

COASTAL CONSERVANCY

Staff Recommendation  
April 6, 2023

**CRESCENT CITY HARBOR CITIZENS' DOCK PLANNING AND  
SOUTH BEACH ACCESS IMPROVEMENT**

Project No. 23-001-01  
Project Manager: Joel Gerwein

**RECOMMENDED ACTION:** Authorization to disburse up to \$1,377,000 to the Crescent City Harbor District to prepare plans and designs, environmental review documents, and permit applications for the reconstruction of Citizens' Dock and to construct a new restroom serving South Beach in the Crescent City Harbor in Del Norte County.

**LOCATION:** Crescent City Harbor, Crescent City, Del Norte County

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EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Project Photographs](#)
- Exhibit 3: [Designs for Restroom](#)
- Exhibit 4: [Project Letters](#)

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**RESOLUTION AND FINDINGS**

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one million three hundred seventy-seven thousand dollars (\$1,377,000) to the Crescent City Harbor District ("the grantee") to prepare plans and designs, environmental review documents, and permit applications for the reconstruction of Citizens' Dock and to construct a new restroom serving South Beach in the Crescent City Harbor in Del Norte County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.

3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.

In addition, to the extent appropriate, the Harbor District shall incorporate the guidelines of the Conservancy's 'Coastal Access Project Standards'.

Findings:

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

1. The proposed authorization is consistent with Section 31113 of Division 21 of the Public Resources Code, regarding addressing climate change and potential climate change impacts, and with Chapter 9 of Division 21 of the Public Resources Code, regarding a System of Public Accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.

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## **STAFF RECOMMENDATION**

### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize a grant of up to \$1,377,000 to the Crescent City Harbor District to prepare plans and designs, environmental review documents, and permit applications for the reconstruction of Citizens' Dock and to construct a new restroom serving South Beach in the Crescent City Harbor in Del Norte County (Exhibit 1). The planning component of the project will facilitate the construction of an improved Citizens' Dock, which is critical to Crescent City's commercial fishing fleet and is at risk of catastrophic failure. The construction component of the project will build a new bathroom with showers for visitors to South Beach, a popular destination that currently has no public bathrooms adjacent to the beach.

### **Citizens' Dock Planning**

Citizens' Dock, built in 1965, is a critical piece of harbor infrastructure. It is a working commercial fishing dock and home to all the major support services for the local commercial fishing fleet: fish buying buildings, hoists, boat tie ups, product loading area and the icehouse. It includes the approach trestle, south wharf, and west wharf (Exhibits 1-2).

The Dock is also used by trucks, forklifts, and other vehicles to transport fish to processing facilities and markets. Failure of Citizens' Dock would cause job loss throughout the commercial fishing industry and in the businesses and services which support the commercial fleet, an important part of the local economy. The dock is dilapidated and at risk of significant damage from climate related hazards: tsunamis, storm surges, and sea level rise. A recent examination of the dock found that 50% of the poles need to be replaced, including poles which have lost up to 90% of their original circumference.

The reconstructed dock will provide opportunities to an area of persistent poverty. The Crescent City Harbor District (Harbor District) is in a Disadvantaged Community as defined by the California Department of Water Resources. A reconstructed Citizen's Dock will revitalize the waterfront, provide significant public benefits, and promote sustainable economic development. Construction of this project will support job creation. The project will incorporate strong labor standards, and promote workforce opportunities in planning and project delivery. In addition, the Harbor District will adopt an equity and inclusion program and partner with training and placement programs that create opportunities for all workers.

The reconstructed Citizens' Dock will be designed to address climate resilience, incorporating resilience and adaptability to expected sea level rise, 100-year floods, and 50-year tsunami events during the dock's 50+ year lifespan. Potential approaches to enhance resilience include utilizing steel, aluminum, or concrete for pilings and steel, fiberglass, or heavy-duty polyvinyl chloride (PVC) for the deck, as well as designing the structure to rise with sea level. In addition, the planning project will explore the feasibility of including habitat features, such as textured tiles, pools, pits, and crevices designed to mimic local rocky reef habitat.

