

COASTAL CONSERVANCY

Staff Recommendation
March 26, 2015

FRESHWATER FARMS NATURE TRAIL AND IMPROVEMENTS

Project No. 10-023-02
Project Manager: Michael Bowen

RECOMMENDED ACTION: Authorization to disburse up to \$85,000 to the Northcoast Regional Land Trust to implement the Freshwater Farms Nature Trail Project and Improvements in Humboldt County.

LOCATION: Freshwater Farms, Freshwater Corner near Eureka in Humboldt County.

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: [Project Location and Trail Design](#)

Exhibit 2: [Project Letters](#)

Exhibit 3: [Mitigated Negative Declaration and Addendum to Mitigated Negative Declaration](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 - 31410 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to eighty-five thousand dollars (\$85,000) to the Northcoast Regional Land Trust (NRLT) to implement the Freshwater Farms Nature Trail Project in Humboldt County, subject to the following conditions:

1. Prior to the disbursement of funds, NRLT shall submit for review and approval by the Executive Officer of the Conservancy:
 - a. A work program including a schedule and budget for the project.
 - b. All contractors to be retained for the projects.
 - c. Documentation that all funding required for the project has been secured.
2. NRLT shall ensure that the project improvements are consistent with the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and with all applicable federal and state statutes, regulations and guidelines governing access for persons with disabilities.

2. Prior to commencement of work on the project, the Northcoast Regional Land Trust shall record an agreement pursuant to §31116 (c) sufficient to protect the public interest in 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 project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public accessways.
3. The Conservancy has independently reviewed the *Wood Creek Estuary, Tidal Marsh, and Fish Access Enhancement Project, Freshwater, Humboldt County, California, Mitigated Negative Declaration*, adopted by Humboldt County under the California Environmental Quality Act on September 4, 2008, and the *Addendum* thereto, adopted by Humboldt County under the California Environmental Quality Act on December 18, 2014, both attached to the accompanying staff recommendation as Exhibit 3, and finds that the proposed project 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.
4. The Northcoast Regional Land Trust is a nonprofit organization existing under section 501(c)(3) of the Internal Revenue Service, and whose purposes are consistent with Division 21 of the Public Resources Code.”

PROJECT SUMMARY:

Staff recommends disbursement of up to \$85,000 to the Northcoast Regional Land Trust (NRLT) to implement the Freshwater Farms Nature Trail at their Freshwater Farms property near Eureka, Humboldt County (Exhibit 1).

The goal of the project is to significantly enhance the current ecological, educational, agricultural and recreational values of the Freshwater Farms Reserve by providing unhindered public access to this property for all Californians. The proposed project contains three elements that will enable NRLT to achieve this goal and share the compelling coastal salt marsh and estuary habitat restoration success story at Freshwater Farms:

1. Construction of a Freshwater Nature Trail;
2. Rehabilitation of the historic Graham-Long Dairy Barn for use as a wet-weather environmental education classroom and for continuing agricultural purposes; and
3. Rehabilitation of the Freshwater Farms Native Plant Nursery and Garden for enhanced education, agriculture, and restoration opportunities.

With earlier financial support of the State Coastal Conservancy, NRLT has completed the designs and permits for a ¾-mile nature trail at Freshwater Farms Reserve that would traverse

the property and provide educational and recreational public access to the restored wetland area on the property, as well as to an existing farm stand and pasture (Exhibit 1). The trail will include an informational kiosk and six interpretive signs, a canoe and kayak launch, and a boardwalk to provide low-impact, up-close observation of native plants and wildlife in the restored wetland. The Freshwater Nature Trail will pass by or through all plant communities on the property, culminating in a boardwalk that would provide visitors an intimate experience of the restored tidal wetland and salt marsh habitat. The Freshwater Farms Native Plant Nursery and Garden will represent the native plant habitats on the property, with interpretive signage, and the Freshwater Nature Trail will also include interpretive signage highlighting the history of the area and the habitat restoration project.

