

COASTAL CONSERVANCY

Staff Recommendation
September 29, 2016

**RUSSIAN RIVER FLOODPLAIN RESTORATION: HANSON WINDSOR PONDS
ENVIRONMENTAL REVIEW AND DESIGN**

Project No. 12-007-02
Project Manager: Michael Bowen

RECOMMENDED ACTION: Authorization to disburse up to \$345,000 to the Endangered Habitats Conservancy to develop a reclamation plan and engineering designs, environmental documentation and permit applications for restoration of the 357-acre Hanson Aggregates property located in the Russian River floodplain near the City of Windsor.

LOCATION: City of Windsor, County of Sonoma

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

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

Exhibit 2: [Staff Recommendation May 24, 2012](#)

Exhibit 3: [Feasibility Study Summary](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31111 and 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred forty-five thousand dollars (\$345,000) to the Endangered Habitats Conservancy (“EHC”) to develop a reclamation plan and engineering designs, and associated environmental documentation and permit applications for a floodplain restoration project at the Hanson Aggregates property on the Russian River near Windsor, subject to the following conditions:

1. Prior to the Conservancy’s disbursement of funds, EHC shall provide for the approval of the Executive Officer of the Coastal Conservancy (“Executive Officer”): a) a work program, schedule and budget for the project; b) evidence that all needed matching funds have been received; c) the names and qualifications of contractors that will work on the project; and d) written site-access permission from the property owner.

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2. EHC shall use its best efforts to ensure that the proposed floodplain restoration plan developed through this authorization is subsequently approved as the new reclamation plan for the Hanson Aggregates property under the Surface Mining and Reclamation Act, California Public Resources Code Section 2710 et seq.
3. If EHC's floodplain restoration plan is approved by the County of Sonoma and found by the County to be fully consistent with the Surface Mining and Reclamation Act (SMARA) requirements associated with closure of the site to mining activities, EHC shall exercise its existing option with the landowner, Hanson Aggregates, to acquire the fee interest in the Hanson Aggregates property, and shall subsequently work with the Conservancy to ensure that the ecological and recreational values of the property will be permanently protected."

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 Project Selection Criteria and Guidelines adopted by the Conservancy on November 10, 2011.
2. The proposed authorization is consistent with Sections 31111 and 31251-31270 (Chapter 6 of Division 21) of the Public Resources Code, regarding plans and feasibility studies and coastal resource enhancement.
3. The Endangered Habitats Conservancy is a nonprofit organization existing under section 501(c)(3) of the Internal Revenue Service, and whose purposes are consistent with Division 21 of the Public Resources Code."

PROJECT SUMMARY:

Staff recommends the disbursement of up to three hundred forty-five thousand dollars (\$345,000) to the Endangered Habitats Conservancy (EHC) to complete a restoration plan and engineering designs, and to prepare all associated environmental review and permit application documentation, for a 347-acre floodplain restoration project at the Hanson Windsor Ponds on the Russian River near Windsor, Sonoma County (Exhibit 1). EHC will utilize these funds to advance the conceptual design developed through a prior Coastal Conservancy grant awarded May 24, 2012 (Exhibit 2) and to carry out required environmental documentation under the California Environmental Quality Act (CEQA) and to prepare documentation for permitting of the restoration project. EHC's ultimate goal in carrying out the proposed project is to obtain the approval of Sonoma County of the restoration plan as an alternative to the existing "reclamation plan" for the Hanson Windsor Ponds under the Surface Mining and Reclamation Act (SMARA). The restoration plan developed under this authorization would go well beyond the basic requirements of reclamation imposed under SMARA and would serve to provide far greater ecological and environmental benefit.

The proposed floodplain restoration project is located on an inactive gravel quarry owned by Hanson Aggregates. As a condition to its past operation as a gravel quarry, the property is

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subject to a reclamation plan, previously approved under the Surface Mining and Reclamation Act (California Public Resources Code Section 2710 et seq.). EHC currently holds an option to purchase the property from Hansen Aggregates, but before doing so seeks to develop and replace the existing reclamation plan with a restoration plan that more fully preserves and protects the natural resources and recreational values of the property.

