

COASTAL CONSERVANCY

Staff Recommendation

January 17, 2008

HELPING HANDS RESTORATION PROJECT

File No. 07-091-01

Project Manager: Joel Gerwein

RECOMMENDED ACTION: Authorization to disburse up to \$84,925 to the Point Reyes National Seashore to restore headcuts, construct livestock fencing, and carry out associated educational programs in Point Reyes in Marin County.

LOCATION: Olema Pasture and Martinelli Ranch, Point Reyes, Marin County (Exhibit 1).

PROGRAM CATEGORY: Coastal Resource Enhancement

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Photographs of project area and of similar projects](#)

Exhibit 3: [Letters of Support](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eighty-four thousand nine hundred twenty-five dollars (\$84,925) to the Point Reyes National Seashore (“PRNS”) to implement the Helping Hands Restoration Project, subject to the following conditions:

1. Prior to disbursement of any funds, PRNS shall submit for the review and approval of the Executive Officer of the Conservancy a work plan, schedule, budget, and the names of any contractors to be employed for implementation of the project.
2. PRNS shall acknowledge Conservancy funding by erecting and maintaining signs that have been reviewed and approved by the Executive Officer.

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 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding the enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.”

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to eighty-four thousand nine hundred twenty-five dollars (\$84,925) to address six potential sources of sediment, nutrient, and pathogen pollution of Tomales Bay and Olema Creek and carry out associated environmental education programs. The project would restore three headcuts (areas of active erosion) and construct fencing to exclude livestock from a fourth headcut, a riparian area, and a salt marsh area on Point Reyes National Seashore (PRNS) lands within the Tomales Bay watershed. Two headcuts each would be addressed on Martinelli Ranch and in Olema Pasture (Exhibits 1 and 2). One of the headcut restoration projects on the Martinelli Ranch would be implemented in cooperation with students from local schools, through the Students and Teachers Restoring a Watershed (STRAW) environmental education program. Student participation in the project will include site preparation, planting of native plants, and three years of site maintenance and monitoring of plant survival. One of the headcut restoration projects in the Olema Pasture would be implemented with volunteers working alongside Point Reyes National Seashore (PRNS) staff.

Two of the headcuts, one in Olema Pasture and one on Martinelli Ranch, will be stabilized by installing willow walls and erosion control fabric over native grass seed. The erosion control fabric will be planted with native grass plugs. Willows will be installed within the gully below the headcuts. The larger of the two headcuts on Martinelli Ranch will require design work for the headcut repair since the headcut has created a deep gully that is not suitable for restoration with willow walls. Repair costs are estimated and actual implementation costs will be based on the final design. Fencing will be constructed around all four headcuts to exclude livestock.

The restoration project will enhance riparian habitat along Olema Creek, and improve water quality in Olema Creek and Tomales Bay. Water quality improvements will result from reductions in sediment and nutrient inputs associated with livestock grazing and headcuts on Martinelli Ranch and in Olema Pasture. Three of the four headcut restorations and the fence construction were identified as high priorities through the 2006 PRNS Pasture Assessment Project. In 2006, PRNS conducted a pasture assessment of all pastures under PRNS management that drain to Tomales Bay. The pasture assessment identified over 300 features that have the potential to deliver sediment, pathogens, and/or nutrients to Tomales Bay. PRNS staff reviewed the assessments and identified those projects that are currently contributing sediment, pathogens, or nutrients directly to waters within the Tomales Bay watershed. Approximately 30

projects were identified as high priority projects because they represent significant sources of sediment, nutrients, and pathogens, and deliver these pollutants directly into Tomales Bay or its tributaries. The fourth headcut, located in Olema Pasture, is not currently capable of delivering large quantities of sediment to Olema Creek. However, this headcut is likely to develop into a significant source of sediment in the future. At this early stage in its development, the headcut will restore itself through natural vegetation growth once livestock access to the area is removed. Construction of a fence around this headcut to exclude livestock would cost only \$1,500. Restoring this headcut at the same time as the high priority headcut located nearby in Olema Pasture would result in long-term cost and time savings.

In addition, the project will serve as a demonstration of best management practices (BMPs) implementation on grazing lands. PRNS has recently carried out 16 other projects involving BMP implementation on grazing lands (see Project History below). Outreach efforts to the ranching community will promote implementation of similar projects elsewhere in the watershed. BMP demonstration projects are particularly important at this time because the San Francisco Regional Water Quality Control Board is in the process of developing a Waiver of Waste Discharge Requirements (WDRs) to regulate sediments, nutrients, and pathogen discharges from grazing lands in the Tomales Bay watershed. Demonstration projects will facilitate and encourage implementation of grazing BMPs by private ranchers, enabling them to more easily comply with the terms of the WDR waiver.