The reconstructed dock design will include public access facilities; there is no public access to the existing dock. The reconstructed dock will include an ADA accessible pedestrian walkway, seating, lighting, informational signage, and educational and community opportunities. This new public access will connect to the Coastal Trail constructed with a prior Conservancy grant in adjacent areas of the harbor. The reconstructed dock will provide a special waterfront experience on a site that has been inaccessible to the public for more than 50 years, providing residents and visitors with waterfront access, dramatic harbor views, and education about the commercial fishing fleet and the Harbor region. The dock design will include educational and engagement areas for youth and adults to learn about local history, commercial fishing, marine life and habitat, stewardship, and resilience efforts needed to address climate change and rising sea levels.

The Citizens' Dock planning component of the project will include preparation of technical studies, designs, and specifications adequate to allow preparation of an environmental document to comply with the California Environmental Quality Act (CEQA), preparation of such a document, preparation of permit applications, and community engagement. Technical studies for environmental compliance will include special status flora and fauna review, bathymetry, soils and geotechnical study, and water sampling. The project is likely to require an Environmental Impact Report for CEQA compliance, although the possibility of utilizing a Mitigated Negative Declaration will be explored. The project will require a Coastal Development Permit and consultation with the US Fish and Wildlife Service and the National Marine Fisheries Service under the Endangered Species Act.

The reconstructed of Citizens' Dock, including new public access, was identified by community members, including commercial fishermen, during regular public meetings and workshops held by the Harbor District to solicit community input into the development of the Harbor District Strategic Plan, the Crescent City Harbor Area Land Use Plan, and the Del Norte County Comprehensive Economic Development Strategic Plan. As part of the project, the Harbor District will, with assistance from a consultant, lead a public visioning process to determine

features the community would like to see at the dock. The Harbor District will solicit initial input into the design and then solicit input on final design options at public meetings at the harbor district, at other community sites, and online. The goal is to include a wide variety of voices in the conversation, so that fishing, tourism, local residential use, conservation, historic considerations, education, and other elements are all part of these conversations and considered in the final design.

### **South Beach Restroom Construction**

South Beach is a popular beach located adjacent to Highway 101 at the southern entrance to Crescent City. It is part of the California Coastal Trail, and is used by casual beachgoers, hikers, surfers, stand up paddleboarders, and surf fishers. While there are no visitation data for this beach, many of the 200,000 annual visitors to Jedediah Smith State Park are likely to stop at South Beach during their stay. There are no amenities serving visitors to South Beach. At times, the County and Harbor District have provided port-a-potties and dumpsters during the summer when visitation is highest. However, problems with trash and with human waste left by visitors near the beach persist.

Currently, the nearest permanent bathroom is 0.3 miles down Anchor Way, located next to the boat ramp (Exhibit 1). There are no showers located at this bathroom, and the bathroom is not easily accessible to pedestrians as it requires traversing a commercial industrial area used primarily by vehicles. In addition to a long walk, there are also safety issues, making another restroom directly adjacent to South Beach necessary. The Crescent City-Del Norte County Visitor Center expects tourism in the area to increase as the Today Show listed Del Norte County as one of the top ten US travel destinations for 2023. As the location of the proposed project site is adjacent to the California Coastal Trail, hikers will have essential and convenient access to bathrooms and outdoor showers.

The bathroom construction component of the project includes construction of a 500 square foot bathroom with six stalls, two of which will be ADA accessible (Exhibit 3). An ADA parking space will be constructed adjacent to the bathroom and an ADA compliant ramp will provide access from Anchor Way. The bathroom will include at least two outdoor showers. The project includes obtaining a grading permit and a Coastal Development Permit before construction. The bathroom will connect to an existing sewer line adjacent to the site, minimizing disturbance and cost.