The long-term objective of the proposed funding is for the floodplain restoration plan developed under this authorization to be approved and adopted by the County of Sonoma Planning and Resource Management Department (PRMD) as the new reclamation plan for the property. PRMD approval of the restoration plan cannot occur until environmental review has been completed and permit applications have been prepared. EHC expects that if PRMD approves the restoration plan, EHC will exercise its option to acquire the property. EHC has committed to exercising its best efforts to achieve this long-term objective and the proposed authorization conditions the funding on that commitment. EHC's best efforts will include developing the restoration plan in compliance with requirements of the SMARA and working with PRMD to complete CEQA analysis and approval of the restoration plan.

The proposed project is the subject of a restoration feasibility study funded by the Conservancy in 2012 and completed by EHC in 2016 (Exhibit 3). The feasibility study and conceptual design of a floodplain restoration project was conducted by the U. S. Geological Survey Geomorphology and Sediment Transport Laboratory (USGS) in close coordination with the National Marine Fisheries Service (NMFS) and other experts assembled by EHC.

That study identified more than five restoration design alternatives for the project site, approaches that would each lead to the restoration of 357 acres of riparian forest beneficial to a variety of species, off-channel, salmonid-rearing habitat suitable for juvenile salmon and public access features including an access point, a boat launch facility, a picnic area and a possible campground site. Of the design alternatives reviewed, one was selected as the proposed design to carry forward into the environmental review and design process. The proposed design will establish a self-sustaining off-channel wetland complex that can evolve naturally within the fluctuations and dynamics of the river system. Such an outcome will require minimal long-term active management, with the exception of tracking and responding to non-native invasive plant and animal related issues. A public access component of the plan will include a kayak take-out and public access trails, and possibly a campground.

As discussed in the previous staff recommendation, EHC holds an option agreement with Hanson Aggregates on the property. The option stipulates that if restoration planning and discussions with PRMD result in agreement on the restoration design and reclamation plan, Hanson Aggregates will donate the fee interest in the property to EHC. An appraisal completed by Hanson Aggregates in 2010 estimated the property value at \$1.5 million. By advancing a feasible reclamation plan for the site, the proposed authorization will ensure that EHC will be able to exercise its option with Hanson Aggregates in exchange for EHC assuming the remaining reclamation obligations. Towards this end, EHC is already identifying implementation funding alternatives, and is working closely with the County of Sonoma to ensure a smooth project development review and approval. Following implementation of the project, it is likely that EHC

will convey the acquired property to Sonoma County Parks. The project would then be managed as a component of the existing Riverfront Regional Park.

The County of Sonoma PRMD is the lead agency for ensuring the implementation of the reclamation plan for the Hanson property and for other mining operations on the Middle Reach of the Russian River. The county has a longstanding interest in seeing a reclamation plan for the Hanson property implemented, but would like to see reclamation efforts that significantly exceed the minimum requirements of the Surface Mining and Reclamation Act (SMARA). With respect to the Hanson property, EHC proposes to replace the existing plan and proposed reclamation plan, a plan that the County has signaled would be unacceptable, with the conceptual design developed through the feasibility study and this proposed authorization, that provides habitat enhancements and public access provisions.

EHC is a nonprofit organization established under Internal Revenue Code Section 501(c)(3) and dedicated to ecosystem protection and sustainable land use. Although its focus is on the protection and enhancement of natural habitat in Southern California, its staff works cooperatively with a variety of regional planners to achieve lasting conservation. Their effective management of the prior Conservancy grant towards feasibility analysis, and their now-proven ability to bring together diverse interests in pursuit of a common vision, has shown them to be an effective project manager and grantee.

Site Description: The 357-acre site, a former floodplain gravel quarry, is located along Eastside Road immediately west of the City of Windsor, Sonoma County, and along the banks of the Russian River. The site, owned by Hanson Aggregates, presently includes four groundwater-fed ponds - former terrace mining sites - comprising approximately 220-acres of open water and 130-acres of highly disturbed upland. See Exhibit 2 for further details.

Project History: EHC, a San Diego-based nonprofit organization, sought funding from the Coastal Conservancy in 2012 to conduct a feasibility study for the reclamation and restoration of the 357-acre project site. A grant of \$300,000 was awarded (Exhibit 2), and the feasibility study was completed in early 2016 with assistance from the USGS and NMFS.