Conservancy support for this project is needed to allow PRNS to repair headcuts and threatened streambanks in PRNS pastures that present the greatest threat to the health of the Tomales Bay watershed. PRNS is committing their available funds for this purpose and is obtaining other federal and state funds to leverage Conservancy support (See the “Project History” and “Project Financing” sections below). However, these repairs will not occur in a timely fashion without Conservancy support. If this project is not implemented in a timely fashion, water quality and habitat function in Olema Creek and Tomales Bay are likely to be degraded by significant inputs of sediments, pathogens, and nutrients.

Site Description: The project area lies within the Tomales Bay watershed. While often perceived as pristine, Tomales Bay has been declared impaired under Section 303(d) of the federal Clean Water Act by the San Francisco Regional Water Quality Control Board (RWQCB) for excessive sediment, nutrients, pathogens, and mercury. Excessive sedimentation has reduced the surface area and depth of the bay, and diminished habitat for wildlife, including salmonids. Excessive nutrients also degrade aquatic wildlife habitat, and pathogen inputs pose health risks to recreational users of Tomales Bay and to consumers of shellfish grown in the Bay. Olema Creek was designated as Essential Fish Habitat by the Magnuson-Stevens Act of 1997 for Federally threatened Coho salmon [*Oncorhynchus kisutch*]-Central California Coast Evolutionarily Significant Unit, and steelhead trout (*Oncorhynchus mykiss*)- Coastal California ESU. The entire project area is also designated critical habitat for the federally threatened California red-legged frog (CRLF) (*Rana aurora draytonii*) and is within the core recovery area delineated in the March 2001 CRLF recovery plan. Increased riparian vegetation resulting from the construction of new fencing on Olema Creek will provide additional habitat for CRLF. Both portions of the project area are located within Critical Coastal Areas designated by the State Water Control Board as high priorities for reduction of non-point source pollution. Martinelli Ranch drains

directly to Tomales Bay, which is a CCA, and Olema Pasture is located within the Lagunitas Creek watershed, which is also a CCA.

Project History: The Coastal Conservancy has made substantial commitments over the years to protecting and enhancing Tomales Bay and its 232-square-mile watershed. The Bay and its watershed are remarkable for their beauty and diversity of wildlife. Tomales Bay is recognized in the international Convention on Wetlands (“Ramsar Convention”) as a Wetland of International Importance.

Through acquisitions and easements, the Conservancy, largely working with the Marin Agricultural Land Trust, has helped protect from development thousands of acres of agricultural land in West Marin. The Conservancy has also consistently supported improved watershed management through the funding of numerous enhancement projects on ranch lands throughout West Marin.

A Conservancy authorization to the Marin Resource Conservation District in 2001 enabled the RCD and the Tomales Bay Watershed Council to complete a watershed assessment for Tomales Bay. The Conservancy also granted \$660,000 in 2001 to the Marin Resource Conservation District to streamline watershed permitting and implement the Tomales Bay Watershed Enhancement Program, guided by 16 restoration practices outlined by the Marin Coastal Watersheds Permit Coordination Program. In 2007, the Tomales Bay Watershed Enhancement Program provided partial funding to PRNS to carry out six grazing BMP implementation projects, involving headcut repair, spring development, and road repair. In addition, PRNS obtained a \$350,000 grant from the U.S. Environmental Protection Agency Federal Nonpoint Source Pollution Control Program (Clean Water Act Section 319) to carry out ten additional BMP implementation projects, including riparian protection fencing, erosion control, grazing management, and site rehabilitation.

PRNS staff initially contacted Conservancy staff in July 2007 regarding the proposed project, and Conservancy staff has worked with PRNS staff since that time to develop the goals, objectives, and terms of the proposed grant.

PROJECT FINANCING:

Coastal Conservancy	\$ 84,925
National Park Service	\$ 59,926
Total Project Cost	\$144,850

The Conservancy funds for this project are expected to derive from the 06/07 appropriation to the Conservancy from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50). Proposition 50 funds are appropriated to the Conservancy to restore and protect coastal watersheds through projects undertaken pursuant to the Conservancy’s enabling legislation (Division 21 of the Public Resources Code) to acquire,

restore or protect water and land resources (Water Code Section 79570). The project is consistent with the Conservancy's enabling legislation as described below. As required by Proposition 50, the proposed project is consistent with local and regional watershed plans. (Water Code Section 79507).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270), as follows:

Pursuant to Section 31251, the Conservancy may award grants to public agencies for the purpose of enhancement of coastal resources that have suffered loss of natural values because of human-induced events (e.g., overgrazing or grazing in sensitive areas). Consistent with this section, the proposed authorization provides funds to PRNS to repair headcuts and construct fencing to enhance water quality and riparian habitat in the project area.