Restroom construction will provide significant public benefits and promote sustainable economic development. Specifically, the project highlights equity and accessibility by constructing bathrooms and showers that are accessible for all who visit South Beach, which is in a disadvantaged community. The project will allow those who come to enjoy the beach to make their stays longer with bathroom and shower access, which in turn means that visitors can stay in the Harbor District where they can patronize shops and restaurants after they enjoy the beach, stimulating the local economy. This project also ties into the Harbor District's efforts to redevelop and beautify both Starfish Way and Anchor Way.

The Harbor District has discussed the South Beach Restroom construction at multiple public meetings. There has been no opposition to replacement of the existing port-a-potties with

permanent restroom structures. In addition, local businesses at the harbor have relayed to harbor staff many comments from visitors requesting restroom facilities. Additionally, many visitors have contacted Harbor staff directly seeking restrooms in the area.

**Site Description:** Both sites are in or adjacent to the Crescent City Harbor (Exhibit 1). Roughly 20 miles south of the Oregon Border, Crescent City Harbor is the main draw of the urban waterfront in Crescent City, Del Norte County. Visible driving north or south on Highway 101, the Harbor offers a viewshed that encompasses the landmark Battery Point Lighthouse (1856) to the north, commercial and recreational boats and the Pacific to the west, the rocky peninsula known as Whaler Island and coastal views down Crescent Beach to the south, and an expanse of permanently protected redwood forests and shoreline to the southeast.

Functionally, Crescent City Harbor in Del Norte County is the only “safe harbor” and commercial fishing port on the coast from Eureka, CA to Brookings, OR. While Northern California has seen a dramatic drop in seafood landings by poundage since the 1950s, Crescent City continues to hold a significant portion of recent seafood landings for the region. Businesses located in the Harbor include a fish processing plant, a fishing supply merchant, a ship repair warehouse, and approximately 38 leases for businesses operating on the 80-acre area managed by the Harbor District.

Citizens’ Dock, built in 1965, is located at the end of Citizen’s Dock Road in the Crescent City Harbor, approximately 0.25 miles from Highway 101. It is a working commercial fishing dock and home to all the major support services for the local commercial fishing fleet: fish buying buildings, hoists, boat tie ups, product loading area, and the icehouse. It includes the approach trestle, south wharf, and west wharf.

South Beach is a wide sandy beach that is partially protected from the west by the harbor jetties, located to the immediate southeast of Crescent City Harbor. South Beach is part of the California Coastal Trail and is a popular destination for both locals and tourists for walking, swimming, recreational fishing, and surfing, often followed by a meal or snack in the harbor. Thus, it is vital to the Crescent City Harbor District’s economy. The site of the proposed bathroom is a vacant disturbed area next to parking, restaurants, and shops in the harbor district, and is immediately adjacent to the California Coastal Trail.

Citizens’ Dock and the site of the proposed South Beach bathroom are both owned by the Harbor District.

**Grant Applicant Qualifications:** The Crescent City Harbor District has experience managing infrastructure planning and construction projects. The Harbor District has successfully completed several planning and construction projects with Conservancy funding, including the construction of a bathroom and fish cleaning station on the other side of the Harbor and a portion of the Coastal Trail, and the preparation of a Harbor Access and Revitalization Plan. The Harbor Comptroller will be responsible for administering grant funds, tracking and approving all project expenditures. The Harbor District will maintain in good repair all new assets constructed as part of the project through the use of its maintenance fund, which is a long-term tax revenue source. The Harbor maintenance staff is in charge of monitoring and maintaining harbor assets

and does regular inspections and repairs ensuring the asset will stay in a state of good repair for its expected useful term.

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

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

**Selection Criteria**

**1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.**

See the "Consistency with Conservancy's Strategic Plan" section below.

**2. Project is a good investment of state resources.**

The project will facilitate increased resiliency to sea level rise and enhance public access to the coast. The Citizens' Dock design will explore the use of habitat enhancing features, piloting a relatively new approach to add habitat value to infrastructure. The project is feasible and ready to proceed, and the budget is reasonable considering the complexity of designing a new dock that will be resilient to sea level rise and tsunamis. The project leverages significant funding from the Harbor District. In addition, environmental compliance for Citizens' Dock will benefit from a federal compliance process for the replacement of the Harbor's seawall. The Harbor seawall project is located in close proximity to Citizens' Dock (Exhibit 1), and some of the technical studies conducted for the seawall replacement project will provide needed information for the Citizens' Dock design and environmental compliance. The Harbor District was awarded a \$7.36 million federal Port Infrastructure Development Program in Fall 2022 for the seawall replacement project.