Using state-of-the-art multidimensional surface-water and sediment transport/landscape evolution modeling of the 8.5-mile Middle Reach of the Russian River, the USGS analyzed the area and assessed the performance of various restoration alternatives with regard to reach-wide channel stability, water quality, sedimentation, flooding, fish habitat and other biological metrics. Model results were reviewed and restoration concepts refined by 20 scientists comprising the Scientific Working Group and the Peer Review Panel. Ultimately, a feasible alternative that best achieves the geomorphic and ecological restoration goals of the project was identified. Findings from the feasibility report include the following:

1. The Middle Reach riverbed is continuing to incise. The proposed project will halt the ongoing river bed degradation by significantly reducing flood elevations and velocities, and river bed and bank scour energies exerted during flood events. The project will also coarsen the bed downstream, possibly allowing pools to recover former depths.

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2. Water from the ponds flow subsurface into the river degrading water quality with elevated temperatures, mercury methylation, and nutrient accumulation and cycling. The proposed project will improve onsite and downstream water quality by eliminating the open water ponds and restoring fine sediment deposition on the floodplain.
3. Currently the ponds provide non-native predatory fish habitat and are a sink to native fish populations. When flooding occurs, native fish enter the ponds, and then become trapped in the ponds as the flood flows recede. The proposed project will eliminate the ponds, significantly increase salmonid spawning habitat, and increase by ten-fold the availability of productive off-channel salmonid winter and spring rearing and refuge habitat.
4. Due to historical hydrologic and geomorphologic modification, little functional floodplain remains in the Russian River catchment. The proposed project will restore connectivity between river, riparian, and floodplain shallow water habitats, stimulating ecosystem productivity by reactivating the seasonal pulse inundation of a sizeable floodplain for biologically significant periods.
5. Current gravel mine reclamation is out of step with ecosystem conservation and fisheries recovery. The proposed project presents an ecologically superior and exemplary alternative to typical SMARA reclamation plans, and strong rationale and impetus to utilize SMARA for ecological restoration purposes.
6. The Hanson property is closed to the public. The proposed project will provide public recreational and environmental education opportunities compatible with ecosystem restoration.

Having identified a feasible and cost-effective alternative that will enable EHC to exercise their option to acquire the property and restore the site, EHC submitted an application to the Conservancy for additional funding under the 2016 Proposition 1 Round 3 solicitation. The project was reviewed, and due largely to its proposed restoration of floodplain habitat it scored highly in a competitive grant round.

PROJECT FINANCING

Coastal Conservancy	\$345,000
Sonoma County (TBD)	\$172,500
Hanson Aggregates (TBD)	\$172,500
Total Project Costs	\$690,000

The expected source of Conservancy funds for this project is the fiscal year 2015/16 appropriation to the Conservancy from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1, Water Code § 79700 et seq.). Funds appropriated to the Conservancy derive from Chapter 6 (commencing with § 79730) and may be used “for multi-

benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state” (Section 79731). Section 79732 identifies specific purposes of Chapter 6 and includes: protect and restore aquatic, wetland and migratory bird ecosystems, including fish and wildlife corridors; protect and restore coastal watersheds, including, but not limited to bays, marine estuaries, and nearshore ecosystems; and assist in the recovery of endangered, threatened or migratory species by improving watershed health, instream flows, fish passage and coastal or inland wetland restoration. The proposed restoration plan would, if implemented, achieve these purposes by restoring rare riparian and floodplain habitat to the middle reach of the Russian River, an area that has largely lost such habitat to the detriment of multiple species.

As required by Proposition 1, the proposed project provides multiple benefits. The proposed project will provide the planning, design, environmental review and permit applications necessary to enable reclamation of historic floodplain, now separated by the Russian River with levees, to restore historic access to spawning and rearing habitat, while also improving water quality, attenuating flood flows on site and thereby decreasing downstream flood risk and providing outdoor access and educational opportunities on a former industrial mine site.

