

COASTAL CONSERVANCY

Staff Recommendation
August 5th, 2010

MENDOCINO ACCESS IMPROVEMENTS, PHASE II

File No. 05-059-02
Project Manager: Matthew Gerhart

RECOMMENDED ACTION: Authorization to disburse up to \$393,000 to the Mendocino Land Trust to undertake construction of seven public coastal accessways in Mendocino County, perform site design and planning tasks necessary to develop an additional four accessways, and to continue to manage existing access easements within the county.

LOCATION: Mendocino County (See Exhibits 1 and 2)

PROGRAM CATEGORY: Public Access

EXHIBITS

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

Exhibit 2: [Description of Access Ways](#)

Exhibit 3: [Mitigated Negative Declarations](#)

Exhibit 4: [Project Letters](#)

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 a grant of up to three hundred ninety-three thousand dollars (\$393,000) to the Mendocino Land Trust (MLT), for the purpose of undertaking the construction and opening of seven coastal accessways in Mendocino County as well as a variety of site design and planning tasks for four additional coastal accessways and for continued management of existing access easements in Mendocino County, subject to the following conditions:

1. Prior to the disbursement of any funds, MLT shall submit a detailed work program and the names and qualifications of any contractors to be employed on the project for the review and approval of the Executive Officer of the Conservancy.

2. MLT shall provide documentation that permits and approvals necessary to the completion of each project component has been obtained.
3. MLT shall implement or cause to be implemented the mitigation measures identified in Coastal Development Permit # 67-2008 and 68-2008 in development of each of the affected accessways.”

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 establishing a system of public coastal access ways.
3. The proposed project serves greater than local need.
4. The Mendocino Land Trust is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Code, whose purposes, which include the preservation and restoration of land for public access and recreation, are consistent with Division 21 of the California Public Resources Code.
5. The Conservancy has independently reviewed and considered the Mitigated Negative Declarations adopted by the County of Mendocino under the California Environmental Quality Act for the Little River and Kibesillah segments of the trail, respectively on January 28, 2010 and April 13, 2010 (Exhibit 3). The Conservancy finds that the project as designed avoids, reduces, or mitigates the possible significant environmental effects to a level of insignificance, and there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 Cal. Code of Regulations, Section 15382.”

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize the disbursement of up to \$393,000 to the Mendocino Land Trust (MLT) to undertake construction of seven public coastal access trails along the Mendocino County coast. This authorization will also allow MLT to obtain surveys, complete engineering feasibility analyses, and to undertake other site design tasks as needed for an additional four easements, and to fund on-going operation and management of four open coastal accessways and 25 unopened offer-to-dedicate easements.

MLT was awarded funding from the Conservancy for Mendocino Access Improvements, Phase I in 2004 to complete planning and permitting tasks necessary to develop fifteen

public access easements in coastal Mendocino County. MLT evaluated the feasibility of these coastal access easements for developing as trails and completed necessary technical studies, site designs, CEQA review, and management plans. In addition, MLT was awarded funding for the Mendocino County Coastal Trail Program, Phase I in 2006, to identify, describe, define and map segments of the California Coastal Trail and complete preliminary site-specific planning. MLT also completed planning and permitting for a segment of California Coastal Trail on MLT's property near Caspar, which will be conveyed to California State Parks in 2011. MLT collaborated with landowners and agencies to design site-specific plans for each trail, worked to acquire additional easements to facilitate trail design, and developed Accessway Management Plans.

This Phase II project will enable MLT to construct and open four new coastal trails within public access easements on private property and provide improvements to two existing access ways, as well as create one new coastal trail on MLT-owned property. Cumulatively, these projects will create approximately 3.2 miles in new segments of the California Coastal Trail. The new trail segments have been evaluated on-the-ground for their potential to meet ADA-accessibility standards, and wherever possible, these new trails will be ADA-accessible. More detail on each of the trail segments is provided in Exhibit 2.

MLT intends to train and engage local volunteer labor as much as possible to construct these new trails, remove invasive plants and restore native plants, and monitor public access sites post-construction. MLT also intends to work with volunteers to implement trail construction mitigations required as Coastal Development Permit (CDP) conditions for two years. This Phase II grant will also fund MLT trail monitoring and management of existing trails for a three year period.

In 2009, MLT accepted a series of new easements from the American Land Conservancy, a number of which are considered immediately feasible for opening. Phase II of the program will also allow MLT to continue site planning and design work for four of its newly-accepted easements in two project areas, at Hare Creek Beach near Fort Bragg, and within the town of Caspar. Opening these access easements to public use is a multi-step process, and similar to Phase 1, this element of Phase 2 anticipates a future construction phase to complete improvements associated with these accessways, as well as connecting segments of the CCT that may prove feasible.