Specific tasks associated with the construction and implementation of the Freshwater Nature Trail include: parking area improvements made to Humboldt County Public Works standards; minor vegetation removal along the initial trail segment to avoid low-lying wetlands; reconnection of the parking lot to an existing grass-surfaced roadway that comprises the main trail segment; creation of non-motorized boat launch with a geoblock-surfaced ramp; creation of an elevated boardwalk and viewing platform to observe native plants and wildlife in the restoration area; installation of a fenced safety barrier at the tide gate terminus of the trail; and installation of interpretive and trail marker signage. The Freshwater Nature Trail parking area, and the Trail entrance area next to the parking lot, both of which provide an excellent view of both the restoration area and the pasture and which include interpretive signage, will be ADA accessible. Seasonally permitting, the initial quarter mile of the trail leading to the levee portion of the trail will also be firm and level, and generally accessible for persons with mobility limitations.

In addition to the construction of the Freshwater Nature Trail, two existing structures on the property require rehabilitation for the purposes of ensuring public safety, enhancing environmental education activities, and demonstrating compatible agriculture. The historic Graham-Long Dairy Barn, a 10,000 square foot structure built in 1910, has a roof in an advanced state of decay. This barn is constructed with thick, old-growth redwood beams, meaning that it is still structurally sound. These historic construction materials also mean that a barn of its kind will literally never be built again. When rehabilitated, the historic barn will serve agricultural purposes, as well as become a safe and viable wet-weather classroom for our curriculum-based education programs—wherein students learn critical thinking skills that enable California’s future leaders to make inclusive land-use decisions that integrate agricultural practices with restored wetland habitat for wildlife. This portion of the project will stabilize and weatherize the barn in a manner consistent with its historical construction to provide for full and safe use of the structure. The specific steps to this stabilization include: installation of a new roof, installation of new doors, patching of side walls, and foundation work to strengthen the structure around main support posts.

Adjacent to the historic dairy barn is a deteriorated structure that served as the commercial Freshwater Farms Native Plant Nursery and Garden prior to the Land Trust’s acquisition of the property. Capital investment on this portion of the property will rejuvenate the former nursery as a native plant educational space, an agricultural operation consistent with the zoning of the property, and a source of native plants for restoration work being accomplished across the Humboldt Bay and Eel River region. Specific tasks will include: brush and root clearing of

invasive plants around nursery buildings; reconstruction of existing raised beds and planting tables; rehabilitation of a native plant courtyard garden; re-covering an existing hoop greenhouse and installing doors; stabilizing structural beams of the former milking parlor; re-roofing the milking parlor; and securing doors and replacing windows of the milking parlor to provide for zoned agricultural re-use as nursery building.

The work products of this fully completed project will be the Freshwater Nature Trail; the rehabilitated Graham-Long Dairy Barn, providing a safe space for a wet-weather environmental education classroom and consistent agricultural uses; and the rehabilitated Freshwater Farms Native Plant Nursery and Garden, providing a safe space for native plant education and agriculture. These three improvements will transform Freshwater Farms Reserve into a Coastal Act ambassador property, a place where California's citizens can learn about and fully experience the successful story of agriculture, recreation, and coastal habitat restoration.

Public visitation at the site has ranged under NRLT's ownership from 700-1,000 visitors per year. This includes NRLT's curriculum-based education programs, Humboldt State University field trips and research use of the property, and guided walks and canoe trips open to the general public. Given the property's proximity to Eureka and Arcata (Humboldt County's most densely populated urban areas), NRLT anticipates attracting at least 5000 visitors per year in an enhanced public access scenario.

NRLT has a long and successful history of involvement with the Coastal Conservancy. Over the past 14 years, NRLT has permanently protected over 25,000 acres of land through conservation easements and acquisitions. Freshwater Farms Reserve is one of these acquisitions, a 74-acre parcel in the coastal zone of Humboldt Bay acquired through the financial support and assistance of the State Coastal Conservancy. In 2009, Northcoast Regional Land Trust and its partners, including the State Coastal Conservancy, restored a 35-acre salt marsh and tidal wetland at Freshwater Farms Reserve to create estuary habitat for threatened coho salmon, coastal cutthroat trout, Chinook salmon, steelhead trout, and endangered tidewater goby.