**3. Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.**

The Harbor District and local Tribes, including the Elk Valley Rancheria and the Tolowa Dee-Ni' Nation, are currently working on a new collaborative regional process and have pledged to stay involved in supporting and contributing to each other's projects and identifying areas where additional collaborations can take place. The design of a new Citizens' Dock is one such collaborative effort that each party has committed to and coordination on this project has already begun. The Elk Valley Rancheria and Tolowa Dee-Ni' Nation both expressed their desire to participate in an information center with educational programming opportunities on a new Citizens' Dock. The Harbor District will continue to explore these opportunities with the local tribes and include them in project planning. The Harbor District also communicated with Elk Valley Rancheria staff about the construction of the South Beach bathroom. Elk Valley Rancheria staff are supportive. The Conservancy sent consultation letters to Tribes on the Native American Heritage Commission contact list for the project area, and has not received any responses.

**4. Project benefits will be sustainable or resilient over the project lifespan.**

The planning process will result in a Citizens' Dock design resilient to sea level rise and tsunamis for the 50-year life of the dock. The Harbor District has been successful at obtaining construction grant funding, and anticipates applying to state and federal sources for construction of the new dock, including the Harbor Mitigation Grant Program administered through the California Office of Emergency Services (CalOES) and the Federal Emergency Management Association (FEMA), and the Building Resilient Infrastructure and Communities grant program through CalOES and FEMA, which would also go to the port's breakwaters and seawalls. The new bathroom will be built to withstand harsh weather and storms and will be protected from wave runup by the adjacent Anchor Way breakwater. The bathrooms' useful life is expected to be over 20 years.

**5. Project delivers multiple benefits and significant positive impact.**

**Citizens' Dock Planning:** The new Citizens' Dock facilitated by the project's planning component will revitalize the waterfront in the Crescent City Harbor, sustaining the fishery and providing visitor amenities for locals and tourists. It will sustain jobs and promote sustainable economic development for the commercial fishery, by providing a working commercial fishing dock and home to all the major support services for the local commercial fishing fleet: fish buying buildings, hoists, boat tie ups, product loading area, and the icehouse. The dock will provide a new tourist attraction adjacent to the County's largest concentration of motels. This will allow visitors to safely watch a working commercial fishing fleet and ocean wildlife close-up, by providing a new pedestrian walkway and coastal access, which connects to the existing California Coastal Trail. The project will pilot the incorporation of habitat features into infrastructure and will include educational and engagement areas for youth and adults to learn about local history, commercial fishing, marine life and habitat, stewardship, and resilience efforts needed to address climate change and rising sea levels.

**South Beach Restroom Construction:** This component of the project will enhance coastal access, by providing bathroom and shower facilities to locals and tourists who visit South Beach in a place where there currently are none. It will assist in making South Beach accessible for all with ADA compliant parking spaces, ramps, and stalls, and it will allow hikers on the California Coastal Trail easy access to bathrooms and outdoor showers.

The project overall will provide economic benefits for an underserved community by enhancing tourism and the commercial fishing industry.

