

COASTAL CONSERVANCY

Staff Recommendation
October 21, 2010

FRESHWATER NATURE TRAIL

Project No. 10-023-01
Project Manager: Michael Bowen

RECOMMENDED ACTION: Authorization to disburse up to \$50,000 to the Northcoast Regional Land Trust to design and permit the Freshwater Nature Trail at the Freshwater Farms Reserve in Humboldt County.

LOCATION: Eureka, Humboldt County

PROGRAM CATEGORY: Public Access

EXHIBITS

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

Exhibit 2: [Freshwater Farms January 27, 2005 Staff Recommendation](#)

Exhibit 3: [Regional Maps and Conceptual Trail Alignment](#)

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 disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to the Northcoast Regional Land Trust (“NRLT”) for the purpose of designing and preparing permit applications for a publicly-accessible interpretive trail and associated amenities at the Freshwater Farms Reserve in Humboldt County subject to the condition that prior to the disbursement of funds NRLT shall submit for review and approval by the Executive Officer of the Conservancy a workplan, budget and schedule, and the names and qualifications of any contractors.”

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 a System of Public Accessways.
 3. The Northcoast Regional Land Trust is a non-profit organization existing under section 501(c) (3) of the Internal Revenue Service whose purposes are consistent with Division 21 of the Public Resources Code.”
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PROJECT SUMMARY:

Staff recommends the Conservancy authorize the disbursement of up to \$50,000 to the Northcoast Regional Land Trust (“NRLT”) to design and prepare permit applications for a ¾ mile interpretive trail at its Freshwater Farms Reserve in Humboldt County. Developing this trail will provide an important public opportunity to visit, view, and recreate at the NRLT’s 54-acre property, acquired in 2005 with the assistance of the Conservancy. When the trail project is complete, visitors will enjoy a trail, a boat launch, a picnic area, a parking area, and other amenities surrounding the 35-acre restoration project implemented recently on the property.

For the last five years NRLT has used the property to host dozens of interpretive hikes and educational programs for local high schools, colleges and universities, and the community at large. The Freshwater Farms Reserve Management Plan (NRLT, 2006) calls for an interpretive trail to be constructed around the perimeter of the property to provide recreational and educational opportunities for the public. NRLT has since begun the conceptual design of a 3/4-mile trail that will include a parking area, interpretive signs, a picnic area, and a boat launch into Freshwater Slough, a tributary to Humboldt Bay. Conservancy funds would enable NRLT to move the project forward through the final design and permit application preparation stage.

NRLT will ensure that trail design accommodates sea level rise and minimizes vulnerability to climate change impacts other than sea level rise. The IPCC sea level rise scenario predicts that sea level will rise by approximately 10 inches by 2030. Existing infrastructure at the project site is expected to withstand such a rise. The NRLT will place the trail footprint on the site’s highest elevations, outside of the depression that makes up the restored wetland site. Construction of the trail on the levee will also likely include shoring up low or weak points on the levee, which will further protect the project site from sea level rise impacts. The trail will also be limited to seasonal access, since sea level rise impacts will most likely occur during winter months where higher stream flows combined with increased sea levels heighten the chance of flooding. The trail will be constructed of natural materials that blend with the surrounding environment, while reducing or eliminating risk of runoff into the wetland or adjacent slough channel. Finally, the NRLT will utilize hand tools and physical labor as feasible to minimize the use of heavy equipment, thereby reducing greenhouse gas emissions.

The NRLT is a property owner that focuses on outreach to the public and bridging the gulf between ecosystem enhancement efforts and agricultural preservation in and near the coastal zone. This property is adjacent to and associated with a native plant nursery, it hosts livestock on its remaining pasture, and it is now the site of a significant tidal marsh restoration project. The NRLT has therefore proven its ability to execute its mission effectively. Providing improved public access will assist NRLT in its outreach efforts.

Site Description: The Freshwater Farms Reserve (“Reserve”) is located approximately five miles north of Eureka along Freshwater Creek, a tributary to Humboldt Bay. The property is

adjacent to and associated with a native plant nursery, still in operation under the ownership and management of a separate entity.

The Reserve was historically dominated by brackish and saline coastal wetlands. During the nineteenth and twentieth centuries, settlers altered the landscape in a way that would accommodate their agricultural practices, but at a cost to the natural systems. Approximately 95% of the wetlands around Humboldt Bay were diked, ditched, and drained in this manner, replaced with what we now call "bottomlands pasture." This was the condition of the Reserve when it was purchased by NRLT in 2005.

The Reserve is home to a number of listed species: Chinook salmon (*Oncorhynchus tshawytscha*; federally listed as threatened), coho salmon (*Oncorhynchus kisutch*; federally listed as threatened); steelhead trout (*Oncorhynchus mykiss*; candidate for federal listing); and tidewater goby (*Eucyclogobius newberryi*; federally listed as endangered). The project site falls within NOAA-designated critical habitat for Chinook salmon, steelhead trout, and tidewater goby. Freshwater Farms Reserve lies within the Freshwater Creek watershed, a significant spawning and rearing system for numerous aquatic species.

