

Exhibit 5: CEQA Notice of Intent

NOTICE OF INTENT TO USE A FONSI in lieu of a Mitigated Negative Declaration
 Notice of Completion & Environmental Document Transmittal Appendix C

For U.S. Mail: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814
 Project Title: LOST COAST HEADLANDS - FLEENER CREEK TRAIL SCH#
 Lead Agency: STATE COASTAL CONSERVANCY Contact Person: Susan Corbaley
 Mailing Address: 1330 Broadway, 13th Floor Phone: 510-286-6767
 City: OAKLAND Zip: 94612 County: ALAMEDA

Project Location:
 County: HUMBOLDT City/Nearest Community: Ferndale Total Acres: NA
 Cross Streets: NA Zip Code: 93356
 Assessor's Parcel No. 101-111-007 Section: — Twp. — Range: — Base: —
 Within 2 miles: State Hwy#: — Waterways: PACIFIC OCEANS & Fleener Creek
 Airports: — Railways: — Schools: —

Document Type:

- | | | | |
|---|--|------------------------------------|--|
| CEQA: | | NEPA: | Other: |
| <input type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | <input type="checkbox"/> NOI | <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement to EIR | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | <input type="checkbox"/> Subsequent EIR | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other: <u>—</u> |
| <input checked="" type="checkbox"/> Mit Neg Dec | <input type="checkbox"/> Other: <u>—</u> | <input type="checkbox"/> FONSI | |

Local Action Type: NA

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input checked="" type="checkbox"/> Other: <u>TRAIL CONSTRUCTION</u> |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Annexation | |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Rezone | <input type="checkbox"/> Redevelopment | |
| <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Prezone | | |

Development Type:

- | | |
|--|---|
| <input type="checkbox"/> Residential: Units <u>—</u> Acres <u>—</u> | <input type="checkbox"/> Water Facilities: Type <u>—</u> MGD <u>—</u> |
| <input type="checkbox"/> Office: Sq.ft. <u>—</u> Acres <u>—</u> Employees <u>—</u> | <input type="checkbox"/> Transportation: Type <u>—</u> |
| <input type="checkbox"/> Commercial: Sq.ft. <u>—</u> Acres <u>—</u> Employees <u>—</u> | <input type="checkbox"/> Mining: Mineral <u>—</u> |
| <input type="checkbox"/> Industrial: Sq.ft. <u>—</u> Acres <u>—</u> Employees <u>—</u> | <input type="checkbox"/> Power: Type <u>—</u> MW <u>—</u> |
| <input type="checkbox"/> Educational <u>—</u> | <input type="checkbox"/> Waste Treatment: Type <u>—</u> MGD <u>—</u> |
| <input checked="" type="checkbox"/> Recreational <u>5,000 ft of hiking trail</u> | <input type="checkbox"/> Hazardous Waste: Type <u>—</u> |
| | <input type="checkbox"/> Other: <u>—</u> |

Project Issues That May Have A Significant Or Potentially Significant Impact:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Economic/Jobs | <input type="checkbox"/> Public Services/Facilities | <input type="checkbox"/> Traffic/Circulation |
| <input checked="" type="checkbox"/> Agricultural Land | <input type="checkbox"/> Fiscal | <input type="checkbox"/> Recreation/Parks | <input type="checkbox"/> Vegetation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Flood Plain/Flooding | <input type="checkbox"/> Schools/Universities | <input type="checkbox"/> Water Quality |
| <input checked="" type="checkbox"/> Archeological/Historical | <input type="checkbox"/> Forest Land/Fire Hazard | <input type="checkbox"/> Septic Systems | <input type="checkbox"/> Water Supply/Groundwater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Geologic/Seismic | <input type="checkbox"/> Sewer Capacity | <input type="checkbox"/> Wetland/Riparian |
| <input type="checkbox"/> Coastal Zone | <input type="checkbox"/> Minerals | <input type="checkbox"/> Soil Erosion/Compaction/Grading | <input type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Drainage/Absorption | <input type="checkbox"/> Noise | <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Land Use |
| | <input type="checkbox"/> Population/Housing Balance | <input type="checkbox"/> Toxic/Hazardous | <input type="checkbox"/> Cumulative Effects |
| | | | <input type="checkbox"/> Other: <u>—</u> |

