

COASTAL CONSERVANCY

Staff Recommendation  
September 3, 2020

**PRAIRIE CREEK RESTORATION PROJECT**

Project No. 14-055-03  
Project Manager: Su Corbaley

**RECOMMENDED ACTION:** Adoption of the Initial Study/Proposed Mitigated Negative Declaration for the Redwood National and State Park Visitor Center and Restoration Project and a Mitigation Monitoring and Reporting Program; approval of the Redwood National and State Park Visitor Center and Restoration Project, which includes the Prairie Creek Restoration Project; and authorization to disburse up to \$1,239,800 to Save the Redwoods League to construct elements of the Prairie Creek Restoration Project, including a 2-acre pond, and approximately 3 acres of upland habitat.

**LOCATION:** 1.5 miles north of Orick, Humboldt County

**PROGRAM CATEGORY:** Resource Enhancement

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EXHIBITS

- Exhibit 1: [Project Location Maps](#)
- Exhibit 2: [Redwood National and State Park Visitor Center and Restoration Project Components](#)
- Exhibit 3: [Conceptual Map of Project Components](#)
- Exhibit 4: [Photographs](#)
- Exhibit 5: [Project Letters](#)
- Exhibit 6: [Initial Study/Proposed Mitigated Negative Declaration](#)
- Exhibit 7: [Mitigation Monitoring and Reporting Program](#)

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**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:

1. Adopts the Initial Study/Proposed Mitigated Negative Declaration for the Redwood National and State Park Visitor Center and Restoration Project prepared under the California Environmental Quality Act (“CEQA”), attached as Exhibit 6 to the accompanying staff recommendation.
2. Adopts the Redwood National and State Park Visitor Center and Restoration Project Mitigation Monitoring and Reporting Program, attached as Exhibit 7 to the accompanying staff recommendation.
3. Approves the Redwood National and State Park Visitor Center and Restoration Project, which includes the Prairie Creek Restoration Project.
4. Authorizes disbursement of an amount not to exceed one million two hundred thirty-nine thousand, eight hundred dollars (\$1,239,800) to Save the Redwoods League (the “League”) to construct elements of the Prairie Creek Restoration Project at the former Orick Mill A site in Humboldt County, including a 2-acre pond and approximately 3 acres of upland habitat, subject to the following conditions:
  - a. Prior to commencement of the project, the League shall submit for review and approval by the Conservancy’s Executive Officer:
    - i. a work program including schedule and budget, and the names and qualifications of contractors it intends to use to complete the project,
    - ii. a plan for acknowledgement of Conservancy funding and Proposition 1 as the source of that funding, and
    - iii. evidence that all necessary permits and approvals have been obtained.
  - b. Prior to commencement of project construction, the League shall enter into and record an agreement pursuant to Public Resources Code 31116(d) sufficient to protect the public interest in the improvements.
  - c. In carrying out the project, the League shall comply with all applicable mitigation and monitoring measures identified in the Initial Study/Proposed Mitigated Negative Declaration and comply with all measures and conditions that are required by any permit or approval.”

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 authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources.
2. The project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. Consistent with 14 California Code of Regulations Section 15074, the Conservancy has independently reviewed and considered the information contained in the Initial Study/Proposed Mitigated Negative Declaration, including comments received during the

public review process, and the Mitigation Monitoring and Reporting Program pursuant to its responsibilities as the lead agency for the Redwood National and State Park Visitor Center and Restoration Project under CEQA, and finds, on the basis of the whole record before it and its independent judgment and analysis, that there is no substantial evidence that Redwood National and State Park Visitor Center and Restoration Project as mitigated will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.

4. Save the Redwoods League is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code.”
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**PROJECT SUMMARY:**

Staff recommends the Conservancy adopt the Initial Study/Proposed Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Redwood National and State Park Visitor Center and Restoration Project, approve the Redwood National and State Park Visitor Center and Restoration Project, and authorize disbursement of up to \$1,239,800 to Save the Redwoods League (“the League”) to restore approximately 5-acres of habitat on lower Prairie Creek located on the 125-acre former Orick Mill A site (the property), north of Orick in Humboldt County. The property is located at the confluence of Prairie Creek and Redwood Creek and is nearly surrounded by Redwood National and State Park (“RNSP”) which comprises Redwood National Park and Prairie Creek State Park (Exhibit 1). The authorization would fund a subset of habitat restoration activities of the Prairie Creek Restoration Project, one of six components of the Redwood National and State Park Visitor Center and Restoration Project. In this staff report, this subset of habitat restoration activities of the Prairie Creek Restoration Project is referred to as “the project” or “the proposed project”, while the Redwood National and State Park Visitor Center and Restoration Project is referred to as the “RNSPVCR Project”.

Prairie Creek is a tributary of Redwood Creek. The Redwood Creek watershed was once a highly functional coastal redwood ecosystem, with cool shaded stream channels and unimpaired stream flow to the ocean. Industrial scale timber harvesting, the construction of flood control levees, road and municipal infrastructure, and the conversion of wetlands and bottom lands to agricultural production have profoundly impacted stream conditions and water quality within the Redwood Creek watershed. These land use changes, compounded by the watershed’s erosive geology, have led to elevated sediment delivery and storage in stream channels, simplified instream habitat, and decreased connectivity with floodplains and tributaries. The widespread reduction of old-growth redwood forests has increased water temperatures. The resulting condition of the greater Redwood Creek watershed is one of large-scale reduction in wetland and estuarine habitat, loss of floodplain interaction, an exposed channel, lowered groundwater levels, increased water temperatures, and limited rearing habitat for juvenile salmonids. This all has resulted in perilous conditions for threatened and endangered salmonids. Coho salmon on California’s North Coast are critically vulnerable to extinction within

the next 50 to 100 years. Populations are at less than 5% of their historical abundance, and the number of streams capable of supporting coho salmon runs have declined by 40 to 50%.

