Easement expressing concerns about firearm use and hunting. See response to No. 5 above.

The District Board of Directors adopted the Mitigated Negative Declaration on December 5, 2006 including a Mitigation Monitoring Program (Exhibit 5: Mitigated Negative Declaration, Mitigation Monitoring Program, Board Resolution and Notice of Determination).

Staff has reviewed the Mitigated Negative Declaration, Addendum and Mitigation Monitoring Program and concurs that the portion of the project to be funded by the Conservancy will not have a significant adverse effect on the environment. Thus staff recommends that the Conservancy find that there is no evidence that the project has the potential for a significant effect on the environment as defined in 14 Cal. Code of Regulations Section 15382. Staff will file a Notice of Determination upon approval of the project.