Project History: The NRLT acquired the Reserve property in a 2005 bargain sale with a \$255,450 Conservancy grant (Exhibit 2) and matching funds from NRLT and the California Department of Fish and Game. NRLT also secured funds to plan and permit a 35-acre wetland restoration project. The seller provided an endowment, and grazing income from the property has assisted the NRLT with additional maintenance funds.

In 2009, a complex wetland restoration project was implemented on the western 35 acres of the property while the remaining 19 acres have been preserved for sustainable grazing. This mixed-use management will provide a model for other bottomlands land owners to observe that habitat restoration and continued sustainable agriculture are compatible.

The proposed trail footprint lies on the Reserve property, as well as the adjacent Freshwater Farms Nursery property. This siting is feasible because upon purchase of the 54-acre Reserve property, NRLT secured an access easement on the Nursery property for educational and outreach activities. The easement allows public access to occur with the presence of a NRLT representative or by express permission from NRLT.

PROJECT FINANCING

Coastal Conservancy	\$50,000
Bechtel Foundation	<u>\$15,000</u>
Total Project Costs	\$65,000

The anticipated source of Conservancy funds for this project is the fiscal year 2008/2009 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). Proposition 84 authorizes the use of these funds for purposes consistent with Chapter 9 of the Public Resource Code, Sections 31400.1 to 31400.3. The grantee will produce a plan and permit applications for the proposed interpretive trail and amenities.

With respect to future project implementation, the California Conservation Corps (CCC) has used Proposition 84 funding to develop a program that provides in-kind assistance to NRLT to

do conservation work on protected properties, including construction of new trails. An estimated four weeks of labor would be valued at approximately \$20,000. This contribution has not yet been obtained, but will be applied for in March 2011. Thus, the NRLT is accommodating the Conservancy's guidance to grantees to utilize the CCC for such projects wherever possible.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code, as follows:

Pursuant to Section 31400.1, the Conservancy may award grants to a nonprofit organization to develop, operate, or manage lands for public access purposes to and along the coast. Consistent with this section, NRLT proposes to develop an interpretive trail and amenities in an location within the coastal zone, where the trail would lead to a boat launch allowing visitors to access slough and Bay habitat via this coastal-draining creek.

Pursuant to Section 31400.2, the Conservancy may provide up to the total cost of the initial development of public accessways by any nonprofit organization, as provided in Section 31400.1. This grant amount is consistent with the limited fiscal resources of the NRLT, with the relative importance of this public accessway as described in access planning documents (see Realization of Prior Conservancy Goals, below), and with the need to provide access at an acquired, restored and well managed property. The NRLT has raised significant matching funds for the project, and has demonstrated compatibility with the Conservancy's criteria for funding described in greater detail, below.

Pursuant to Section 31400.3, the Conservancy may provide such assistance as is required to aid nonprofit organizations in establishing a system of public coastal accessways, and related functions necessary to meet the objectives of Division 21. The NRLT proposes to develop an important accessway for public viewing and enjoyment of two important and compatible aspects of the Humboldt Bay economy: ecological restoration, and coastal agriculture.

CONSISTENCY WITH CONSERVANCY'S 2007 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with Goal 1, Objective 1C of the Conservancy's 2007 Strategic Plan, the proposed project would provide a design for three-quarters of a mile of publicly accessible trail within the coastal zone, and adjacent to a successful tidal marsh restoration site.

Consistent with Goal 1, Objective 1E of the Conservancy's 2007 Strategic Plan, the proposed project would provide a design for three-quarters of a mile of publicly accessible trail and a boat launch facility along Freshwater Creek. This proposed project would increase recreational opportunities in the Humboldt Bay area, and enable visitors to access slough and Bay habitat via this coastal-draining creek.

**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:** This project is supported by the Redwood Community Action Agency - Natural Resource Division (NRLT's partner in the Freshwater Farms Reserve wetland restoration project), the United States Fish and Wildlife Service, the California Department of Fish and Game, numerous local middle and high schools, and Humboldt State University. These organizations have continued to support NRLT's efforts to restore the Freshwater Farms Reserve wetland, and have benefitted from NRLT's management of the project for interpretive and recreational events. The educational potential for the site is high and though NRLT has been hosting interpretive events at the property for four years, installation of a trail, signage, picnic area and a boat launch will allow more community members to recreate, observe restoration in action and access the Humboldt Bay tributary system.
4. **Location:** The proposed project would be located entirely within the coastal zone of Humboldt County.
5. **Need:** NRLT has provided guided access tours of the Reserve for school groups and members of the public. The proposed project will design the necessary access improvements to increase access and education at the site, and provide a new access point to Humboldt Bay.
6. **Greater-than-local interest:** Although millions of dollars have been disbursed towards ecological restoration projects, not all incorporate the extensive interpretation and recreational features proposed in this project by NRLT. The Freshwater Nature Trail would provide the only recreational and coastal access opportunity of its kind within an 8-mile radius, and hence provide visitors to Eureka with an important recreational and educational destination. Moreover, the Arcata Marsh provides the community of Arcata with a watercraft launch, walking, and birdwatching opportunities, but there is no such resource for members of the Freshwater, Bayside, and northeastern Eureka (Myrtle town) communities. The Freshwater Nature Trail would be easily accessible from Myrtle Avenue, complete with a parking lot, seasonal trail, interpretive signs, benches, and a boat launch. This trail would eventually be accessible to the general public, both for unguided use and for NRLT-hosted tours.
7. **Sea level rise vulnerability:** The Reserve lies within a flood-prone area, and is subject to periodic flooding from Freshwater Creek, which runs along its northern border. The natural resources and agricultural uses of the Reserve will remain relatively unimpacted by sea level rise, aside from a possible expansion of the wetland element on the property and a subsequent reduction of the viable agricultural portion. Additional salt water intrusion