**6. Project planned with meaningful community engagement and broad community support.**

The replacement of Citizens' Dock, including new public access, was identified by community members, including commercial fishermen, during regular public meetings and workshops held by the Crescent City Harbor District to solicit community input into the development of the Harbor District Strategic Plan, the Crescent City Harbor Area Land Use Plan, and the Del Norte County Comprehensive Economic Development Strategic Plan. The Harbor District has reached out to many entities who support the project and will collaborate in planning, including the North Coast Fishermen's Organization, the Crescent City Commercial Fishermen's Association,

Del Norte County, City of Crescent City, Tri-Agency Economic Development Authority, Elk Valley Rancheria, the Tolowa Dee-Ni' Nation, the Yurok Tribe, College of the Redwoods, Cal Polytechnic Humboldt University, University of California Cooperative Extension, Del Norte Workforce Center, Rural Human Services, and the Marine Mammal Center. Ongoing community engagement will be part of the project. The South Beach Restroom construction component of the project has been requested by businesses, visitors, and Del Norte County Supervisors, and is included in the Harbor District Land Use Plan. It was discussed in public meetings and met no opposition. Support letters are included in Exhibit 4.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$1,377,000</b>
Crescent City Harbor District	\$237,000
<b>Project Total</b>	<b>\$1,614,000</b>

\$927,000 of the Conservancy funds will derive from a Fiscal Year 2022/2023 appropriation of Greenhouse Gas Reduction funds (GGRF) to the Conservancy for the Climate Ready Program to protect communities and natural resources from sea level rise, with a focus on the adaptation of public infrastructure along the coast including urban waterfronts, ports, and ecosystems. (Budget Act of 2022, as amended by AB 178, Chapter 45, Statutes of 2022). These funds will be used for the Citizen's Dock planning component of the project.

The Greenhouse Gas Reduction Fund Investment Plan and Communities Revitalization Act (Health and Safety Code (HSC) Sections 39710 – 39723) requires that GGRF funds be used to (1) facilitate the achievement of reductions of GHG emissions consistent with the Global Warming Solutions Act of 2006 (HSC Sections 38500 et seq), and (2) to the extent feasible, achieve other co-benefits, such as maximizing economic, environmental and public health benefits and directing investment to disadvantaged communities (HSC 39712(b)). The Global Warming Solutions Act of 2006 sets forth (among other things) certain GGRF funding priorities (HSC Section 38590.1). The California Air Resources Board (CARB) has adopted guidelines that establish program goals that agencies must achieve with their GGRF funds.

Consistent with the CARB 2018 Funding Guidelines, the Citizens' Dock planning component of the proposed project will help the Conservancy meet its GGRF program goals because the project will:

- Facilitate GHG emission reductions (which includes carbon sequestration) and further the purposes of AB 32 and related statutes;
- Benefit Priority Populations (disadvantaged communities, low-income communities, or low-income households);
- Maximize economic, environmental, and public health co-benefits to the State;
- Foster job creation and job training, wherever possible;
- Avoid substantial burdens to disadvantaged communities and low-income communities;
- Leverage funds to provide multiple benefits and to maximize benefits; and



- Conduct outreach to help potential applicants access funding, particularly for disadvantaged communities, low-income communities, or low-income households.

The proposed project will meet these objectives by planning for reconstruction of a fishing dock to be resilient to sea-level rise, storm surge, and tsunamis, which will enable avoidance of flooding and infrastructure damage and the resulting GHG emissions from remediation and rebuilding. In addition, the project will explore incorporating habitat features on the new dock, thereby supporting the research, development, and deployment of innovative measures and practices. The project also benefits disadvantaged communities and fosters job training by facilitating a construction project in a disadvantaged community. The project will provide economic benefits to the State by facilitating reconstruction of a commercial fishing dock thereby protecting jobs in the commercial fishing industry.

\$450,000 of the Conservancy funds will derive from the Conservancy's Fiscal Year 22/23 appropriation from the General Fund for climate resilience. (Budget Act 2022, SB 154). These funds will be used for the construction of the South Beach bathroom. The climate resilience funds are available as described in Section 52 of Chapter 258 of the Statutes of 2021, which sets forth a detailed description of the purposes of the climate resilience funds, including nonmotorized trails of statewide significance and projects that protect coastal habitat. (Section 52 of Budget Trailer Bill SB 155 (2021).) The proposed project is consistent with this funding source because the bathroom and showers are located adjacent to the California Coastal Trail and will serve trail users, and because the bathroom will reduce the threat to nearshore water quality and habitat from human waste and trash.