Redwood Creek and many of its tributaries are designated critical habitat for California coastal chinook salmon and northern California steelhead, both listed as threatened under the federal Endangered Species Act.

Prairie Creek provides some of the highest quality salmonid habitat on the North Coast and its cool waters bestow refuge in times of an uncertain climate future. Old-growth redwood forests comprise roughly half of its drainage area, with 98% of the watershed in public ownership. It is also a stronghold for coastal cutthroat trout, a California Department of Fish and Wildlife (CDFW) species of special concern; recovery of the species is not likely to occur without recovering the Redwood Creek populations. Approximately 80% of the listed coho salmon within the Redwood Creek population reside in the Prairie Creek subwatershed. The Redwood Creek population of coho salmon has been selected by the National Marine Fisheries Service (NMFS) as “core” to species recovery, and Redwood Creek populations of chinook salmon and steelhead have been selected by NMFS as “essential” to recovery of those species.

The League purchased the Orick Mill A site in 2013 with the intention of restoring fish habitat and creating a world class visitor center to serve as a gateway to the RNSP. As discussed in more detail in the “Project History” section below, the League has partnered with the Conservancy since 2015 to develop habitat restoration designs to restore geomorphic and biological functions on the property. The League has concurrently been developing architectural and site designs for the future RNSP visitor center, located on the property to the east of the restoration area. Collectively the restoration and visitor center areas comprise the RNSP Visitor Center and Restoration Project area (Exhibit 2).

The RNSPVCR Project is the result of five years of planning by the League to develop designs to rehabilitate the former mill site into a visitor center and to restore critical salmonid habitat on Prairie Creek. The proposed funding authorization focuses on the construction of a 2-acre pond/wetland and approximately 3 acres of upland habitat, both elements of the Prairie Creek Restoration Project. The relationship of the proposed project to the RNSPVCR Project is described below.

The RNSPVCR Project includes infrastructure, recreation enhancements, and habitat restoration elements to increase recreation and public educational opportunities, provide regional trail connections, restore hydrological connections and floodplain habitat, and improve habitat for native plants, fish and wildlife.

There are six major components of the RNSPVCR Project: 1) Visitor Center; 2) California Coastal Trail; 3) Canopy Walkway; 4) Yurok Demonstration Site; 5) Prairie Creek Restoration; and 6) Libby Creek Enhancement. The League will develop the site as a visitor gateway to the RNSP, establish onsite and connector trails to adjacent public land, establish a Yurok Demonstration Site for ceremonies and use for other tribal community events, and install a redwood tree Canopy Walkway for up-close redwood experiences. The League will carry out stream and wetland restoration to enhance Prairie Creek, Skunk Cabbage Creek and Libby Creek, improving rearing habitat for salmonids that are federally and state listed as threatened. Culverts will be replaced to improve instream flow in onsite waterways and Low Impact Development retention

basins will be installed to improve stormwater management within the RNSPCVR Project area and improve groundwater recharge.

The RNSPVCR Project Components are shown in Exhibit 2 and described in detail in Section 2.6 of the MND (attached as Exhibit 6 to this staff recommendation).

The Prairie Creek Restoration Project includes several elements designed to support life history diversity for salmonids and improve resilience to environmental stressors for salmonids and other aquatic species, and terrestrial species. It involves realigning the main channel and lowering and recontouring the adjacent elevated pasture to improve floodplain connectivity, instream habitat for salmonids and other aquatic species, and geomorphic function. The new channel alignment will be relocated further away from Highway 101 into the area of the existing pasture. Construction of a series of side channels and interconnected backwater channel features will provide greater habitat complexity and improved connectivity between Prairie Creek and the floodplain over a broad range of flow regimes, especially those likely to support juvenile salmonid rearing. Existing connections with Skunk Cabbage Creek and Libby Creek will be enhanced. Channel realignment will require excavating new channels and filling much of the existing Prairie Creek channel. Large wood will be installed in the channels and floodplain to improve habitat complexity and offer juvenile fish greater opportunities to escape predators. Invasive plants such as red canary grass, western manna grass, and Himalayan blackberry will be removed, and the area revegetated with native wetland and riparian species. The Prairie Creek Restoration Project will restore or enhance up to 0.5 miles of instream habitat and 16 acres of floodplain habitat. The restored floodplain will consist of emergent wetland, backwater, riparian and upland habitat areas. It will provide habitat for migratory and resident avian species, expand and enhance habitat for non-salmonid species of concern (red-legged frog, Marbled Murrelet, Pacific fisher, etc.), and provide resilience against climate change-induced loss of anadromous fish rearing habitat.

The Prairie Creek Restoration Project will require significant earthwork to excavate new channels and floodplain features, fill old channels, and to create topographical modifications to account for drainage retention, emergent wetland and riparian vegetation restoration and improved salmonid habitat. Earthen fill sourced from the excavations will be used to create upland habitat and sections of the CCT Component of the RNSPVCR Project, and across much of the aerial extent of the Visitor Center Component.

The Prairie Creek Restoration Project has been developed in a manner that allows phased or incremental implementation to coincide with available funding. The proposed project, the subject of this funding authorization, is a subset of restoration activities that provides an excellent opportunity to accomplish meaningful restoration as an early phase of the larger Prairie Creek Restoration Project, and will provide critically needed summer and winter salmonid rearing habitat at the last place for salmonids to feed and grow before entering Redwood Creek. The project will create an approximate 2-acre pond/backwater of juvenile salmonid habitat, install large wood structures to increase instream habitat and geomorphic complexity, and reduce invasive vegetation, creating up to 2 acres of native habitat, including wetlands, transitional upland, and riparian habitat. The project will also create up to 3 acres of upland, containing 1.4 acres of forest habitat, where materials excavated from the

pond/backwater area will be reused. See Exhibit 3 for a conceptual map of the project components.