resulting from higher tidal elevations may reduce the available fresh water habitat on the property. Access plans will assess sea level rise vulnerability, and provide suitable design elements to address sea level rise. These elements may include siting the trail along upland portions of the property, utilization of elevated pathways, and other design components.

Additional Criteria

8. **Urgency:** As described above, there are insufficient trail and interpretive facilities available for visitors to the City of Eureka. The proposed project will help alleviate that situation.
10. **Leverage:** See the “Project Financing” section above.
11. **Conflict resolution:** Increased funding for coastal enhancement projects has polarized the community of Humboldt County. Entities such as the Farm Bureau consistently voice concerns that projects such as the Reserve diminish the availability of productive farmland. The Reserve struck a balance between enhancement and continued agricultural use, and the proposed project will help educate visitors about the importance of that balance.
12. **Innovation:** Striking the balance described in “Conflict Resolution,” above, is, unfortunately, an innovative approach to resource management in Humboldt County. The NRLT has succeeded in this approach, and done much to educate residents and visitors about the importance and compatibility of environmental enhancement, public access, and agricultural productivity in the Coastal Zone.
13. **Readiness:** NRLT has proposed a feasible and realistic schedule for completing the project promptly.
14. **Realization of prior Conservancy goals:** Consistent with the provisions of Conservancy grant agreement 04-110 for the acquisition of Freshwater Farms, the NRLT prepared the Conceptual Public Access Plan for the Freshwater Farms Parcel (NRLT March 15, 2005). That plan identified two key elements: 1) Provision of public access to the subject property from Freshwater Creek via boat or watercraft, and; 2) Provision of access to the subject property no less than one weekend day per month via the neighboring Freshwater Farms property. The Conservancy concurred with these commitments. Subsequently, the boat launch element of the Freshwater Nature Trail was identified as a high priority site in the Conservancy-funded Humboldt Bay Water Trails Implementation Strategy (Redwood Community Action Agency [RCAA]-NRS, 2008). In 2001, RCAA-NRS, with Conservancy support, developed the Humboldt Bay Trails Feasibility Study, where the Freshwater Nature Trail was identified as a conceptual project (this was prior to NRLT's acquisition of the property). Development of an interpretive trail and boat launch are consistent with the Humboldt Bay Management Plan (HBHRCD, 2007). Similarly, the access proposed for Freshwater Farms is consistent with the acquisition goals of Freshwater Farms identified in the 2005 staff recommendation.
17. **Vulnerability from climate change impacts other than sea level rise:** The project site lies within a designated freshwater emergent wetland, and is surrounded by tidally-influenced slough channels. Significant impacts on the property due to climate change are unforeseen, and the uses intended through this project (public access, grazing, and possible additional wetland restoration) are not expected to be highly vulnerable to such impacts, should they occur.

18. **Minimization of greenhouse gas emissions:** This is a planning grant and is thus not expected to generate significant greenhouse gas emissions. Design elements will include measures to avoid or minimize greenhouse gas emissions to the extent feasible and consistent with the project objectives.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project will result in the development of a plan to provide public access within the coastal zone generally, and within the jurisdiction of Humboldt County's Humboldt Bay Area Local Coastal Plan (LCP) (last amended 6/7/94).

The LCP recognizes the agricultural value of the Freshwater Farms area, and for this reason the property is designated Agricultural Exclusive (Humboldt County General Plan and Zoning Map, as depicted in the GIS Zoning shapefile online). The LCP states that recreational uses are compatible with agricultural lands. See LCP at page 3-34. Public access to and demonstration of functional agriculture in the coastal zone as proposed by the NRLT is therefore consistent with the LCP.

The LCP also recognizes the ecological importance of anadromous fish streams, and considers them environmentally sensitive habitat areas (LCP Chapter 3.30 B (1)(a)(3)). The LCP identifies Freshwater Slough as a designated coastal stream subject to all appropriate levels of protection called for in the Coastal Act (LCP at page 42). Therefore, education and outreach to the public concerning the acquisition of the property, establishment of property restrictions designed to protect the riparian zone, and projections for an estuarine wetland restoration of degraded wetlands are all consistent with the LCP.

COMPLIANCE WITH CEQA:

Development of a plan and permit applications for public access purposes consists primarily of data gathering, and is therefore exempt under CEQA. 14 Cal. Code of Regulations Sections 15262 and 15306. Staff will file a Notice of Exemption following Conservancy approval.