The proposed project was selected through a competitive grant process under the Conservancy’s *Proposition 1 Grant Program Guidelines* adopted in June 2015 (“Prop 1 Guidelines”). (See § 79706(a)). The proposed project meets each of the evaluation criteria in the Prop 1 Guidelines as described in further detail in this “Project Financing” section, the “Project Summary” section and in the “Consistency with Conservancy’s Project Selection Criteria & Guidelines” section of this report.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to section 31111 and Chapter 6 of the Conservancy’s enabling legislation, Public Resource Code §§ 31251-31270, as follows:

Pursuant to section 31111, the Conservancy may, in implementing Division 21, fund and undertake plans and feasibility studies, and may award grants to public agencies and nonprofit organizations for these purposes. The proposed funding is for planning and feasibility studies to be undertaken by EHC, a nonprofit organization established under Internal Revenue Code Section 501(c)(3) and dedicated to ecosystem protection and sustainable land use.

Pursuant to section 31251, the Conservancy may award grants to nonprofit organizations to enhance coastal resources that, because of indiscriminate dredging or filling, improper location of improvements, natural or human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. This project, sited in an abandoned gravel quarry, will facilitate the restoration of floodplain ecology, native riparian habitat, and the connectivity between a coastal watershed and its floodplain. Planning activities developed under this grant, if implemented, will benefit a variety of aquatic resources, including Pacific salmon, that reside partly within and partly outside the coastal zone (Pub. Res. Code § 31251.2). Section 31251.2 also requires the review and approval of the California Department of Fish and Wildlife for any proposed project which involves the management of fish. The Department is a member of the technical team that developed the proposed project and fully supports this project. See Exhibit 4, Project Letters.

As required by section 31252, the proposed project is within an area identified by the County of Sonoma's Local Coastal Program as requiring public action to resolve resource protection problems as described in the "Consistency with Local Coastal Program Policies" section below.

Consistent with section 31253, the amount of funding recommended for the proposed project is based on the total amount of funding available for coastal resource enhancement projects, the fiscal resources of the applicant and its project partners, and the urgency of the project relative to other eligible coastal resource enhancement projects.

**CONSISTENCY WITH CONSERVANCY'S 2013-2018
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objective 2E**, of the Conservancy's 2013-2018 Strategic Plan, the project will develop a plan to create a riverfront park in an area that is served by an increasingly extensive water trail system throughout the Russian River, and that extends to the coast via that network. Furthermore, this park and accessway will provide river access in an area that has very few water-oriented public access opportunities, although it is a short distance from Santa Rosa, Sonoma County's largest city.

Consistent with **Goal 4, Objective 4C** of the Conservancy's 2013-2018 Strategic Plan, the project will help implement a project that restores fish and wildlife corridors between core habitat areas along the coast and from a coastal to inland habitat areas. In particular, providing aquatic and riparian habitat in an area where such habitat has been largely eliminated due to various development types, will provide extensive wildlife corridor improvements.

Consistent with **Goal 5, Objective 5C**, of the Conservancy's 2013-2018 Strategic Plan, the project will develop a plan to preserve and enhance a coastal watershed and its associated floodplain now disconnected from the river.

**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 October 4, 2014, 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. **Promotion and implementation of state plans and policies:** The proposed project is consistent with the following state plans and policies concerning restoration of riparian

habitat and increasing natural production of the coastal salmon populations that depend upon that habitat for certain life history stages.