The backwater feature will be fully sculpted, vegetated with native wetland and riparian plants, and hydrologically connected to the mainstream channel of Prairie Creek. Construction will involve excavation and transport of approximately 13,000 cubic yards of soil, 2,000 cubic yards of which will be unsuitable for reuse and hauled offsite. The remaining 11,000 cubic yards of material will be transported within the project site using an existing road and placed as fill and graded at the location of the upland restoration area at the north end of an existing asphalt pad that supported the former sawmill.

Mature trees will be harvested onsite and will be installed in the pond/backwater feature and, possibly in the main stem Prairie Creek channel upstream of the pond. Prior to excavating the pond/backwater area, native plant material (seed, plants, and hardwood cuttings) will be harvested from the area to be disturbed for subsequent use in revegetation of the pond/backwater area. Native plant material will be propagated onsite or at a local nursery. Harvest and revegetation will be conducted by the California Conservation Corps.

An approximately 3-acre area located at the north end of the existing asphalt pad of the mill site will be converted to an upland restoration site utilizing the 11,000 cubic yards of salvageable material excavated from the pond. Approximately 1.2 acres of asphalt will be removed from the 3-acre site and off-hauled. River-run gravel will be excavated from underneath the removed asphalt and, with the material from the pond excavation, will be graded and used to create new upland habitat and a transition from the future visitor center to the approach to a future segment of the California Coastal Trail. Approximately 1.4 acres will be planted with upland vegetation, mainly forest habitat, to create a transition from the developed site to the surrounding forests. The remaining 1.6 acres will be hydro-seeded or mulched with native grass seeds.

Environmental review for the larger RNSPVCR Project under CEQA has been completed, with the Conservancy acting as lead agency. The potential environmental impacts of the proposed project are fully assessed in the CEQA document. Permitting for the project is currently underway, and permits are expected to be issued in early 2021 and cover all proposed activities. Final construction designs for the project will fully incorporate any applicable mitigation measures from the CEQA document, and any permit conditions.

**Site Description:** The 125-acre RNSPVCR Project site was formerly the location of a sawmill (Orick Mill A). Along with remnants of the mill development, which has been investigated for toxics and determined to be clean by the North Coast Regional Quality Control Board, the site currently contains pastureland, and wetland and forest habitats. The site is owned by the League and located near the unincorporated town of Orick in Humboldt County in Yurok ancestral territory. It is at the most downstream mile of Prairie Creek before it merges with Redwood Creek. Together these drainages form the Redwood Creek watershed. Much of the Prairie Creek subwatershed and the lower third of Redwood Creek watershed before the confluence with Prairie Creek are located within RNSP, which contains two of the world's largest remaining redwood old-growth forests. Thousands of acres of RNSP-managed property

lie immediately east of the project, while Bald Hills Road borders on the south and Highway 101 on the west.

Existing conditions at the RNSPVCR Project site include 20 acres of asphalt related to the old mill activities, an old housing site on compacted fill, grazing pastures, an incised channel with failing stream banks, and disconnected floodplain. The stream channel is deeply incised, with 10-foot high nearly vertical or failing banks. Natural streamflow and typical annual flood events are confined to the channel and bound by an elevated floodplain, which results in a greater distance between groundwater and the floodplain and its tributaries. The currently deep and confined channel, with steep streambanks, limits the ability of fish to access the highly productive feeding grounds and refugia of the floodplain and existing wetland habitat, and cold-water tributaries.

RNSP is designated a World Heritage Site and part of the California Coast Range Biosphere Reserve, designations that reflect worldwide recognition of the park's natural resources as irreplaceable. The flyway for the largest intact population of the federally threatened Marbled Murrelet occurs over the property and Roosevelt Elk forage on site. Otters, beaver, black bears, great blue herons, deer, and coyotes are known to frequent the site, and coho salmon, chinook, steelhead trout and cutthroat utilize Prairie Creek, as do amphibians including the California red-legged frog.

See Exhibit 4 for site photos.

**Grantee Qualifications:** The Conservancy and the League have collaborated on a number of north coast projects for more than 20 years including acquisitions of the 25,000-acre Mill Creek in Del Norte County, Humboldt Lagoons State Park in northern Humboldt County, Montgomery Woods State Park in the upper Big River watershed, the Shady Dell property in Mendocino, the 8,532-acre Cemex property and Cascade Creek in Santa Cruz. The League stepped in to provide interim funding for the Jenner Headlands acquisition in Sonoma County when State funding was frozen. The League and the Conservancy completed the development of a segment of the coastal trail on the Shady Dell property and are collaborating on the Redwoods Rising forest restoration project in the greater Mill Creek watershed in Del Norte. The League has proven its capabilities as a strong participant in conserving the coast and making it available for public enjoyment. The League is a 501(c)(3) organization established to preserve and save portions of the redwood forests for scenic, recreational and wildlife preservation purposes.

**Project History:** The Prairie Creek corridor has been a priority for protection since 1968 when the League began working with willing sellers and the National Park Service (NPS) to acquire properties in this area. Since then, the League has added over 1,400 acres to NPS's current ownership.

The League purchased the mill site in late 2013 and immediately began moving toward its vision of site restoration, enhancement, and public use. In 2014, the League and NPS signed a memorandum of agreement to work together in pursuit of this vision. The League engaged consultants to begin preliminary evaluations for the creek restoration and trail opportunities. In November 2014, the League contacted the Conservancy to seek funding to further develop these opportunities into conceptual designs sufficient to select design alternatives. In 2015 and

2017 the Conservancy granted funds to the League to design and permit the restoration project, develop a conceptual trail plan, and complete the necessary environmental documents for compliance with the CEQA and the National Environmental Protection Act.

Concurrent to the restoration planning activities, the League engaged architectural engineering and interpretive consultants to develop designs for a new visitor center for RNSP to replace the existing small RNSP visitor center located at the mouth of Redwood Creek. In 2018, the League conjoined the planning efforts for the restoration and visitor center and asked the Conservancy to serve as lead agency for purposes of CEQA compliance for the whole project. The League has funded the visitor center planning; Conservancy funds, coupled with NOAA and other League funds, were dedicated to restoration planning efforts only.

