

COASTAL CONSERVANCY

Staff Recommendation
December 8, 2006

WINDSOR RIVERFRONT PARK ACCESS IMPROVEMENTS

File No. 05-072
Project Manager: Richard Retecki

RECOMMENDED ACTION: Authorization to disburse up to \$275,000 to the Sonoma County Regional Parks Department for Phase II public access improvements at Windsor Riverfront Park.

LOCATION: Russian River, Windsor, Sonoma County

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: Project Location Map

Exhibit 2: Site Map

Exhibit 3: Letters of Support

Exhibit 4: CEQA Notice of Determination and Mitigated Negative Declaration

Exhibit 5: Board of Supervisors Resolution

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred seventy-five thousand dollars (\$275,000) to the County of Sonoma for use by the Sonoma County Regional Parks Department (RPD) in the development of public access improvements described in the accompanying staff recommendation at Windsor Riverfront Park, along the Russian River, subject to the following conditions:

1. Prior to the disbursement of funds, the RPD shall submit for the written approval of the Conservancy’s Executive Officer a budget, work program, the names of any contractors it proposes to hire, evidence that all other funds and necessary permits have been obtained, and a signing plan for the project that acknowledges Conservancy funding.
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2. The RPD shall secure all additional funds necessary for the full implementation of the project.
3. The RPD shall carry out all mitigation measures and implement the Mitigation Monitoring Plan as specified in Appendix A to the Negative Declaration attached as Exhibit 4 to the accompanying staff recommendation.”

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 Chapter 9 of division 21 of the Public Resources Code (Sections 31400 et seq.) related to the development of a system of public accessways to and along the California coast.
2. The proposed project is consistent with the Conservancy’s Project Guidelines and Selection Criteria adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve greater than local public access needs.
4. The Conservancy has independently reviewed the Riverfront Park Project Master Plan & Initial Study adopted by the Sonoma County Board of Supervisors on June 22, 2004 as the Mitigated Negative Declaration for this project (attached to the accompanying staff recommendation as its Exhibit 4) and finds that, with the mitigation measures described therein, there is no substantial evidence that the proposed project would have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
5. There is no evidence before the Conservancy that the proposed project will have a potentially adverse impact on wildlife resources as defined under California Fish and Game Code Section 711.2.
6. The Conservancy has on the basis of substantial evidence rebutted the presumption of adverse effect contained in 14 California Code of Regulations Section 753.5(d) regarding the potential for adverse effect on wildlife resources as defined under California Fish and Game Code Section 711.2.”

PROJECT SUMMARY: Staff is recommending that the Conservancy provide up to \$275,000 to Sonoma County for the development and construction of river public access improvements for Windsor Riverfront Park, west of Windsor, Sonoma County (Exhibit 1). River access improvements will provide park access improvements and new access to the river (See Exhibit 2), an officially designated water trail providing access to the coast. The total cost of Phase II development is estimated to be \$825,000, with Sonoma County contributing \$550,000 for park development.

Upon completion of the Russian River Public Access Plan in 1996, the Conservancy and its partners began the development and implementation of river access improvements at several sites along the Russian River. Those sites are: Gobbi Street in Ukiah (40 acres); Cloverdale River Park in Cloverdale (69 acres); and, Steelhead River Park in Forestville (38 acres).

The Windsor site is 305 acres in size and is owned by the Sonoma County Water Agency. The site was owned for many years by Hanson Aggregates Mid-Pacific Inc. and was used for gravel mining. The County purchased the site in 2002 for \$6.3 million dollars. Hanson, Inc has agreed to pay \$1.3 million dollars to reclaim the old gravel pits.

The Windsor area, as evaluated in the planning process, demonstrated a high demand for river access improvements, but the middle reach of the river was, and still is, extensively used for vineyards and gravel mining. Land was not readily available for river park development. This fact made planning for the Middle Reach a frustrating endeavor, since the river between Healdsburg and Forestville experiences the heaviest use by canoeists and kayakers. During the summer months, when families and other groups use that stretch of river, there are no suitable areas for them to get off the water and out of the sun. Leaving the river requires trespassing. This project will provide more than a mile of riverfront land for public access and recreational use.