Pursuant to Section 31253, “[the] Conservancy may provide up to the total of the cost of any coastal resource enhancement project, including the state or local share of federally supported projects....” after an assessment of funding generally available for coastal resource enhancement projects, the fiscal resources of the applicant and the urgency of the project relative to other eligible coastal resource enhancement projects. The proposed contribution by the Conservancy was determined based on application of priority criteria, as discussed below, and after taking into account other available resources and the matching contributions to the project by other funding sources.

In addition, the educational component of the proposed project is consistent with the Conservancy's functions as stated in Section 3119 of Division 21 of the Public Resources Code. Pursuant to Section 31119, the Conservancy may award grants to public agencies to undertake educational projects for pupils in kindergarten to grade 12, relating to the enhancement of coastal resources.

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

Consistent with **Goal 5 Objective B** of the Conservancy's Strategic Plan, the proposed project will contribute to the enhancement of coastal habitats.

Consistent with **Goal 6 Objective F** of the Conservancy's Strategic Plan, the proposed project will contribute to the completion of projects to improve water quality to benefit coastal resources. The project is anticipated to improve water quality within Tomales Bay by repairing headcuts that are currently potential sources of fine sediment influx into Tomales Bay and by excluding livestock from direct access to Tomales Bay.

Consistent with **Goal 7 Objective C** of the Conservancy's Strategic Plan, the proposed project will contribute to the completion of projects to foster the long-term viability of coastal working lands by assisting ranchers to reduce the impact of their operations on water quality and wildlife habitat. The project will assist the ranchers with grazing leases in the project area to reduce the

impact of livestock on water quality and wildlife habitat.

**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:** Supporters of this project include the National Park Service (NPS), Point Reyes National Seashore, the Marin Resource Conservation District, the Environmental Action Committee of West Marin, and the Tomales Bay Watershed Council. Letters of support are included in Exhibit 3.
4. **Location:** The project will be implemented in two locations in the Tomales Bay Watershed in western Marin County: Martinelli Ranch and Olema Pasture (Exhibit 1). Both of these locations are within the coastal zone. Martinelli Ranch is located just north of the town of Point Reyes Station and west of Highway One, adjacent to Giacomini Ranch. Olema Pasture is located north of the town of Olema, on the west bank of Olema Creek. The entire project area is located within NPS ownership. In addition, the project will benefit ocean resources by enhancing water quality in Tomales Bay.
5. **Need:** Conservancy participation is needed to implement these restoration projects. The PRNS does not have funds available to implement these restoration projects. As discussed above, the project will ameliorate significant water quality problems in Tomales Bay and benefit federally- and state-listed threatened and endangered wildlife species.
6. **Greater-than-local interest:** Tomales Bay is not only part of the Golden Gate Biosphere Reserve and a California Critical Coastal Area, but in 2002, it was nominated as a "Wetland of International Importance" under an international treaty called the Convention on Wetlands (commonly known as the Ramsar Convention). Tomales Bay is also one of 16 wetland areas that qualify for inclusion as a wetland of regional importance under the Western Hemisphere Shorebird Reserve Network because of its large number of wintering and migrating shorebirds. The bay represents the second largest Pacific Herring spawning estuary in the state of California and is home to some of the state's largest populations of birds such as bufflehead (*Bucephala albeola*), black brant (*Branta bernicla*), red knot (*Calidris canutus*), and riparian associates such as saltmarsh common yellow-throat (*Geothlypis trichas sinuosa*; Sacramento USFWS Species of Concern and California Species of Concern). The water quality problems described above have the potential to cause adverse effects to these and other important wildlife populations that use the bay for all or part of their life cycles, including critical stages such as breeding or the early stages of development (such as for fish nurseries).

The Helping Hands Restoration Project will improve water quality while enhancing habitat for wildlife, including federally- and state-listed threatened and endangered species.