The final planning effort for the larger, phased, restoration project is expected to be completed in 2021. In an effort to begin restoration as early as practicable, the proposed project was identified and developed in Spring 2020.

#### **PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$1,239,800</b>
Save the Redwoods League	\$141,911
National Oceanic Atmospheric Association	\$183,306
<b>Project Total</b>	<b>\$1,565,017</b>

The expected source of Conservancy funds for this project is an 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(a) identifies specific purposes of Chapter 6. The proposed project will achieve several of those purposes, including the following: (1) protect and increase the economic benefits arising from healthy watersheds, fishery resources and in-stream flow; (2) implement watershed adaptation projects for which grantee has consulted with the state and local conservation corps and included their services if feasible; (4) protect and restore aquatic, wetland and migratory bird ecosystems including fish and wildlife corridors; (7) collaborate with federal agencies in the protection of fish native to California and wetlands in the central valley of California; (9) protect and restore rural and urban watershed health to improve watershed storage capacity, forest health, protection of life and property, storm water resource management, and greenhouse gas reduction; (10) protect and restore coastal watersheds including but not limited to, bays, marine estuaries, and near shore ecosystems; (11) protect or restore natural system functions that contribute to water quality; and (12) assist in the recovery of endangered, threatened, or migratory species by improving watershed health, in-stream flows, fish passage, coastal or inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation.



As required by Proposition 1, the proposed project provides multiple benefits. The project will: restore natural processes and reconnect the creek channel with its floodplain; provide off-channel habitat for rearing juvenile salmonids; increase wetland size and restore function; remove and control invasive plants through overstory planting; provide habitat for migratory and resident avian species; expand and enhance habitat for non-salmonid species of concern (red-legged frog, Marbled Murrelet, Pacific fisher, etc.); and provide resilience against climate change-induced loss of anadromous fish rearing habitat. Finally, this project advances previous Conservancy-funded planning efforts to restore anadromous habitats in Prairie Creek.

In accordance with Section 79707(b) that requires agencies to prioritize “projects that leverage private, federal, or local funding or produce the greatest public benefit”, this project leverages private and federal funds. The League will provide significant in-kind contributions of staff time for project management and coordination, as well as a direct cash match for construction, together valued at approximately \$221,551 (\$141,911 cash/\$79,640 in-kind). California Trout, the League’s construction management contractor, will provide an in-kind contribution for construction management activities valued at \$8,541. Finally, NOAA is contributing \$183,306 cash match toward construction costs through its 2017 Community-based Restoration Program Coastal and Marine Habitat Restoration Grants competition.

The project was reviewed and subsequently recommended for funding 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 several 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 staff recommendation.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

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

Pursuant to § 31251, the Conservancy may award grants to nonprofit organizations for the purpose of enhancement of coastal resources, which, because of human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. This project will restore the function of a portion of the Prairie Creek floodplain, which has been altered by past timber activities and operations at the mill site, thereby improving water quality and enhancing habitat for salmonids and other coastal and marine resources.

As provided in § 31252, the proposed project is located within an area identified in the Humboldt County Local Coastal Plan as requiring public action to resolve existing or potential resource protection problems, as described in the “Consistency with Local Coastal Program Policies” section below.

Pursuant to § 31251.2(a), the Conservancy may fund projects outside the coastal zone when the project will enhance the natural resources of a watershed that is partially outside the coastal zone. The project site is located outside the coastal zone. However, Prairie Creek drains to Redwood Creek, which is located partially in the coastal zone. Prairie Creek supports 80% of

the coho salmon population in the Redwood Creek watershed. Thus, enhancing habitat in a watershed located outside of the coastal zone will directly benefit salmonid resources both within and outside the coastal zone.

Pursuant to § 31253, the Conservancy may provide up to the total of the cost of any coastal resource enhancement project taking into consideration the total cost of the project, the fiscal resources of the grantee, the urgency of the project and other factors as determined by the Conservancy. Consistent with this section, the proposed contribution, intended for the first phase of a significant coastal habitat enhancement project, represents an equitable component of the overall project cost to date and contributions by the League. The League has invested not only in the project acquisition but has contributed significant cash and in-kind staff time for critical site topographic surveys, planning and design efforts, and community outreach. Further, the League has secured several grants from federal and state agencies for planning and designs. Together, the League cash, in-kind staff time and outside grant contributions for project development since 2015 (exclusive of property acquisition) total approximately \$1,735,375.

**CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 5, Objective C** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will preserve and restore a fish and wildlife corridor between core habitat areas along the coast and from coastal to inland habitats.

Consistent with **Goal 6, Objective B** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will restore and enhance 2 acres of coastal habitats, including coastal wetlands and stream corridors.

Consistent with **Goal 6, Objective D** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will preserve and enhance a coastal watershed and floodplain.

Consistent with **Goal 6, Objective E** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will improve fish habitat including projects to improve fish passage, ensure sufficient instream flow, and provide in stream habitat and favorable water temperatures.

Consistent with **Goal 16, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the proposed project is in a severely disadvantaged community.

**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 2, 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 several state plans and policies, as follows.

The project will promote and implement two goals and one action of the **California Water Action Plan**: Goal 1, provide more reliable water supplies that would result from reconnected flood plain recharging groundwater; Goal 2, restore important species and habitat by creating additional rearing habitat for coho salmon, chinook and steelhead trout; and Action 4, protect and restore important ecosystems by restoring flows to a disconnected wetland/stream channel.