Conservancy funds will assist the County with the construction of a flood resistant restroom, development of a nature trail, a pedestrian bridge, lakeside access trail, entry kiosk, interpretive sign design and placement, and native tree and vegetation planting. Project elements are described in detail below:

- Restroom: the restroom will be located in the vicinity of the Redwood Grove picnic area and will be constructed above the 100-year floodplain. Nevertheless, it will have underground storage tanks that prevent the mixing of floodwaters with effluent. The restroom will be built to ADA specifications.
- Nature Trail: the pedestrian-only nature trail will extend from the Redwood Picnic Area to a hilltop .3 mile away, a 130-foot gain in elevation. The trail will have interpretive signage, will accommodate wheelchairs, and will connect to other recreation areas within the Park.
- Pedestrian Bridge: the pedestrian bridge is part of the Nature Trail and will cross over a seasonally flooded swale to provide access to the restroom, picnic areas, and other trails. It will be 12 feet wide by 40 feet long and will be able to handle maintenance and emergency vehicles.
- Lakeside Access Trail: this trail will provide for access from parking areas to and around the three lakes within the park. The trail will be constructed of crushed rock on a gravel base, be ten feet in width, and built to ADA specifications.
- Entry Kiosk: the entry kiosk will be located at the Park entrance, and will be constructed of colored and textured concrete. The kiosk will facilitate park traffic, collect fees and offer entryway security.
- Interpretive Signs: the interpretive signs will be appropriately sited and designed to highlight the unique features of the Park.
- Native tree and vegetation planting: areas along the trails, near the Park entrance, and around the restroom will be landscaped with native trees and vegetation as part of the improvements for the site.

Site Description: The site is 305 acres in size and contains 152 acres of lakes, 24 acres of marshland, and offers 5,500 linear feet of river access (Exhibit 2). The site is generally level but

steeper slopes are found in the southeast corner near the Redwood grove. The historic use of the site was river terrace aggregate gravel mining and processing. The gravel mining formed the three lakes and led to the development of some of the existing levees between the Russian River and the Park. The Russian River, which flows along the western boundary of the site, is used for canoeing and other recreational activities, providing recreation for over 130,000 canoeists and kayakers yearly. The Middle Reach, from Healdsburg to Forestville where Riverfront Park is located, experiences the heaviest use of any stretch of the river.

Besides the three lakes and the marsh, the site contains mixed riparian forest, native and non-native grassland, a redwood grove, some areas of scrub, mixed evergreen forest, and small areas of bare ground. Together, the land comprises about 115 of the 305 acres. These areas have been surveyed and will be enhanced throughout the five phases of park development.

The site is located along Eastside Road, which is a Scenic Landscape Unit in the Sonoma County General Plan. The Russian River is a designated Scenic Resource and River Trail. The surrounding properties to the north and west are vineyards.

Project History: The Conservancy, in June of 1991, at the request of Mendocino and Sonoma Counties, provided funds for the preparation of a public access plan for the Russian River. The plan evaluated lands that could be acquired from willing sellers as well as publicly owned parcels larger than 1.5 acres for their suitability for public access improvements. The Middle Reach of the Russian River was part of that evaluation. The Conservancy and the RPD, along with a Technical Advisory Committee, worked together to assess this area and the importance of this site.

While the Conservancy was planning for the Russian River, the 1989 Sonoma County General Plan Update designated a river park in the general area of Riverfront Park. At that time, the site was still being used for gravel extraction. In 1991, Kaiser Sand and Gravel (the parent company), prepared a Windsor Lakes Recreation Plan that proposed recreation activities for the site. The general plan update reflected that plan and included the area for recreation in the 1994 Aggregate Resources Management Plan (ARM).

As a follow-up to the ARM Plan, the RPD prepared a Regional Park Feasibility Study for the property. The Feasibility Study proposed a land use designation change from Aggregate Resource Mining to Recreation. The Board of Supervisors approved the land use designation change.

The 1996 Conservancy-Sonoma County Russian River Public Access Plan recommended the middle reach for future river access improvements. The recommendation was essential since the middle reach contained the highest percentage of privately owned land along the 115-mile river. Although the park site had been designated for river improvements, there had not been a change of ownership or any movement towards the provision of river access at the location. In 1998, a major flood that "captured" two of the gravel pits, spurred all parties into the conversion of the site into a river park.