Finally, MLT will work with private landowners and Caltrans to undertake pre-acquisition activities for public access easements for the CCT in several areas determined to be priorities through its recent Mendocino County Coastal Trail strategic planning process. Work will focus in six priority areas including Usal to Union Landing, Kibesillah, Little River, Albion, Navarro, and Elk.

MLT is a 501(c)(3) nonprofit organization which holds and manages approximately 3,700 acres in easements and fee interests which protect and preserve open space, agricultural and natural resources and public access. MLT has an experienced staff, well versed in land acquisition issues and in negotiating acquisitions and constructing and managing property improvements. It currently manages four coastal access trails. The proposed project also includes funding for MLT's continued operation and management of these trails.

Site Description: From north to south, the seven public accesses that are the subject of the construction aspects of this proposal are located in the communities of Westport, Noyo Harbor, Fort Bragg, Caspar, Little River, Albion, and Elk. The new accessway planning, as well as the four easements that MLT will continue to operate with the proposed funding, are located in the communities of Mendocino, Fort Bragg and Caspar. See Exhibits 1 and 2 for locations and descriptions of each access way.

Project History: The Mendocino Land Trust has been actively working to provide the public improved access to Mendocino County coast since the 1990s. Because Mendocino County does not have a county park department or regional park district, non-profit land trusts have become involved in the effort to accept and open OTDs for public use. The Redwood Coast Land Conservancy, based in Gualala, has accepted and opened several coastal access ways; the Moat Creek Management Agency, Coastal Land Trust, and the Mendocino Land Trust have all been involved in the effort, each to varying degrees. CoastWalk and the American Land Conservancy have provided valuable assistance in accepting numerous OTDs and holding them until a local land trust could take on the tasks involved in opening them for public use. In 2005 MLT accepted 15 of these easements and was awarded Conservancy funds to undertake feasibility planning, design and permitting for them. In 2006, MLT was further awarded funds to plan strategically for future California Coastal Trail segments along the Mendocino coast, resulting in the prioritization of areas slated for further work under this phase. MLT has an established and successful program in coastal access and trail planning and permitting, and is well prepared to enter the implementation phase for these trails as well as preparation for future phases of easement development.

PROJECT FINANCING:

Coastal Conservancy	\$393,000
County of Mendocino (various)	\$115,600
Mendocino Land Trust in-kind	<u>\$26,400</u>
Total Project Cost	\$535,000

The anticipated source of the \$373,000 Conservancy construction funding is the fiscal year 2009-2010 appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84, Public Resources Code Sections 75001-75090) for Coastal Conservancy state-wide resource protection projects, which can be used for “projects and expenditures to promote access to and enjoyment of the coastal resources of the state” and that are consistent with the Conservancy’s enabling legislation. The proposed funding for operations and maintenance of existing accessways and easements (\$20,000) is expected to come from the Coastal Access Account, which may be used for “grants to... private nonprofit entities or organizations for the... maintenance and operation of new or existing facilities that provide public access to the shoreline of the sea.” (Public Resources Code Section 30620(c)(2)).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project will be undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 et seq.) relating to the provision of public access to the coast. 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. In particular, this project is consistent with Public Resources Code Section 31400.1, which allows the Conservancy to provide grants to nonprofit organizations to operate or manage lands for public access purposes; 31400.2, which allows the Conservancy to provide up to the total cost of the initial development of public accessways by any nonprofit organization; and 31400.3, in that the Conservancy may provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public accessways.

The project is also consistent with PRC Section 31402.3 in that the Conservancy would be using Coastal Access Account funds to help MLT open offer-to-dedicate easements for public use (subsection (a)); and in that MLT has met all the requirements for accepting the access easements provided in subsection (c) of Section 31402.3. The Coastal Commission and the Conservancy have approved MLT's management plan for the properties; MLT has also granted the Conservancy a right of entry that permits the Conservancy to reclaim or assign the interest in the easements if MLT does not maintain the easements consistent with the approved management plan.

The proposed project is consistent with the County of Mendocino Local Coastal Program as described in the Consistency with Local Coastal Program Policies below.

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

Consistent with **Goal 1, Objective D**, the proposed project will construct over three miles of California Coastal Trail within private ownerships.

Consistent with **Goal 2, Objective D**, the proposed project will open four offer-to-dedicate public access easements to the public, improve two others, design and permit improvements for an additional four easements, negotiate the acquisition of new easements as feasible, and ensure the continued availability of four existing access ways.