The proposed project is consistent with the goal of the **California @ 50 Million: The Environmental Goals and Policy Report** to Steward and Protect Natural and Working Landscapes by supporting landscape-scale approaches to conservation that account for multiple benefits. The restoration designs considered multiple ecosystem benefits such as disturbance regimes, species habitat and protection, and impacts on air and water quality; the effects of management actions on upstream and downstream communities and ecosystems; and the quality of mitigation measures. The proposed project uses three of the five key principles identified in the report as necessary to achieving the state's long-term goals: 1) build a resilient, sustainable water system; 2) steward and protect natural and working landscapes; and 3) incorporate climate change adaptation into all planning and investment.

The proposed project addresses several adaptation strategies in the **CA Climate Adaptation Strategy/Safeguarding California: Reducing Climate Risk Plan** for enhancing habitat connectivity and climate refugia, including: B-3, increase climate resiliency of natural and working lands; B-4 increase biodiversity monitoring, and W-10, restore water resources for important ecosystems.

The proposed project benefits coho salmon, chinook, and steelhead trout, which are identified by the **CA Wildlife Action Plan** as "...focal species of conservation strategies developed for conservation targets in the North Coast and Klamath Province." In addition, the project will protect habitat that supports special status terrestrial and aquatic species which the Plan prioritizes, such the Marbled Murrelet and the California red-legged frog.

The proposed project will restore ecosystem function, including anadromous habitat connectivity, and sustain and enhance high integrity forest habitat within the North Coast Ecoregion, identified in the **California Essential Habitat Connectivity Strategy for Conserving a Connected California** as a primary focus for this planning area.

Consistent with recovery strategies of the **CDFW Steelhead Restoration and Management Plan**; the **NMFS Final Multispecies Recovery Plan**; and the **NMFS Final Recovery Plan for the Southern Oregon/ Northern California Coast Evolutionarily Significant Unit of Coho Salmon**, the proposed project will restore stream function and habitat quality of Prairie Creek to provide connectivity to floodplain habitat, improve riparian habitat, and increase channel complexity for the benefit of salmonid and other species.

4. **Support of the public:** The proposed project is supported by Congressman Jared Huffman, State Senator Mike McGuire, Assemblymember Jim Wood, Humboldt County Supervisor

Steve Madrone, and Steven Mietz, Superintendent of Redwood National and State Parks. Project letters are included in Exhibit 5.

5. **Location:** The project is located at the confluence of Redwood Creek and Prairie Creek approximately 3.5 stream miles from the mouth of Redwood Creek at the Pacific Ocean and outside of the coastal zone. Undertaking this project will benefit coastal resources by providing coastal salmon populations with floodplain habitat to fulfill their life history patterns.
6. **Need:** If Conservancy funding is not authorized, this early phase implementation project will not be initiated in the near-term, resulting in a significant delay in the project and continued poor habitat for salmonids. Further, initiating this project now, with Conservancy funding, will provide needed leverage for future phases and additional funders' participation.
7. **Greater-than-local interest:** The proposed project will restore stream-floodplain connectivity and provide critical salmon habitat on Prairie Creek that will benefit the northern California populations of coho salmon, chinook, and steelhead trout.
8. **Sea level rise vulnerability:** Vulnerability to sea level rise is minimal on the project site as it is above the current 100-year sea level rise projections.

#### **Additional Criteria**

9. **Urgency:** Unless the project is implemented in phases, restoration would be significantly delayed and the salmonid populations in the Redwood Creek system would continue to endure substandard rearing habitat conditions, leaving their survival at risk.
10. **Resolution of more than one issue:** The proposed project will increase the amount and quality of critical salmonid rearing habitat, improve water quality, and provide economic benefit to a disadvantaged community through construction jobs.
11. **Leverage:** See the "Project Financing" section above.
12. **Innovation:** The League has developed the overall restoration project for phased implementation. This flexible approach to design has required a comprehensive evaluation of needs and benefits and has resulted in scalable and discreet projects each intended to be fully functional while funds are secured for future phases.
13. **Readiness:** The designs are finalized; the environmental analysis is complete (upon adoption of the MND by the Conservancy) and project permitting will be completed in early 2021. With the proposed funding authorization, the project is ready for implementation in summer 2021.
14. **Realization of prior Conservancy goals:** See "Project History" above.
15. **Cooperation:** The project has been developed through cooperative efforts involving the town of Orick, Humboldt County, the Yurok Tribe, California Department of Fish and Wildlife, United State Fish and Wildlife Service, the National Oceanic and Atmospheric Association – National Marine Fisheries Service, the National Parks Service, and the National Parks Association. Construction will be carried out in cooperation with many of those same organizations.

- 16. Vulnerability from climate change impacts other than sea level rise:** The climate change analysis in NOAA's 2016 Coastal Multispecies Plan analyzed probable climate change impacts on salmon and steelhead and described which populations may be the most vulnerable. The analysis determined that out of the 14 river systems analyzed for CC chinook salmon populations, Redwood Creek was the second highest at risk from climate change; and out of 26 rivers analyzed for NC steelhead populations, those in Redwood Creek are the most at risk. The conditions that caused Redwood Creek watershed to rank so poorly in the analysis—lack of floodplain connectivity, water temperature, baseflows, and the quality and extent of the estuary/lagoon—are precisely the conditions that the proposed project will address by reconnecting lower Prairie Creek to its floodplain.
- 17. Minimization of greenhouse gas emissions:** Project construction will include clearing, earthmoving, and delivery equipment, and will result in a temporary increase in GHG emissions, including exhaust emissions from on-road trucks, worker commute vehicles, and off-road, heavy-duty equipment. However construction will be temporary and of short duration, and all earthen spoils will remain on-site due to the balance of cut and fill quantities (except for some possible off hauling of invasive-species impacted soil), which will significantly limit construction-related emissions otherwise associated with off-site hauling and disposal. Further, the project will remove 3 acres of asphalt and revegetate the landscape with native trees, shrubs, and herbaceous vegetation, which will provide for carbon sequestration.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The property is located outside the coastal zone, and therefore the Humboldt County General Plan guides land use in this area. Though the property is located outside the coastal zone, the Humboldt County Local Coastal Plan ("LCP") (1982) is relevant to the proposed project in that it identifies the need for restoration of sensitive habitats affecting coastal resources, including Redwood Creek and its habitat.