In October 2002, the Sonoma County Agricultural Preservation and Open Space District (OSD) and the Sonoma County Water Agency purchased the property for 6.3 million dollars. The OSD and the Water Agency shared the cost of purchase. The Water Agency owns and maintains the

property and Regional Parks will operate and maintain the park facilities. The OSD retains a Conservation Easement over the property that allows for outdoor recreation, habitat and resource enhancement, and water education uses.

Once the site was purchased, the RPD and the Conservancy began in earnest to plan for the implementation of access improvements. The County, through various sources of funds, implemented Phase I in 2003. Phase II improvements, and the Conservancy's contribution, will reinforce the Conservancy's commitment to provide for new and increased public access for the Russian River.

This site is well suited for river recreation and will offer a respite for canoeists and kayakers as they traverse the middle reach. Along with other river park sites, Sonoma County and the Conservancy are providing for the growing demand and need for access to and along the Russian River.

PROJECT FINANCING:

Coastal Conservancy	\$275,000
Sonoma County	<u>550,000</u>
Total Project Cost	\$825,000

The expected source of Conservancy funds is the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40), which provides funds for development and restoration of land and water resources in accordance with the Conservancy's enabling legislation, Division 21 of the Public Resources Code. Sonoma County will provide all necessary funds from Park Mitigation Fees and the California River Parkways Grant Program.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

Pursuant to Public Resources Code Sections 31400 and 31400.1, the Conservancy has a principal role in the implementation of a system of public access and may award grants to public agencies for the development of lands which are suitable for and which will be used for public accessways to and along the California coast. The Russian River has been designated a river trail by the Army Corps of Engineers and is shown as such in the Sonoma County General Plan. In both Sonoma and Mendocino Counties, the river is used by fishermen, kayakers, and canoists, for recreation and access to the coast. The potential exists for the development of public parcels, evaluated in the public access plan, for kayak/canoe launch and landing sites and family recreation areas from Ukiah to the coast at intervals of eight to ten miles, thus implementing the river trail concept. The Windsor Riverfront Park area is one of the designated locations for a launch and landing site.

Section 31400.1 authorizes the Conservancy to award grants to a local public agency to develop lands for public access purposes to and along the coast, if the Conservancy has first determined that the subject accessway will serve more than local needs. For more than 130 years the

Russian River has been a regional recreation attraction. The growing use and demand for river access was documented in the planning process conducted by the County and the Conservancy. The need for more developed recreation and access areas was also verified. The development of Windsor Riverfront Park and its ability to provide a wide variety of river recreational facilities will meet some of the growing regional demand for access improvements along the Russian River and to the coast.

Pursuant to Public Resources code 31400.2, the Conservancy may provide up to the total cost of initial development of public accessways by any public agency. The Conservancy has worked cooperatively with Sonoma County on numerous public access, acquisition, and habitat enhancement projects. The cost of the public access improvements for Guerneville River Park will be shared with the County. Sonoma County will utilize the Aggregate Resources Mitigation Fund, Per Capita Park Bond Fund, and Russian River Redevelopment Funds as its contribution.

The Conservancy is authorized under Public Resources Code Section 31400.3 to “provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public accessways, and related functions necessary to meet the objectives of this Division.” Consistent with that authority, the Conservancy is also authorized in section 31409 to award grants and provide assistance to public agencies to establish and expand inland trail systems that may be linked to the California Coastal Trail. The Windsor Riverfront Park improvements will assist the County in the provision of public access facilities that will create new public access, restore degraded habitat area, and increase public access to the Russian River and to the coast.

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

Consistent with **Goal 1, Objective E** of the Conservancy’s Strategic Plan, the proposed project will result in the development of public access improvements that will promote regional trails and river parkways connecting inland populations to the coast, and expanding coastal recreation.

**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 the “Consistency with Conservancy’s Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Support of the public:** The Windsor Riverfront Park river access improvements has widespread support, including that of State Senator Wes Hasbro, Assemblywoman Patty

Berg, County Supervisor Paul Kelly, the Sonoma County Agricultural Preservation and Open Space District, the Sonoma County Water Agency, the Sonoma County Regional Parks Department, LandPaths, Sonoma County Paddle Access, the Sequoia Paddling Club, and members of the public (see Exhibit 3).