The Crescent City Harbor District will provide \$237,000 to support the Citizens' Dock planning component of the project. These funds derive from various Harbor District revenue sources including a recently passed 2% Transient Lodging Tax on RV parks in the unincorporated area of Del Norte County, which is a dedicated funding stream for the Harbor District to be used only for disaster debt repayment and repair and maintenance to improve infrastructure.

Unless specifically identified as "Required Match," the other sources of funding and in-kind contributions described above are estimates. The Conservancy does not typically require matching funds or in-kind services, nor does it require documentation of expenditures from other funders or of in-kind services. Typical grant conditions require grantees to provide any funds needed to complete a project.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The Citizens' Dock planning component of the proposed project will be undertaken pursuant to Section 31113 of Chapter 3 of Division 21 of the Public Resources Code, which authorizes the Conservancy to address the impacts and potential impacts of climate change on resources within the Conservancy's jurisdiction (Section 31113(a)).

Pursuant to Section 31113(b), the Conservancy is authorized to award grants to public agencies to undertake projects that include reducing greenhouse gas emissions, and addressing extreme weather events, sea level rise, flooding, and other coastal hazards that threaten coastal communities, infrastructure, and natural resources.

Pursuant to Section 31113(c), the Conservancy must prioritize grants for projects that maximize public benefits and have one of several purposes, including reducing hazards to harbors and ports, and providing recreational opportunities.

Consistent with these sections, the proposed project will facilitate the construction of a new commercial fishing dock that is resilient to sea level rise, incorporates new public access, and provides habitat features if feasible.

The South Beach bathroom construction component of the proposed project will be undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31410), regarding public access and enjoyment of coastal resources. Section 31400 states that the Conservancy shall have a principal role in the implementation of a system of public accessways to and along the state's coastline. Through the proposed project, the Conservancy will help enhance the coastal trail and a public beach by providing a critical public amenity, and thereby further access to and enjoyment of coastal resources along the Del Norte County shoreline.

Section 31400.1 allows the Conservancy to award grants to a public agency for development of accessways to and along the coast; and if the grant is to a local agency, the accessway must serve more than local public needs. The proposed project will construct a bathroom and shower adjacent to the California Coastal Trail and at a popular beach that serves visitors from throughout the state. Del Norte County and South Beach attract hundreds of thousands of visitors per year.

Section 31400.3 authorizes the Conservancy to assist public agencies in developing and implementing a system of public accessways to and along the state's coastline. The proposed project will further these goals by constructing a public bathroom in a heavily visited coastal region where none is available.

**CONSISTENCY WITH CONSERVANCY'S [2023-2027 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 1, Objective 1**, the proposed project will fund a project that benefits a systemically excluded rural community that suffers from unemployment and poverty. The project will benefit the tourism industry and commercial fishing industry in a systemically excluded community.

Consistent with **Goal 2, Objective 5**, the proposed project will construct recreational amenities including restrooms and showers, as well as planning for the construction of additional recreational amenities on Citizens' Dock, including an ADA accessible walkway, seating, lighting, and informational signage.

Consistent with **Goal 2, Objective 6**, the proposed project will plan for an urban waterfront project that will improve the resilience of a fishing community and will demonstrate innovation in sensitively integrating hard infrastructure into the natural coastal environment by incorporating habitat features.

Consistent with **Goal 4, Objective 1**, the proposed project will plan to increase the resilience of public coastal infrastructure to the impacts of sea level rise.

**CEQA COMPLIANCE:**

The Citizens' Dock planning component of the project is exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code of Regulations Sections 15262 and 15306, because it involves only feasibility studies, planning studies, basic data collection and research, none of which will impact any environmental resource(s) and all of which will be undertaken as part of a study leading to possible future action that the Conservancy has not yet approved, adopted, or funded.

The South Beach bathroom construction portion of the project is exempt from CEQA pursuant to 14 Cal. Code of Regulations Section 15303, because it involves only the construction of one small new structure, which will be located on a vacant disturbed area; its construction and operation will not impact sensitive resources.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.