Present Land Use/Zoning/General Plan Designation: AG

Project Description: (please use a separate page if necessary)

NOTE: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in. Revised 2005

Construct 5,000 feet of public access hiking trail on federal [Bureau of Land Management] lands at the "Lost Coast Headlands" approx 7 miles SW of Ferndale, CA. TRAIL will extend from the Fleener Creek Trailhead Parking Area on Centerville Road to the Pacific Ocean at Fleener Creek. Project involves trail grading with small-track excavator + hand tools, and surfacing with crushed shale. Walk through structures at either end to control cattle access.

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Reviewing Agencies Checklist

Appendix C continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below.

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Emergency Services
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Parks & Recreation
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Reclamation Board
<input type="checkbox"/> Coachella Valley Mountains Conservancy	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> S.F. Bay Conservation & Development
<input type="checkbox"/> Commission	
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> Santa Monica Mountains Conservancy
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Office of Public School Construction	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Forestry & Fire Protection	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> Health Services, Department of	
<input type="checkbox"/> Housing & Community Development	Other: _____
<input type="checkbox"/> Integrated Waste Management Board	Other: _____
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date 4-5-2007 Ending Date 5-7-2007

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: (____) _____
Phone: (____) _____	

Signature of Lead Agency Representative [Signature] Date: 4-4-7

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Intent to use FONSI in Lieu of Mitigated Negative Declaration for the Construction of the Fleener Creek Trail

The California State Coastal Conservancy (“the Conservancy”), acting as the Lead Agency under the California Environmental Quality Act (CEQA), intends to use the Finding of No Significant Impact (“FONSI”), prepared by the Bureau of Land Management (“BLM”) for a project to construct a public access trail, in lieu of preparing its own Mitigated Negative Declaration for the project. The Fleener Creek Trail will be located on BLM property known as the “Lost Coast Headlands”, approximately seven miles southwest of Ferndale in Humboldt County. The project includes installing approximately 5,000 feet of trail from the Fleener Creek Trailhead Parking Area to the beach at Fleener Creek. Construction involves the use of small-tracked backhoe and hand tools to grade the trail for drainage, covering the trail with crushed shale.

Under CEQA, state agencies are encouraged to use a FONSI prepared pursuant to NEPA rather than preparing a new CEQA document if the FONSI has been or will be prepared before a Negative Declaration or EIR would otherwise be completed for the project; and if the FONSI complies with the CEQA Guidelines. In 2004, the BLM prepared an Environmental Assessment (“EA”) for construction of a parking lot and trail, including this project, to evaluate the potential adverse effects to the environment. The BLM determined the project would not result in significant impacts to the environment and on September 27, 2005, the BLM adopted a FONSI. The EA and FONSI will be available for a 30-day public review and comment period from April 5, 2007 through May 7, 2007. The BLM’s NEPA review includes a description of the property and proposed project activities, and discusses any necessary mitigation to protect resources during the project activities. The Environmental Assessment indicates that, with mitigation, the proposed project would have no significant impacts.

Digital versions of the EA and FONSI will be available at the State Coastal Conservancy website, www.coastalconservancy.ca.gov. Printed copies of the documents will be available at the Coastal Conservancy’s public meeting scheduled for 9:00 May 24, 2007 at Cabrillo Pavillion Arts Center, 1118 E. Cabrillo Blvd., Santa Barbara, CA, 93103. Comments may be submitted to the State Coastal Conservancy in care of Susan Corbaley, Project Manager, by email at scorbaley@scc.ca.gov, by fax at 1-510-286-0470, or by U.S. Mail to 1330 Broadway, 13th Floor, Oakland, CA 94612.

Pertinent and reasonable comments submitted during the 30-day review period will be considered. Comments submitted by email or fax must be received by May 7, 2007; comments submitted by U.S. Mail must be postmarked not later than May 7, 2007.