- a. Unlike many coastal watersheds, the Russian River is prominently featured in the *Steelhead Restoration and Management Plan for California* (California Department of Fish and Wildlife, 1996). Specifically, that plan's discussion of the Russian River opens by stating that "(h)abitat for naturally spawning steelhead in the Russian River system is severely degraded and populations have declined substantially... (c)hannelization, flood control projects, and gravel mining have directly impacted instream habitat." (p. 153). The report goes on, but it is quite clear that the proposed project is consistent with the report's guidance that "(h)abitat improvement projects should be focused on the many areas throughout the State where steelhead habitat is severely degraded and restoration work is sorely needed" (p. 74). Restoring nearly absent floodplain habitat to support the growth and survival of juvenile salmonids on that floodplain is one of the highest priority habitat improvement actions possible, particularly on the large scale proposed and in a site that ameliorates the earlier effects of gravel mining.
- b. The proposed project fully implements the goals of *Recovery Strategy for California Coho Salmon* (California Department of Fish and Wildlife, 2004) in that tasks and priorities for the Russian River call for project proponents to, among other things, "promote alternatives to conventional bank stabilization for public and private projects, including bioengineering techniques." (p. 9.76, RR-HU-33). The project will demonstrate a means of complying with SMARA and protecting adjacent lands from flooding, while also avoiding engineered structures on banks that preclude aquatic or terrestrial species from accessing a healthy riparian zone and floodplain.
- c. The Russian River is prominently featured in and nearly dominates the federal National Marine Fisheries Service 2014 *Final Recovery Plan for the Central California Coast Evolutionarily Significant Unit of Coho Salmon (*Oncorhynchus kisutch*)*. Russian River Coho are considered a "focus population," and floodplain connectivity is identified as low and a threat to the survival of Coho populations. That report prioritizes in detail too extensive for this staff recommendation the restoration of floodplain connectivity on the Russian River, (pp. 652-653).
- d. Finally, the project is consistent with the *California Water Action Plan*, a collaborative effort of the California Natural Resources Agency, the California Environmental Protection Agency, and the California Department of Food and Agriculture, issued in 2014. This plan was developed to meet three broad objectives: more reliable water supplies, the restoration of species and habitat, and a more resilient, sustainably managed water resources system. It lays out the state's challenges, goals and actions needed to put California's water resources on a safer, more sustainable path. The plan identifies ten overarching strategies to

protect our resources, including two particular to this project that the Conservancy can help implement: 4) *Protect and restore important ecosystems (restore coastal watersheds and strategic coastal estuaries to restore ecological health and nature system connectivity to benefit local water systems and help defend against sea level rise, eliminate barriers to fish migration)* and 7) *Increase flood protection (encourage flood projects that plan for climate change and achieve multiple benefits)*. By restoring floodplain habitat and attenuating flood flows, while also removing a *de facto* barrier to fish passage while increasing flood protection by designing a project that increases flood routing through the project area, the project is consistent with this report.

4. **Support of the public:** Project supporters include the Sonoma County Water Agency, Sonoma County Parks, Sonoma County Agricultural Preservation and Open Space District, Russian Riverkeeper, Redwood Empire Trout Unlimited, Sierra Club, NOAA Fisheries, California Department of Fish and Wildlife. A working group consisting of resource agencies has included NMFS, CDFW, and the Coastal Conservancy. See Exhibits 2 and 4 for letters of support.
5. **Location:** The proposed project is located entirely outside of the coastal zone. However, a key goal of the project is to improve habitat conditions for populations of anadromous fish, such as Coho and Chinook salmon and steelhead trout, that spend part of their life inside and part of their life outside of the coastal zone. Thus, development of the project will have a significant benefit for coastal resources by increasing anadromous fish populations from their currently depressed levels.
6. **Need:** As discussed at length in the Central California Coast Recovery Plan for Coho Salmon, cited above, floodplain habitat has been largely eliminated from the Russian River due to aggregate mining, agricultural expansion, vineyard development, bank stabilization and more. There is a significant need for floodplain habitat to provide habitat for a host of species, but also to contribute to flood attenuation, groundwater recharge and to provide new recreational opportunities on a river parkway. Unlike most funding sources, the Conservancy has traditionally demonstrated a willingness to fund the project development necessary to launch an ambitious enhancement project such as this. The Coastal Conservancy's timely dedication of funding for modeling and outreach allowed EHC and others to establish a viable restoration alternative suitable for analysis under CEQA and subsequent engineering, design and permitting. This authorization will ensure that the proposed project advances to County review and approval, and ultimately to implementation.
7. **Greater-than-local interest:** If a satisfactory remediation plan for the site is developed, the public will likely see developed a project that combines significant habitat restoration with public access opportunities in an area that offers little of both.
8. **Sea level rise vulnerability:** The proposed project is sufficiently far from the coast to be impervious to any sea level rise impacts.