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 June 4, 2009, 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:** State and local elected officials, local residents and partnering organizations support continuation of this program. Letters of support are included in Exhibit 4.
4. **Location:** All access ways that are the subject of the proposed project are located within the coastal zone of Mendocino County.
5. **Need:** The initial development costs of public accessways are high, and Conservancy assistance is especially necessary at this stage. MLT has raised significant matching funds from the county, but could not accomplish the development of these accessways without financial assistance from the Conservancy. Once the accessways are opened, the costs of maintaining them should be more manageable for MLT to handle alone, or require a minimal subsidy.
6. **Greater-than-local interest:** Coastal Mendocino is a destination for hundreds of thousands of visitors a year, with public access to the coastline supporting a major portion of its economy. Residents of and visitors to Mendocino County alike will enjoy these trails once improved for public use.
7. **Sea level rise vulnerability:** Of the 7 coastal accessways MLT plans to improve under this authorization, only two are located in proximity to anticipated sea levels. One, the public viewing area at Noyo Harbor, is located approximately 8 feet above sea level and, under the scenario of 16 inches of sea level rise by 2050, could potentially start to be impacted by high tide and/or storm events before then. It is, however, on a harbor revetment currently well-suited to occasional flooding, and it is anticipated that adaptation efforts at this location will be closely tied to necessary plans for the harbor as a whole. A second, the Belinda Point Stairway, involves provision of access to a pocket beach from a height of approximately 30 feet. The stairway will significantly reduce bluff erosion associated with customary access to the beach, and plans for the structure are engineered to withstand a minimum of 20 years of sea-level rise. The remaining accessways are located along or near coastal bluffs and have some potential for being impacted through future bluff erosion associated with higher sea levels. However, retreat rates for this stretch of coastline, while potentially significant in certain areas, are expected to vary widely in accordance with specific geology and are therefore quite uncertain. The two lateral trails (Frankel and Kibesillah) are located a significant distance from the bluff edge along Highway One; any future relocation will likely be able to be done in conjunction with relocation of the highway. The remaining three segments involve vertical easements that will have an ability to retreat along with the bluff. In planning for new trail segments, consistent with Executive Order S-13-08, MLT will consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise.

Additional Criteria

8. **Urgency:** Some of the easements that are the subject of this grant are already being used by the public, and the site improvements should be made as soon as possible, both to protect habitat and for public safety reasons.

9. **Resolution of more than one issue:** The proposed project will both open existing offer to dedicate easements to the public and create new segments of the California Coastal Trail.
10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** The grantee is able to begin the project as soon as funds are available.
12. **Realization of prior Conservancy goals:** This authorization will allow the grantee to construct improvements from a previous phase of planning, and will allow development of new links of the Coastal Trail to proceed in previously identified priority areas.
13. **Cooperation:** Developing and opening these coastal access ways will involve cooperation from the property owners, neighbors, visiting public and the land trust.
14. **Minimization of Greenhouse Gas Emissions:** The project has been designed to allow for hand labor construction wherever possible; the grantee intends to use recycled, local and natural materials where feasible. Mitigations for planted surfaces disturbed will include revegetation with native plant cover.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The Mendocino County Land Use Plan, Coastal Element, identifies issues and policies regarding public coastal access and trails in Chapter 3. Policy 3.6-14 states, “Access shall not be signed until the responsibility for maintenance and liability is accepted and management established. All access ways shall be designed and constructed to safety standards adequate for their intended use.” The site planning activities proposed to be undertaken with the assistance of this grant will address these management issues. Numerous accessways incorporated into the proposed project, including segments near Kibesillah, Hare Creek Beach, Belinda Point, Little River, Navarro Point, and Elk, are specified as designated access points or trails in the county’s Land Use Plan (Chapter 4) as priorities for opening to the public.

COMPLIANCE WITH CEQA:

Construction:

Environmental documentation for each of the proposed construction segments of the project was produced by the County of Mendocino as part of its issuance of a Coastal Development Permit (CDP) for each trail (See Exhibit 3 for Mitigated Negative Declarations prepared in two cases). In evaluating Coastal Act and CEQA compliance, the county considered a wide suite of potential impacts, including the possible earth, water, plant and animal life, noise, land use, transportation, public services, aesthetics, public access, and cultural resource effects of each project. The following summarizes the county’s findings for each trail segment.

Installation of Interpretive Panel at Noyo Harbor Viewing Area: This improvement involves no change to existing structures, and will enhance existing visitor experience at the site with no expected change in overall use. The County issued a CDP waiver for this project. Conservancy staff finds this project is categorically exempt pursuant to 14 Cal.

Code of Regs Section 15301, in that it involves only minor alteration of an existing public or private structure.