Site Description: Located slightly north of Eureka, near Freshwater Corner, the 74-acre property is historic tidal marsh that was reclaimed for agricultural purposes in the nineteenth century. Freshwater Farms was, in fact, Humboldt County's first Grade A Dairy. The property is currently a scenic mixture of pasture, agricultural infrastructure and restored tidal marsh and salmonid off-channel rearing habitat.

The property hosts six plant community types: coastal brackish marsh, coastal freshwater marsh and seeps, red alder and willow riparian forest, diked marsh/introduced perennial grassland, and ruderal. Rare, threatened, or endangered species known to occur on the property include Chinook and coho salmon, steelhead trout, coastal cutthroat trout, tidewater goby, and Lyngbye's sedge. The public access infrastructure investments outlined in this proposal have been specifically designed to highlight, complement, and serve as a means to share the story of restored and enhanced habitat for these species, compatible with sustainable agricultural practices.

Project History: Freshwater Farms Reserve, a 74-acre parcel in the coastal zone of Humboldt Bay, was acquired by NRLT through the financial support and assistance of the State Coastal Conservancy. In 2009, NRLT and its partners, including the State Coastal Conservancy, restored

a 35-acre salt marsh and tidal wetland along Wood Creek at Freshwater Farms Reserve to create estuary habitat for juvenile coho salmon, cutthroat trout, Chinook salmon, steelhead trout, and endangered tidewater goby. Research by the California Department of Fish and Wildlife over the last five years has demonstrated that coho salmon in Freshwater Creek—in addition to other fish species—are directly benefiting from the nutrient-rich habitat created in this restoration project on Wood Creek. The Conservancy and NRLT are currently planning a second phase of Wood Creek restoration to build on the success of the initial restoration project and create additional habitat for juvenile coho and other salmonid species, as well as for resident and migratory birds and coastal freshwater and brackish marsh plants. Opening the property to public access through the implementation of the signed Freshwater Nature Trail, rehabilitation of the historic Graham-Long Dairy Barn for adaptive re-use as a wet-weather classroom, and rehabilitation of the Freshwater Farms Native Plant Educational Garden and Nursery will complement and enhance these successful restoration projects—both completed and planned—by sharing the story of habitat restoration, compatible agriculture, recreation, and education with the communities of California and beyond.

In addition, the Conservancy previously funded the design and permitting of the proposed Freshwater Nature Trail, recognizing the benefits that structured public access to this unique property could provide to the North Coast of California. Implementing this project helps fulfill the promises of public benefit that NRLT and the Conservancy have made to our northern California communities by providing access to this Coastal Act success story and living laboratory of habitat restoration, sustainable agriculture, and public education.

PROJECT FINANCING

Coastal Conservancy	\$85,000
Northcoast Regional Land Trust (Private Donations)	\$77,351
T.S. Glide Foundation	\$7,000
McLean Foundation	\$5,000
Project Total	\$174,351

The anticipated source of Conservancy funds for this authorization is the Fiscal Year 2010/11 appropriation from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12), which generally may be used for expenditure by the State Coastal Conservancy pursuant to Division 21 of the Public Resources Code for the enhancement of real property and for the development of public use facilities. The specific Proposition 12 funds proposed for financing the project are designated for use on projects in coastal areas north of the Gualala River. The combined resource enhancement efforts and public education and access development at Freshwater Farms make the proposed project an ideal candidate for this funding source.