Chapter 3.41, Sections A.1.d. and A.1.g. of the LCP defines environmentally sensitive habitats as "[R]ivers, creeks, and associated riparian habitats including Redwood Creek,..." and "[O]ther critical habitats for rare and endangered species listed on State or Federal lists", respectively. Chapter 3.41, Section G requires that "the biological productivity and quality of coastal streams...appropriate to maintain optimum populations of marine organisms shall be maintained and restored" and identifies Redwood Creek among these streams. Prairie Creek is a critical tributary to Redwood Creek and supports state and federally listed endangered coho, chinook and steelhead trout. Moreover, the project site is at the confluence of Prairie and Redwood Creeks. Thus, planning for the restoration of Prairie Creek is consistent with the LCP and the LCP identifies the habitat as needing protection and restoration, in order to benefit coastal marine organisms, including salmonids.

**CEQA COMPLIANCE:**

The Conservancy is the lead agency for the RNSPVCR Project under the California Environmental Quality Act. The record of proceedings is located at the Conservancy's offices at 1515 Clay Street, 10th Floor, Oakland, California, and the custodian of the documents is project manager Su Corbaley. On December 19, 2019, staff noticed and circulated for public review the MND, attached as Exhibit 6. The comment period ended January 20, 2020; one comment was received from the Department of Toxic Substances Control (DTSC). The comment concerned the potential for low levels of petroleum hydrocarbon to be present onsite from past activities. DTSC requested additional information and asked that a Soil Management Plan be prepared that addresses response to discovery of contamination during soil excavation activities. In response, Mitigation Measure BIO-16: Accidents Associated with Release of Chemicals and Motor Fuel has been updated to include the preparation of a Soil Management Plan. This approach was discussed with DTSC; DTSC concurred. The comment and response are included in "Response to Comments and Errata" document attached at the end of the MND, which is Exhibit 6 to this staff recommendation. The MND as discussed below covers the entire RNSPVCR Project. The project proposed for funding under the Conservancy's authorization is a subset of that larger project.

The MND assesses the potential impact to 20 resource categories and finds that there is no potential significant impact to Aesthetics, Greenhouse Gas Emissions, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Tribal Cultural Resources, Utilities and Service Systems, or Wildfire. The MND identifies potentially significant impacts, if not mitigated, to **Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Noise, and Transportation**. The potential effects and the proposed mitigations that will avoid, reduce, or minimize the possible effect to a less-than-significant level and are discussed below. Each resource category provides summaries of mitigation measure(s) and environmental protection actions proposed for use in that particular resource category. See the Mitigation Monitoring and Reporting Program, attached as Exhibit 7, for complete text of each mitigation measure and environmental protection action.

**Agricultural and Forestry Resources**

With regard to **agricultural and forestry resources**, the RNSPVCR Project will not potentially adversely affect agricultural resources, however if not mitigated the RNSPVCR Project would adversely affect trees. Some trees are located within a Sensitive Natural Community (SNC), which is further described in the Biological Resources section. The RNSPVCR Project area was once utilized as a mill site to process logs into timber products but has not been used in that capacity since 2010. **Mitigation Measure BIO-28: Offset Impacts to Sensitive Natural Communities**, (as discussed in the "Biological Resources, Sensitive Natural Communities", below), requires that any area that is considered a SNC shall be replaced at a ratio of 1:1 and is referenced in the agricultural and forestry resources section to mitigate for the trees planned for removal that are considered to be a SNC. With implementation of the measure impacts are reduced to a less-than-significant level.

### **Air Quality**

With regard to **air quality**, the RNSPVCR Project will generate PM<sub>10</sub> emissions in part through vehicles coming and going to the RNSPVCR Project area and the construction activity associated with the RNSPVCR Project. PM<sub>10</sub> refers to inhalable particulate matter with an aerodynamic diameter of less than 10 microns. The RNSPVCR Project is located in Humboldt County, which is designated 'attainment' for all pollutants listed in the National Ambient Air Quality Standards, and for all pollutants listed in the California Ambient Air Quality Standards except for PM<sub>10</sub>. Because Humboldt County is in 'nonattainment' for PM<sub>10</sub>, any use or activity that generates airborne particulate matter may be of concern to the North Coast Unified Air Quality Management District (NCUAQMD). PM<sub>10</sub> would be generated at the RNSPVCR Project site through activities resulting in particulate matter becoming air borne such as earth moving (excavation) activities, transportation of materials with open bodied trucks, driving on dirt roads, and clearing of land. These potential impacts to air quality will be mitigated to a less-than-significant level by implementing **Mitigation Measure AQ-1: BMPs to Reduce Air Pollution**, which will provide dust control and idling limitation measures that will reduce this potential air quality impact to less-than-significant.

### **Biological Resources**

With regard to **biological resources**, without mitigation the RNSPVCR Project may have possible adverse impacts on special-status wildlife and plants, SNCs, trees and wetlands from construction and/or operation-related activities. The term "special-status species" refers to a species that has either federal or state protections and receives protections under CEQA, in accordance with the periodically updated Special Animals List that is managed by the California Department of Fish and Wildlife (CDFW). The term "Sensitive Natural Communities" refers to a categorization of vegetation communities that are ranked as either 1, 2 or 3 on the state rarity ranking and receive protections under CEQA. CDFW manages the list of SNCs.