4. **Location:** The Russian River watershed is partly inside and partly outside the coastal zone. Although the project area is outside the coastal zone, this coastal watershed contains diverse and valuable natural resource habitat, and offers significant potential for public access. The Windsor Riverfront Park development will fulfill some of the public access potential of the river and offer a respite for those traveling to the coast. The availability of new recreation facilities will facilitate the use of the Russian River as a “river trail” providing access to the coast.
5. **Need:** Without Conservancy assistance, Sonoma County would not be able to develop and construct this project in the foreseeable future. The site’s potential, brought about by the Sonoma County’s purchase of the property, now provides the opportunity for new river park development that will accommodate more river users.
6. **Greater-than-local interest:** The Russian River valley has been a prominent regional recreation area for over a century. The development of Windsor Riverfront Park will enhance the visitor’s experience by providing safe, well designed recreation facilities. Such facilities will draw more tourists and recreational users to the river and river valley, and the county in general.

Additional Criteria

7. **Urgency:** The Windsor Riverfront Park project will provide new and increased river access to a river along which 95 percent of the land is in private ownership. Without development of new access sites, a growing local and regional population and a growing number of river users will lack adequate improved facilities for their recreation needs. Development of new access sites, and the publicity that the sites are available, should lead to a reduction of squatters and trespass. As more sites are developed, they will act as funnels to direct more people to the improved sites and thus reduce trespass and vandalism.
12. **Readiness:** Sonoma County Regional Parks Department will complete the new access improvements during 2006.
13. **Realization of prior Conservancy goals:** This project implements a priority public access recommendation of the Conservancy’s 1996 Russian River Public Access Plan.
14. **Return to Conservancy:** See the “Project Financing” section above.

COMPLIANCE WITH CEQA: Sonoma County as the lead agency under the California Environmental Quality Act prepared and adopted an Initial Study and Mitigated Negative Declaration for Windsor Riverfront Park (Phases I –III) in November 2003 (Exhibit 4). The Negative Declaration identified potentially significant impacts in the areas of air quality, biological resources, cultural resources, geology and soils, hazardous materials, and noise, and recommended 59 mitigation measures that would reduce these impacts to a level of insignificance. These mitigation measures have been incorporated into the project.

Potentially significant impacts related to biological resources, hazards and hazardous materials, hydrology and water quality that may occur for any phase of the proposed project have been evaluated, and mitigation measures have been identified to alleviate those impacts. All of the potentially significant impacts have been addressed and the proposed mitigation measures are proposed to avoid, minimize, rectify, reduce, or compensate for the potentially significant impacts.

Water quality:

Degradation of water quality downstream from the construction site associated with boat ramp construction, trail support structures, and trail construction could affect aquatic vertebrates and amphibians. The RDP has prepared a sediment control plan which will be used by the project contractor to provide for dust control, drainage protection measures to retain water and runoff from construction activities, sediment retention measures, and the provision of temporary cover for all erodable areas. To implement the California Fish and Game recommendations, the contractor will not operate any equipment in the live stream channel and when necessary stream flow will be diverted around the construction.

Biological Resources:

The RPD conducted a biotic assessment of the project site for the red-legged frog, the Foothill yellow-legged frog, Northwestern pond turtle, nesting raptors, nesting double-crested cormorants, and the great blue heron. Although no known populations of the red-legged frog or the Foothill yellow-legged frog are found within five miles of the project site, the RPD will conduct four preconstruction site surveys beginning two weeks before the advent of construction. Two of the surveys will be at night and two during daylight hours. The last survey will take place the night before vegetation removal and if either frog is found the RPD will contact the United States Fish and Wildlife Service. A high number of bullfrogs, potential predators of both of these frogs, have been observed at the site.

Areas of potential foraging, breeding, and over-wintering habitat for the northwestern pond turtle were also identified. A qualified herpetologist will conduct a pre-construction survey of the upland habitats of the construction site to assess their suitability for nesting. If evidence of nesting turtles is found construction activities will be scheduled after the over-wintering period of October 1 to mid-April. If nesting areas are found, exclusion fencing will be installed to enclose potential habitat areas.