NRLT has secured significant matching funds relative to the size of their organization and the ability of the local community to support the project financially. The project enjoys primarily non-state contributions from a variety of sources, particularly NRLT's members and supporters.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to the public access provisions of the Conservancy's enabling statute, Chapter 9 of Division 21 of the Public Resources Code. Section 31400.1 authorizes the Conservancy to award grants to public agencies and nonprofit organizations to develop lands for public access purposes to and along the coast. Consistent with that section, the proposed project would provide regional public access to Freshwater Slough. Consistent with Section 31400.2, staff recommends approval of this project after evaluating the amount of funding provided by the Conservancy in light of the total amount of available for coastal public accessway projects in the area, the fiscal resources of the grantee, the urgency of the project relative to other eligible projects and the application of factors prescribed by the Conservancy for the purpose of determining project eligibility and priority.

Pursuant to § 31400.3, "[t]he conservancy may provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public coastal accessways, and related functions necessary to meet the objectives of this division." The proposed project will provide improved access to a conservancy-funded acquisition.

Pursuant to §31409, the conservancy may award grants and provide assistance to public agencies and nonprofit organizations to establish and expand those inland trail systems that may be linked to the California Coastal Trail. The proposed trail linkage establishes an important inland and water link from the Humboldt Bay Estuary to areas upstream and downstream and is therefore consistent with this section.

CONSISTENCY WITH CONSERVANCY ACCESS PROGRAM STANDARDS:

As required by Public Resources Code Section 31401, the proposed access facilities to be developed under this project are consistent with the Conservancy's "Standards and Recommendations for Accessway Location and Development", as follows:

Standard No. 1: By improving the parking and entry area, repairing decaying infrastructure, and siting the trail consistent with the Coastal Act, the proposed project will protect the public and coastal resources.

Standard No. 2: Similarly, by repairing the barn and the agriculture-access interface, the proposed project will correct existing hazards on site.

Standard No. 5: Siting of the Freshwater Farms Nature Trail was extraordinarily difficult, due to the abundance of ecologically significant habitat area (ESHA) and wetlands on site. The existing Coastal Development Permit for the project ensures the desired level of protection of coastal resources.

Standard No. 8: The proposed project largely conforms to Standard No. 8 regarding trails, with the exception of the need for an easement, since NRLT owns the property fee simple.

Standard No. 12: NRLT has provided for sufficient support facilities as part of the proposed project, including an upgraded and ADA accessible parking area, trash receptacles and a portable restroom. A permanent restroom will require further work with the County in order to ensure that design meets the standards of the Health Department.

Standard No. 13: NRLT has designed the project in order to accommodate those with mobility challenges by ensuring that the parking/entrance area enjoys unrestricted access and has ample room to enjoy the viewshed of the property, as well as interpretive panels describing the features of the broader property.

**CONSISTENCY WITH CONSERVANCY'S 2013
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objective B**, of the Conservancy's 2013-2018 Strategic Plan, the proposed project will open a coastal area that was previously inaccessible and described in the appropriate LCP as unsuitable for public access due to perceived conflicts between agricultural and recreational uses.

Consistent with **Goal 2, Objective A**, the proposed project will also incorporate a parking and access area in the main entrance that provides barrier-free access.

Finally, consistent with **Goal 2, Objective D** the proposed project will fund construction of new facilities, *and* reconstruction of dilapidated and unsafe facilities to increase and enhance coastal recreational opportunities.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Promotion and implementation of state plans and policies:** The proposed project is consistent with the following state plans and policies concerning public access and concerning restoration of riparian habitat and increasing natural production of the coastal salmon populations that depend upon that habitat for certain life history stages.
 - a. *Coastal Act (1976)*, Public Resources Code Sections 30210 and 30214 on public access and recreation that call for "maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse."
 - b. *Humboldt Bay Harbor Management Plan* (adopted in May 2007 by the Humboldt Bay Harbor, Recreation and Conservation District), in particular policies outlined in Section III Chapter 4 of this regional plan to develop recreation facilities and access improvements in Humboldt Bay, and policies in Section III Chapter 5 to maintain, restore, and enhance aquatic and terrestrial ecosystem integrity in the bay.
 - c. As the project compliments the completed components and planned components of restoration of Wood Creek—including habitat restoration for threatened salmonids, the restoration of tidal marshes and riparian areas, improvement of watershed

processes such as sediment transport, and protection of water quality and supply—the project supports the California Fish and Game issued *Recovery Strategy For California Coho Salmon* in that the highest priority recommendation of that plan relating to the Mad River is to “[w]ork with landowners and other entities to protect existing large woody debris recruitment potential through the retention of mature coniferous trees in the riparian zone...” and “establish adequate streamside buffer areas.”