Additional Criteria

9. **Urgency:** In order to help advance this project, EHC and Hanson have repeatedly renewed the option agreement so that it may remain binding during the project planning phase. Nonetheless, exercise of this option depends specifically upon completion of the reclamation plan and environmental compliance document (presumably an environmental impact report). If EHC does not exercise its option, the site will be reclaimed to meet Surface Mining and Reclamation Act (SMARA) reclamation standards that provide minimal benefits for fish and wildlife and none for recreation, though approval of that will likely cause a lengthy fight between Hanson and the County over whether SMARA requirements are compatible with the County's desires for the area. Thus, it is urgent that EHC make progress in identifying a suitable and more environmentally sustainable reclamation plan and proposed project under CEQA.
10. **Resolution of more than one issue:** The proposed project will provide a remediation plan superior to that required under SMARA, a CEQA proposed project that addresses County Planning concerns about environmental remediation, while also increasing public access along the Russian River and helping to achieve coastal salmon enhancement targets set by the National Marine Fisheries Service, Department of Fish and Game, and others.
11. **Leverage:** See the "Project Financing" section above.
12. **Conflict resolution:** The appropriate remediation of gravel mines in Sonoma County has long been a controversial topic, as has the level of development suitable within the floodplain of the Russian River. The proposed project enjoys broad support for its effort to plan the remediation of the gravel mine in a way that improves access, enhances habitat, and takes a property well beyond the minimal requirements of SMARA.
13. **Innovation:** The reconnection of rivers to floodplains is an extremely important and increasingly popular habitat restoration approach. It demonstrably improves riparian habitat, increases growth rates and productivity of juvenile salmonids, and provides highly valuable habitat for a variety of aquatic and terrestrial species.
14. **Readiness:** EHC has completed its feasibility study, identified an alternative that appears likely to emerge as a proposed project, and has initiated dialogue with the County of Sonoma regarding the commencement of the CEQA process and the amendment of the existing reclamation plan.
15. **Cooperation:** EHC has translated diverse and often conflicting interests into a commonly held and now well-analyzed and vetted proposal for restoration of the project site. The County of Sonoma has expressed strong interest in advancing the restoration plan options identified in the feasibility study into the CEQA process and reclamation plan amendment.
16. **Vulnerability from climate change impacts other than sea level rise:** The conceptual design process will take into consideration current predictions for changing weather patterns, which could impact the long-term viability of the project.
17. **Minimization of greenhouse gas emissions:** The proposed project consists of the development of a conceptual plan, and thus will have negligible greenhouse gas emissions.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the Sonoma County Local Coastal Program, certified in 1981 and revised in 1999, specifically Section III Environmental Resources. Section III, Recommendation Numbers 9, 10, 12 and 71, specifically calls out areas degraded due to historic mining as requiring special corrective action and identifies strategies for addressing the degradation. Consistent with this requirement, the proposed project will enhance riparian corridor and fish habitats that were degraded by mining operations begun in the early 1960 and lasting until 2003. The project will also help design necessary stream bank stabilization and riparian improvements consistent with the soil conservation and water quality policies in Sonoma County's General Plan Resource Conservation Element (Sections 2.0-2.2 and 3.0). In addition, the project will incorporate design elements that enhance habitat for salmonids and utilize native plants for revegetation consistent with policies calling for the protection of biotic resources, endangered species and marine fishery resources (Sections 5.1, 5.2 and 6.0-2).

COMPLIANCE WITH CEQA:

The authorization will enable EHC to conduct data gathering, planning, constraints and impacts analyses and early design and planning work necessary for the advancement of the environmental review process under the California Environmental Quality Act (CEQA) and is thus statutorily exempt from the provisions of CEQA pursuant to the CEQA Guidelines, 14 California Code of Regulations, §15262.

The authorization is also categorically exempt under Guidelines §15306 as an information gathering and resource evaluation activity.

Finally, to the extent that the proposed authorization would require EHC to exercise its option to purchase the Hansen Aggregates property, this aspect of the project is also categorically exempt under Guidelines §15313 as an acquisition of lands for fish and wildlife conservation purposes including preservation of fish and wildlife habitat, and under Guidelines §15325 as a transfer of ownership of interests in land in order to preserve open space and habitat, to allow for the protection and restoration of existing natural conditions and to prevent encroachment of development into flood plains.

Staff will file a Notice of Exemption upon approval.