The biotic assessment identified suitable breeding sites on adjacent lands and on the project site for several species of raptors including bald eagles, spotted owls, long-eared owls, and sharp-shinned hawks. The field survey documented a single great horned owl in the Redwood Grove and several osprey were observed nesting in redwood trees. Construction will be scheduled outside the nesting period whenever that is feasible. Also, a qualified biologist or ornithologist will conduct a pre-construction survey no more than 14 days prior to construction during the early part of the breeding season (January-April), and 30 days prior to late part of the breeding season (May through August). The same procedures will take place to address the nesting and breeding habits of the nesting double-crested cormorant and the great blue heron.

Some of the proposed improvements, including trail construction and earth movement related to construction, would result in the loss of 0.90 acre of riparian habitat. No trees would be lost but construction and park activities would impact the riparian habitat. To reduce or eliminate these

impacts, the RPD will design, construct, and operate proposed improvements to avoid riparian habitat impacts to the maximum extent possible. A habitat restoration plan will be prepared to facilitate the planting of lost riparian habitat and will be in effect for three years, and contain a riparian habitat-monitoring plan to include performance criteria.

The project, as proposed, would result in the loss of 0.20 acres of three separate seasonal wetlands, including the loss of freshwater marsh habitat to develop the Marsh Trail. Other mitigation measures such as those for construction timing activities, sediment and erosion control, construction methods, and habitat restoration will be implemented. The RPD will prepare a wetland restoration plan to include replacement of seasonal wetland and freshwater marsh habitat, analysis to create high quality wetlands, and a monitoring plan to be in effect for five years. All soils, concrete, asphalt, and debris generated during construction will be deposited at approved off-site locations.

Hazards and Hazardous Materials:

During construction activities there is the potential for the leakage of, or spilling of, motor oil, gasoline, and other liquids that may significantly impact the environment. The RPD and its contractors will prepare a spill prevention plan for construction of the project. The spill prevention plan will require the contractor to store all flammable liquids in compliance with Sonoma County and Cal Trans regulations. If a spill occurs, or if hazardous materials are encountered during construction, the contractor will immediately halt all construction activities and implement clean-up actions. Also, the contractor will be required to call 9-1-1 to report the spill.

The RPD maintenance crew will be required to dispose of petroleum-based products in accordance with established regulations and laws. Also, they will be required to call 9-1-1 to report all spills to the appropriate authorities.

The contractor will inspect and maintain portable toilets during construction according to current regulations and conduct routine waste removal. The RPD staff will conduct regular use and inspections of portable toilet facilities during project operation.

Hydrology and Water Quality:

Construction activities would include activities that could result in temporary impacts to water quality or waste discharge requirements. The contractor will be required to spray water or clean unpaved construction and staging areas; cover loads of sand, soil, and other loose materials being hauled over public roads and to wet the load to prevent undue dust emissions; sweep paved roads as needed; and operate all construction vehicles within emission levels that meet current air quality standards.

The contractor will provide temporary cover for erodible surfaces and provide cover for all disturbed surfaces to prevent erosion; will not operate any construction vehicles in a live stream channel; when work in a stream is unavoidable, the contractor will divert the stream around the construction site; and, prevent debris, sand, soil, bark, slash, sawdust, cement, concrete, tailings, washings, petroleum products, and other organic or earthen material from entering into the Waters of the State.

The proposed project is not expected to produce substantial soil erosion or loss of topsoil but mitigation measures to minimize soil erosion will be followed by the contractor. The project will be constructed during the dry season to reduce the potential for erosion. The contractor will

install erosion control measures that may include a straw layer over disturbed areas, use of a jute mesh mat to prevent erosion, and the placement of straw bales at drainage outlets. All disturbed areas will be hydro seeded by October 15th.

The RPD and the contractor will use all of the mitigation measures listed above in the Hazards and Hazardous Materials section to prevent the spilling or leakage of potentially hazardous materials. These mitigation measures apply to the construction activities and to the normal park operations once the project has been constructed.

The County adopted a Mitigation Monitoring Plan to ensure compliance with these measures, which is included as Appendix A of Exhibit 4. Upon its independent review of the Mitigated Negative Declaration, staff concurs with the County's finding and recommends that the Conservancy find that the project does not have a potential for a significant effect on the environment as defined under 14 California Code of Regulations Section 15382, or on wildlife resources, as defined under Fish and Game Code Section 711.2. Upon approval, staff will file a Notice of Determination for this project.

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Exhibit 5