- d. Federal National Marine Fisheries Service 2014, *Final Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon (Oncorhynchus kisutch)*. That report states that “lack of floodplain and channel structure, impaired estuary function, impaired water quality and altered sediment supply are the key limiting factors for coho salmon production in the Mad River basin. Top recovery priorities in the basin should include improving channel structure and off-channel rearing habitat....” (p. 24-18).
3. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
4. **Support of the public:** The proposed project enjoys the support of U.S. Congressman Jared Huffman, State Senator Mike McGuire, Assemblyman Jim Wood, and many resource agencies including the Department of Fish and Wildlife, NOAA Fisheries and others. (See Exhibit 2).
5. **Location:** The project site is within the coastal zone, and will benefit numerous coastal resources by providing public access and restoration consistent with prior and planned floodplain habitat restoration efforts.
6. **Need:** Without Conservancy funds, NRLT would not be able to accomplish the capital improvements needed to make the Freshwater Farms Reserve property a public access site. Community members throughout the North Coast of California would have extremely limited access to the successful salt marsh and coho salmon habitat restoration accomplished by the Conservancy, NRLT, and other partners. The Freshwater Nature Trail, planned since 2009 with Conservancy funding, would not be implemented soon. The historic Graham-Long Dairy Barn would not be stabilized nor rehabilitated until additional funding is secured; the barn’s roof is currently in an advanced state of decay. This roof could potentially suffer a catastrophic failure within the next two years, which in coastal northern California’s climate would effectively mean the loss of this historic resource. Without Conservancy funds, the existing infrastructure to support a native plant nursery and educational garden would continue to decay to the point of completely forfeiting the value in these structures and the legacy of native plant education on the property. For all deferred maintenance projects, the appearance of decay of existing structures would continue to encourage vandalism and malicious trespass across the entire property, putting the strategic conservation and restoration investments made by the Conservancy, NRLT, and our many community partners at risk.
7. **Greater-than-local interest:** The Freshwater Nature Trail will strongly complement current trail projects in the area focused on increasing access to non-motorized transportation and recreation opportunities including the Humboldt Bay Trail project, the Humboldt County

Coastal Trail Implementation Program (Phase I), and the Humboldt Bay Water Trails project. Freshwater Farms Reserve also lies adjacent to the McKay Community Forest Project, with future potential for a linked trail system that highlights conserved working forestlands and conserved coastal wetlands. While there are multiple, important habitat restoration projects now happening in the Humboldt Bay area, the public generally does not have access to these sites. Freshwater Farms Reserve can serve as a regional hub for the coho salmon and other species habitat enhancement projects underway, an ambassador property for the entire North Coast of California to share this collaborative conservation work.

NRLT currently works in partnership with Friends of the Dunes to bring hundreds of elementary through high school students out to Freshwater Farms Reserve to experience a tidal wetland environmental education program that compliments the dunes-focused education programs implemented at the Humboldt Bay Coastal Nature Center. Based on direct feedback from Friends of the Dunes who teach the hands-on education program at Freshwater Farms Reserve, many more students could experience this complimentary coastal education program if a facility such as the wet-weather classroom proposed by this project is implemented. NRLT's curriculum-based outdoor education programs focus on engaging students in Humboldt County school districts, which consist primarily of rural, low income and under-served students who would otherwise be unable to take advantage of the unique learning environment of Freshwater Farms Reserve. Schools in Humboldt County serve populations in which 40% or more of the students come from low-income households, with 60%-90% of students qualifying for free or reduced-cost lunches. This project would significantly enhance the opportunity to serve a currently under-served community.