Regarding wildlife species of concern, the RNSPVCR Project area is located adjacent to Redwood National and State Park which contains habitat for numerous wildlife species. Therefore, the RNSPVCR Project has the potential to adversely impact numerous wildlife species from construction activities such as vegetation clearing and grading, tree removal, channel dewatering, and noise. Following RNSPVCR Project construction, operational activities that may adversely impact wildlife species include the presence of trash and food debris left by visitors which has the potential to attract corvid bird species that prey on endangered Marbled Murrelet eggs. Wildlife species of concern that may occur within the RNSPVCR Project area or vicinity including the following:

- **Mammals**: Bats (three species), Myotis (two species), Sonoma Tree Vole, North American Porcupine, Humboldt Marten, Pacific Fisher
- **Birds**: numerous bird species (approximately 18 species)
- **Reptiles**: Western Pond Turtle
- **Amphibians**: Northern Red-legged Frog, Foothill Yellow-legged Frog, Pacific Tailed Frog, Del Norte Salamander, Southern Torrent Salamander

- Fish: Coho Salmon, Chinook Salmon, Coastal Cutthroat Trout, Steelhead, Eulachon, Green Sturgeon, Lower Klamath Marbled Sculpin
- Lamprey: Pacific Lamprey
- Invertebrates: Redwood Juga, Western Pearlshell, Obscure Bumble Bee, Western Bumble Bee

Regarding plants of concern, one special-status plant was observed near Libby Creek, which has the potential for adverse impacts during removal of the impoundment on Libby Creek. No other special-status plants were observed within the RNSPVCR Project area during the 2018 and 2019 botanical surveys; however, an additional survey shall be completed prior to construction (per **Mitigation Measure BIO-25 (Pre-construction Botanical Surveys)**).

Regarding SNC, in total, approximately 5.08 acres of SNC may potentially be adversely affected by construction activities including vegetation clearing and excavation.

Approximately up to 625 trees will be removed to construct the RNSPVCR Project, including: 50 to 75 trees located along the Upper Road, 100 trees located in the Eastside Restoration Area, 150 trees located along the Southern Drainage Ditch, and 300 trees along the Prairie Creek riparian corridor. All trees removed are planned to be replaced in the same or similar location at a one to one ratio. Trees considered within a SNC are considered separately from non-SNC trees. Implementation of the RNSPVCR Project will increase the riparian corridor, which is expected to result in a net gain in the number of trees within the RNSPVCR Project area as compared to pre-project conditions. No mitigation to account for tree removal is proposed.

Approximately 9.52 acres of wetlands are expected to be adversely affected by the RNSPVCR Project due to construction activities (vegetation clearing, excavation, filling). Implementation of the RNSPVCR Project will expand the Prairie Creek channel, create side channels, and reconnect the adjacent floodplain. Collectively, these actions will result in a net increase in the acreage of wetlands as compared to pre-project conditions.

The potential impacts to biological resources cited above will be mitigated to a less-than-significant level by implementing the mitigation measures listed below. A generalized summary of each mitigation measure is presented below. Mitigation Measures BIO-17 through BIO-22 are adapted from RNSP Corvid Management Strategy (NPS 2008).

**Biological Resources:**

- **Mitigation Measure BIO-1: Worker Environmental Awareness Program (WEAP)**, states that all workers performing construction activities shall receive training regarding the environmental sensitivity of the site and the need to minimize impacts. Training regarding sensitive habitats, special-status species, laws and regulations, permit conditions, elk encounters, BMPs, safety, and trash removal will be covered.

**Wildlife**

- **Mitigation Measure BIO-2: Avoidance of Northern Red-legged Frogs**, states that construction in waterways and wetlands (with standing water) shall be limited to the period between July 1 and October 30 to avoid disturbance of Northern Red-legged



Frogs. If this is not possible, two surveys will be conducted during the breeding season within areas of expected ground disturbance. Relocation of egg masses shall be done in coordination with CDFW and permits. During construction, juveniles or adults will be allowed to leave the construction area on their own (within two hours) or will be relocated to nearby suitable habitat.

- **Mitigation Measure BIO-3: Avoidance of Stream-dwelling Amphibians During Impoundment Removal in Libby Creek**, states that pre-construction surveys shall take place 48 hours prior to impoundment/sediment removal within Libby Creek in order to protect amphibians. Species shall be relocated to nearby suitable habitat.
- **Mitigation Measure BIO-4: Avoidance of Western Pond Turtles**, states that a survey shall be conducted at least seven days prior to any in-water construction activity, and also immediately following dewatering of any channel segment. Any Western Pond Turtle captured shall be relocated to nearby suitable aquatic habitat along Redwood Creek.
- **Mitigation Measure BIO-5: Seasonal Work Windows**, states that in order to protect the most vulnerable life stages of fish species, all in-channel work shall take place between June 15 and October 15. The work window may be extended with concurrence from resource agencies depending on weather conditions.
- **Mitigation Measure BIO-6: Native Aquatic Species Relocation**, states protocols for how native aquatic species will be relocated during channel dewatering activities.
- **Mitigation Measure BIO-7: Dewatering**, states protocols for how the Prairie Creek channel will be dewatered, via the use of cofferdams or similar barriers, screened hosing to prevent entrainment of fish during pumping, erosion control measures, and the use of bypass piping around the work area following dewatering.
- **Mitigation Measure BIO-8: Nesting Birds**, states that all vegetation shall be removed outside of the bird nesting season (March 15 to August 15). If vegetation must be removed within this window, a qualified ornithologist shall conduct pre-construction surveys within the vicinity of the impact area to check for nesting activity of native birds. If a native species' nest is found, a construction-avoidance buffer will be put in place in consultation with CDFW.
- **Mitigation Measure BIO-9: Special-status Bats**, states that up to three bat roost surveys shall be conducted during the spring or summer prior to construction in areas where potential maternity roosts may be disturbed or removed. If a roost is discovered, no activity generating noise greater than 90 dB shall occur within 300 feet of the roost (or a distance confirmed by CDFW). If work will take place between August 16 and March 31, no surveys are required because this period is outside the maternity season.
- **Mitigation Measure BIO-10: Limitations to Use of Construction Equipment during Northern Spotted Owl and Marbled Murrelet Nesting Season**, states that noise limitations shall be followed between February 1 through September 15 to avoid harassment to Northern Spotted Owl and Marbled Murrelet. Due to the suitable habitat

immediately east of the RNSPVCR Project area, construction equipment will only be able to operate in certain areas of the RNSPVCR Project based on the noise generated from the equipment. Table 4.4-5 of the ISMND lists the noise ranking of each piece of equipment to be used in the RNSPVCR Project, and Figure 4.4-1 depicts the allowable maximum noise in various locations throughout the RNSPVCR Project area. During the Marbled Murrelet breeding season (March 24 through September 15), additional noise restrictions will be implemented within two hours before and after sunrise and sunset. All noise level threshold zones and the visual buffer will be clearly marked on the ground.