Additional Criteria

7. **Urgency:** Amelioration of water quality problems in Tomales Bay and expansion of habitat for federally- and state-listed wildlife species are a high priority for the State. Water quality problems have led to Tomales Bay being listed as "threatened" under the State's Shellfish Protection Act in 1994, and impaired under Section 303(d) of the federal Clean Water Act. The water quality problems described above have the potential to cause adverse effects to these and other important wildlife populations that use the bay for all or part of their life cycles, including critical stages such as breeding or the early stages of development. Coho salmon are currently at 6 to 15% of their abundance during the 1940s. Coho and steelhead in the Point Reyes area have been declining since the turn of the 20th century, with significant declines occurring as late as the mid-1950's. Given these declines, projects with a high potential for recovering local populations of these salmonid species are a high priority for the State.
8. **Leverage:** See the "Project Financing" section above. The Conservancy's contribution will leverage funds from the Natural Resources Conservation Service and the National Park Service.
9. **Innovation:** This project includes the restoration of a headcut that is not yet a significant sediment source but is likely to become one in the future. Identifying opportunities to repair developing problems before they become serious is an innovative approach that may be applied elsewhere.
10. **Readiness:** The project is in a high state of readiness, with plans developed for three of the four headcuts, and no permitting requirements. The applicant has demonstrated that it has the expertise and administrative capability necessary to commence and complete the project in a timely fashion.
11. **Realization of prior Conservancy goals:** The Conservancy has worked with a variety of partners to explore options for protecting and improving aquatic and terrestrial habitat in and around Tomales Bay, including numerous acquisitions, easements, and funding a Tomales Bay Watershed Stewardship Plan. Water quality protection and enhancement of salmonid habitat are key objectives of this project.
12. **Cooperation:** National Park staff, STRAW, affected ranchers, the Marin Resource Conservation District, and others have all expressed support for, and willingness to, cooperate with the grantee in accomplishing the project.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The project area is located on NPS property. The Unit I LCP for Marin County provides that federal policies and programs for lands in Marin be evaluated as a whole in the Unit II LCP, which also addresses non-federal policies and programs for the project area, and for areas within the coastal zone boundary (Unit I LCP, pg. 14). The Unit II LCP identifies freshwater inflows,

sedimentation, water pollution, and protection of riparian habitats as the key concerns for protecting the aquatic resources of the Tomales Bay ecosystem (Unit II LCP, pp. 66-67). Because the proposed project will mitigate water quality problems in Tomales Bay and expand riparian habitat where it has been lost, it is entirely consistent with the LCP Policies.

CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/STATE WATER QUALITY CONTROL PLAN:

The Helping Hands Restoration Project is consistent with, and furthers the goals of, the Tomales Bay Watershed Stewardship Plan, prepared by the Tomales Bay Watershed Council in July 2007. The project is consistent with Goal A of the Tomales Bay Stewardship Plan, as it will enhance water quality in Tomales Bay. The project is also consistent with Goal B of the Tomales Bay Stewardship Plan, as it will enhance the integrity of natural habitats and native communities.

The project is also consistent with the Tomales Bay Integrated Watershed Management Plan (ICWMP), prepared by the Tomales Bay Watershed Council in September 2007. The project is consistent with ICWMP Objective 1, as it improves water quality in Tomales Bay. The project is consistent with ICWMP Objective 5, as it enhances streams and riparian areas for native species. The project is consistent with ICWMP Objective 6, as it enhances habitats of special status species.

The proposed project is also consistent with the Water Quality Control Plan for the San Francisco Bay Basin (adopted by the Regional Water Quality Control Board Central Coast Region in 1995 and reviewed every three years) in that it would result in the enhancement of fish and wildlife habitat in coastal watersheds and wetlands, including habitat for federally-listed species, and thereby protect and enhance the following beneficial uses:

- Preservation of Rare and Endangered Species
- Fish Spawning
- Cold Freshwater Habitat
- Warm Freshwater Habitat
- Wildlife Habitat

The proposed project would also help achieve the water quality objectives identified in the Water Quality Control Plan for nutrients, and suspended sediment loads and discharge rates by reducing inputs of fine sediment and nutrients to Olema Creek and Tomales Bay.

COMPLIANCE WITH CEQA:

The project is categorically exempt from California Environmental Quality Act review under 14 Cal. Code Regulations Section 15333 as a habitat-restoration project affecting an area of less than five acres. Consistent with that section, there will be no adverse effects on endangered, rare, or threatened species or their habitat; there are no hazardous materials at or around the project site; and the project will not result in cumulative significant effects. Staff will file a Notice of Exemption upon Conservancy approval of the project.