Freshwater Farms Reserve is located only 1.9 miles from residential Eureka, the most populous city and most densely urbanized area in Humboldt County. The property is also located 7 miles south of Arcata, the second most populous city in Humboldt County. The property's strategic location—on the most-traveled county road located between the two most densely populated areas in the county—will allow Freshwater Farms Reserve to serve as a regional hub for recreation and environmental education focusing on habitat restoration. The property's close proximity to Highway 101 (less than five minutes' drive) combined with a strong track record of outreach by NRLT, will serve visitors from outside our region and across California, enabling them to access this unique intersection of habitat restoration, sustainable agriculture, recreation, and education.

8. **Sea level rise vulnerability:** Like most of the area around Humboldt Bay, this area is highly susceptible and vulnerable to sea level rise. That said, the proposed public access project, as well as the earlier habitat enhancement efforts, have all contemplated this vulnerability and incorporated design elements sure to provide project durability. Simply put, all project elements, particularly the trail component, are designed so as to withstand projected sea level rise that would impair access in the area. The restored habitat areas face no imminent threat from increasingly saline conditions and would in fact provide increased estuarine habitat benefits under a sea level rise scenario.

Additional Criteria

9. **Urgency:** Leveraging the remarkable match demonstrated by NRLT in order to achieve a substantial improvement in terrestrial and aquatic public access in the Humboldt Bay area is of immediate interest.
10. **Resolution of more than one issue:** As described above, the project NRLT has successfully balanced frequently conflicting goals under the Coastal Act, and encouraged the County of Humboldt to support a highly visible public access facility that is well integrated with agricultural operations.
11. **Leverage:** See the “Project Financing” section above.
12. **Conflict resolution:** See Resolution of more than one issue, above.
13. **Readiness:** NRLT has demonstrated its ability and desire to commence and complete the project this summer.
14. **Realization of prior Conservancy goals:** “See “Project History” above.”
15. **Cooperation:** Active engagement with agency personnel, county staff and others has led the design portion of this project to a well supported and greatly desired implementation stage. NRLT’s success in achieving full cooperation in this regard is notable.
16. **Vulnerability from climate change impacts other than sea level rise:** By chance Humboldt County is one of the rare areas where major habitat disruptions resulting from climate change are not anticipated. Relative to other areas of the state and nation, the proposed project is not as vulnerable to climate change effects. Nonetheless, NRLT will employ standard Best Management Practices, such as avoiding idling of diesel vehicles, in order to reduce carbon emissions associated with the project.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

General Plan, Volume II, Humboldt Bay Area Plan of the Humboldt County Local Coastal Program (certified October 14, 1982). Section 3.5(C) includes an access inventory that makes recommendations for increased public pedestrian access in many locations. Section 3.5(B)(5) lays out a route for the coastal trail.

More broadly, the LCP strongly favors public access in the Humboldt Bay Area. Quoting from, a section of the Coastal Act, Public Resources Code Section 30210, the LCP establishes the this public access objective: “maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse” (Chapter 3, Page 68).

The LCP goes on to state that “(p)ublic agencies or other entities having or accepting responsibility for accessways shall provide support facilities compatible with the character of the land and adequate for the number of people using them prior to opening the access to public use” (Chapter 3, Section 1 (a) Page 68). The LCP advises that “minimal improvements” that are “in character with the rural nature of the communities they serve” are desirable. The proposed project is highly compatible with the LCP guidelines for public access.