Belinda Point Stairway and Peg & John Frankel Public Trail: The CDPs (#12-2009 and #40-2007) found that the projects as conditioned have no potential for a significant effect on the environment, and are each categorically exempt pursuant to 14 Cal. Code of Regulations Sections 15303(e) and 15311(c) of CEQA, regarding new construction of small and accessory structures.

Caspar Uplands Trail: The CDP (#27-2009) determined that the project as conditioned has no potential for a significant effect on the environment, and is categorically exempt pursuant to 14 Cal. Code of Regs Sections 15303(e), 15304(a), 15305(b) and 15311 of CEQA, exempting the construction of small accessory structures, grading on land with a slope of less than 10 percent, and issuance of minor encroachment permits.

Navarro Blufflands Trail: The CDP (#40-2006) found that the project as conditioned has no potential for a significant effect on the environment within the meaning of CEQA, and is categorically exempt pursuant to 14 Cal. Code of Regulations Sections 15304, regarding minor alterations to land.

Little River Blowhole Trail: The CDP (#68-2008) considered potential earth, water, plant and animal life, noise, transportation, land use, public services, aesthetics, public access and cultural resources effects from the project and found that no significant environmental impacts are anticipated which cannot be adequately mitigated. (See Exhibit 3). The potential for a significant effect was noted in regard to plant life, animal life, land use and cultural resources and the following three special conditions were adopted:

- Regarding plant and animal life, environmentally sensitive habitat areas (ESHA) in the project area must be protected in perpetuity. Specifically: 1) all vegetation removal occurring within ESHA be mitigated through a 1:1 ratio of removal of exotic invasive plant species; 2) bi-annual monitoring of removal success must be undertaken for five years; 3) any work during the February to August season must be preceded by breeding bird surveys and the establishment of nest buffers, as needed; 4) continued invasive plant management should occur, as feasible, on an ongoing basis; 5) ground disturbance shall be limited to the dry season from April 15 to October 15; and 6) existing volunteer trails within an adjacent riparian corridor must be closed.
- Regarding potential land use impacts, the County must receive and approve a management plan that: 1) avoids or mitigates potential public safety hazards or impacts to agricultural or other coastal resources; 2) sets forth provisions for operating, maintaining, and assuming liability for the accessway; 3) sets forth any other management provisions and improvements proposed; and 4) protects the accessway from vandalism and/or unauthorized use.
- Regarding cultural resources, prior to construction the applicant shall place a layer of fill protecting a known archaeological resource on the site, provide appropriate signage to avoid it, ensure all improvements occur outside the boundaries of the site, and ensure maintenance of the fill layer for the life of the project.

With the above conditions, the county determined that no significant environmental impacts are anticipated which cannot be adequately mitigated, and adopted a Mitigated Negative Declaration for the project.

Kibesillah Public Trail: The CDP (#67-2008) considered potential earth, water, plant and animal life, noise, transportation, land use, public services, aesthetics, public access and cultural resources effects from the project and found that “the project, as proposed, could have had a significant effect on the environment. However, there will not be a significant effect in this case because mitigation measures required for the project will reduce potentially significant effects to a less than significant level.” In particular, the Initial Study found the potential to impact numerous small wetlands areas associated with a number of watercourse crossings along the length of the trail. The specific mitigation measures adopted include:

- Submittal of revised crossing designs to the County prior to permit issuance.
- Incorporation of all geotechnical recommendations from a bridge geotechnical report, as well as review of final bridge footing designs and onsite inspection by a qualified engineer.
- Protection in perpetuity of ESHA areas from disturbance or development activities, including: 1) planting a minimum of 228 square feet of area equivalent to the ratio of area displaced by fencing, boardwalk and sign footings, of hydrophytic vegetation adjacent to the existing wetlands, with a species composition similar to that of the wetland being impacted; 2) removal of invasive plant species within the trail easement, and replanting the areas with appropriate native plants or seed; 3) bi-annual monitoring of restoration success over a period of five years; 4) continued invasive plant management, as feasible, on an ongoing basis; 5) ground disturbance being limited to the dry season from April 15 to October 15; and 6) trail sections that intercept these sensitive habitats incorporating design features that allow for continued function including water ponding and ground saturation, sediment transport, riparian cover and natural stream channel formation.
- County receipt and approval of a management plan that: 1) avoids or mitigates potential public safety hazards or impacts to agricultural or other coastal resources; 2) sets forth provisions for operating, maintaining, and assuming liability for the accessway; 3) sets forth any known management provisions and improvements proposed; and 4) protects the accessway from vandalism and/or unauthorized use.