An interesting incongruity with the LCP exists within the now-outdated coastal access inventory that appears in the LCP beginning in Chapter 3, page 71. Within this inventory, Freshwater Slough is specifically highlighted, but public pedestrian access to this area was not recommended, due, in part “to conflicts with existing agricultural land uses”. The LCP further notes that boating access to the area “is available from City of Eureka” (Chapter 3, page 76, inventory no. 54). Whatever “conflicts with existing agricultural land uses” may have existed, the NRLT’s acquisition of the Freshwater Farms property some thirty-two years later, combined with their ability and desire to provide enhanced pedestrian access, has eliminated that impediment. While it is remotely conceivable that boating access to this area from the City of Eureka was “available” at some point in the past, it is now directly available on the Freshwater Farms site, given NRLT’s desire to provide a kayak launch point. Although both types of public access may not have been seen as achievable at the time when the LCP was written, both are now achievable and both are consistent with the overall LCP objective of maximizing public access.

COMPLIANCE WITH CEQA:

In 2008, the Humboldt County Planning and Building Department prepared the *Wood Creek Estuary, Tidal Marsh, and Fish Access Enhancement Project, Freshwater, Humboldt County, California Mitigated Negative Declaration* (the “MND”, attached as part of Exhibit 3) as the original environmental compliance document under CEQA covering restoration work at Freshwater Farms. That MND outlined Phase I of an ecosystem restoration project (“the project”) that included various restoration efforts on the 54-acre “Freshwater Farms Reserve” owned and managed by NRLT. The Humboldt County Planning Commission adopted the proposed MND and approved a conditional use permit for the project on September 4, 2008. At that time public access was not an aspect of the project and is unmentioned in the MND, and the applicant indicated under the Recreation Section of the CEQA check boxes that recreation is “(n)ot applicable, the project is limited to wetland and fish access enhancement.”

Phase 2 of NRLT’s project, the subject of this grant, includes restoration activities not funded with this grant as well as “...the construction of an interpretive and recreational trail, parking area, trail signage, a launch ramp for non-motorized watercraft access to Freshwater Slough, a raised boardwalk as well as fencing and signage” which would be funded in part with this grant.

The Humboldt County Planning and Building Department treated this additional public access work as a modification of the original Freshwater Farms project that was subject to the MND and assessed whether additional environmental documentation was required. Concluding that it was not, the Department prepared and on December 18, 2014 the County adopted an addendum to the MND - *Addendum to the Mitigated Negative Declaration for the Northcoast Regional Land Trust Restoration and Access Project (SCH #2008082028)*, hereafter “Addendum”, attached as Exhibit 3. In summary, the County found that the proposed project actions in Phase 2, including the trail improvements which are proposed for Conservancy funding, were “minor in nature.” and that an additional MND was unnecessary because: 1) no substantial change was proposed in the project; 2) no new information was available to warrant a new MND; and 3) no additional mitigation measures for the additional work were necessary.

Conservancy staff agrees with this conclusion with respect to the public access improvements. The proposed trail and public access improvements to be funded by the Conservancy grant are

indeed small in scale, encompassing less than five acres in property area. As described under Project Summary, above, much of the trail alignment and development exists already in the form of a parking area leading towards a former ranch road to the levee along Freshwater Slough, the majority of which will comprise the proposed routing of the trail, thereby avoiding adverse impacts to habitat. The only deviations from existing development include those areas where the Coastal Commission has explicitly requested NRLT to route the trail around low lying and wetland areas, a step that necessitates minor vegetation clearing of willows. Moreover, the nature of the work is minimal and apart from minor grading in the existing parking area involves little to no heavy equipment operation, and thus poses little potential for adverse environmental impacts. Accordingly, Conservancy staff agrees that the public access work will not involve significant impacts and that no additional CEQA documentation beyond the MND is required for the public access component of the project.

The County did not include the facility repair component of the project in its Addendum. However, under CEQA Guidelines, certain types of projects are deemed exempt from CEQA review because the type of project generally does not involve significant impacts. Class 2 exemptions under Guidelines Section 15302 consist of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The repair and renovation of the barns which have been used for nature study and outdoor educational purposes for some time, conforms to this section. Thus, that work likewise does not have potential for significant environmental impact.

Upon approval, staff will file the required CEQA notice.