With the above mitigations, the county determined that no significant environmental impacts are anticipated which cannot be adequately mitigated, and adopted a Mitigated Negative Declaration for the project.

Planning and Operations:

Providing funds for the purpose of obtaining property surveys, engineering feasibility analyses, initial site design concepts and other planning activities is statutorily exempt from the California Environmental Quality Act (CEQA), pursuant to 14 Cal. Code of

Regs Section 15262, because it involves only planning or feasibility studies for possible future actions (access way development) that the Conservancy has not yet approved, adopted, or funded. The access way design and planning activities will include consideration of environmental factors.

Funding for the ongoing operation and maintenance of four existing accessways is categorically exempt from CEQA review pursuant to 14 Cal. Code of Regs Section 15301, since it consists of the operation, maintenance, or minor alteration of existing public or private structures, facilities, or topographical features, involving negligible or no expansion of use.

Cumulative Impacts and Greenhouse Gas Emissions:

The new trail segments noted above, while programmatically related, have independent utility as stand-alone projects, each being on independent implementation tracks and not in close physical proximity (See Exhibit 1). It is therefore appropriate that, for permitting purposes and as regards specific environmental impacts, the county considered them individually. However, for the purposes of this authorization it is important to additionally consider them as a whole, particularly in regard to new requirements to address the potential for cumulative impacts as a result of greenhouse gas emissions (GHGs).

CEQA guidelines amendments that went into effect on March 18, 2010 clarify the manner in which a project's potential GHG emissions must be evaluated. In particular, a lead agency must consider the extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting; whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. 14 Cal. Code of Regs Section 15064.4(b).

The physical improvements in the project include six distinct trail constructions totaling approximately 3.2 miles of new trail. Specific improvements include one beach stairway, two small foot bridges, an approximately 100 foot retaining wall structure, 2 miles of fencing (wire and split-rail), 400 feet of boardwalk, installation of site furnishings (such as benches, signage, gates), placement of 12 boulders, and the installation of one interpretive panel. Associated activities include vegetation clearance and soil work to establish a variety of 2-5 foot native soil trail treads, movement of fill, pouring of concrete footings, construction of box steps, the removal of non-native invasive plant species and the restoration of native wetland and coastal terrace vegetation. Staff estimate approximately 1.5 acres of total soil disturbance may result from these activities, with only a portion of that involving significant vegetation clearance. Work will be done with hand labor wherever possible, with limited use of a small trail dozer likely in some stretches. Heavy equipment use is only expected in the creation of the retaining wall alongside an existing stretch of county road.

No existing plan or mitigation program for GHG emissions has been adopted for Mendocino County; however recently adopted thresholds for the neighboring Bay Area Air Quality Management District (BAAQMD) are instructive of the scale of impact that should be considered in determining a need for more detailed evaluation (available at

<http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Updated-CEQA-Guidelines.aspx>). The BAAQMD CEQA threshold for operational emissions associated with physical improvements is 1,100 metric tons CO₂ equivalent/year; this equates in their project screening criteria to the emissions expected from a fully developed city park of around 60 acres. As noted above, the approximate footprint of physical improvements in this project is expected to be only 1.5 acres, suggesting emissions that are only a fraction of the significance threshold.

BAAQMD has not included any threshold specific to construction, but reasonably and conservatively for comparative purposes, such emissions can be amortized over the course of construction, and added to operational emissions, to achieve a maximum yearly emission figure for the project. Preliminary staff analysis using available information and tools indicates that total project emissions, including not only direct construction and operational emissions but potential indirect emissions such as embodied energy in materials used or permanent losses in vegetative cover, is unlikely to exceed 100 metric tons, and not more than 50 tons in any calendar year. This would suggest that project emissions are at least a magnitude of order below a potential level of significance.

Finally, additional phases of this project and/or future development of the CCT that may directly relate to these segments will take years to develop and from an emissions perspective will likely be of similarly small scale. As a result, staff finds that while there is some potential for the project to increase GHG emissions as compared to the current environmental setting, there is no evidence to suggest such emissions would rise to a level of significance. Therefore overall, given the individual and dispersed nature of the accessways, generally minor character of the improvements themselves, low expected generation of greenhouse gases, and environmental mitigations already incorporated, Conservancy staff finds no substantial evidence that the project, as a whole in light of past, present and reasonably foreseeable future projects, will have a cumulatively considerable environmental effect.

Summary:

Staff concurs that the two projects addressed in County of Mendocino Mitigated Negative Declarations, as mitigated, will not have a significant effect on the environment. Staff also believes that the other projects are exempt from CEQA. Following the Conservancy's authorization, staff will file Notices of Determination and Notices of Exemption.