- **Mitigation Measure BIO-11: Limitations to Overnight Excavation Areas**, states that no steep sided excavations (defined as greater than two to one in ratio) shall be left open overnight during construction. If excavations cannot be covered, then a ramp shall be placed at one end to prevent animals from becoming trapped. No loose dogs or other pets shall be allowed onsite during construction.
- **Mitigation Measure BIO-12: Removal of Trash**, states that during construction and operation, trash containing food waste shall be stored in secure animal-proof containers, and properly disposed of at the close of each work week to avoid attracting corvids or other predators. All trash cans installed as components of the RNSPVCR Project at or within 200 feet of the canopy walkway must be secure and animal-proof.
- **Mitigation Measure BIO-17: Interpretive Signage at Key Visitor Access Points**, states that interpretive signage indicating the prohibition on outdoor food to protect Marbled Murrelet shall be provided at entrance kiosks and key walkway access points.
- **Mitigation Measure BIO-18: Interpretive Brochures**, states that a card with the “Keep It Crumb Clean” motto shall be available to every vehicle entering the Visitor Center entrance from May through September. When possible, a verbal message shall be provided to visitors at the entrance gate by park staff.
- **Mitigation Measure BIO-19: Social Media**, states that a “Keep It Crumb Clean” educational social media video shall be broadcast in the Visitor Center for park visitors. The video shall be made available on the parks’ main webpage and social media page.
- **Mitigation Measure BIO-20: Interpretive Staff**, states that during high use of eating areas, interpretive staff shall engage with visitors about food restrictions in the context of Marbled Murrelet for educational purposes. Formal interpretive programs about the Keep It Crumb Clean campaign shall also be conducted.
- **Mitigation Measure BIO-21: Law Enforcement**, states that law enforcement shall be implemented as part of standard law enforcement practices within the RNSPVCR Project area and to keep track of visitor littering/improper food disposal.
- **Mitigation Measure BIO-22: Facility Management**, states that garbage and recycling facilities within the RNSPVCR Project area shall have wildlife-proof lids to prevent garbage accessibility by wildlife. Facility management will be implemented in accordance with the standard maintenance procedures of RNSP.

- **Mitigation Measure BIO-23: Noise Control within Two Hours of Sunrise and Sunset at Yurok Demonstration Site**, states that during the Marbled Murrelet breeding season (March 24 through September 15), no activities conducted at the Yurok Demonstration Site that produce volumes louder than 70 dB (such as group singing, chanting or drumming) may be conducted two hours before and after sunrise and sunset.

## Plants

- **Mitigation Measure BIO-13: Pre-construction Mapping and Treatment of Invasive Species**, states that prior to construction, the extent of reed canary grass, invasive manna grass and Himalayan blackberry shall be mapped with a GPS unit to create treatment maps. Pre-construction treatment shall follow methodology outlined in the Invasive Plant Management Plan, and may include a combination of chemical, mechanical, and manual methods.
- **Mitigation Measure BIO-14: Treatment of Invasive Vegetation during Construction**, states that during each phase of construction, reed canary grass, invasive manna grass and Himalayan blackberry will be mechanically excavated to a depth adequate to remove the entire root systems of these species. Invasive species will be buried onsite as feasible, to a depth to prevent re-sprouting as defined in the Invasive Species Management Plan. Invasive plant material that cannot be buried onsite shall be contained and disposed of at an appropriate off-site location. Revegetation with native plants, and surveys to map remaining invasive species are also discussed.
- **Mitigation Measure BIO-15: Herbicide Control and Minimize Spill Risk**, states that herbicides shall be applied in accordance with application guidelines and manufacturer labels. A General NPDES Permit will be obtained before application of herbicide in or over waters of the U.S. Whenever feasible vegetation biomass shall be reduced by mowing, cutting, or grubbing before applying herbicide. This measure also includes restrictions on when herbicides can be applied (weather, and wind speeds).
- **Mitigation Measure BIO-16: Accidents Associated with Release of Chemicals and Motor Fuel**, states that the contractor and equipment operators on site during invasive vegetation treatment activities shall be required to have emergency spill cleanup kits immediately accessible. The Spill Prevention and Response Plan (located in the Invasive Species Management Plan) shall be followed, and herbicide applicators shall be familiar with the Spill Prevention and Response Plan. This measure also states that the contractor shall produce a Soil Management Plan that shall locate an area of known petroleum contamination, and state protocols for management of potential soil contamination should olfactory or visual cues suggest contamination is present during excavation activities.
- **Mitigation Measure BIO-24: Treatment of Invasive Species Post Construction**, states that following construction invasive plants within the RNSPVCR Project area shall be mapped and treated by a combination of chemical, mechanical or manual methods. This measure includes guidance for avoiding wildlife should mechanical methods be utilized, and disposal of invasive vegetation.

- **Mitigation Measure BIO-25: Pre-construction Botanical Surveys**, states that seasonally appropriate pre-construction surveys for special-status plants shall be performed prior to construction in 2021 within the planned area of disturbance for each phase of the RNSPVCR Project during the appropriate blooming time. If the surveys yield the presence of a special-status plant, the plant will be avoided to the extent feasible. If avoidance is not feasible, the species shall be conserved via relocation, seed collection, or nurse plant propagation. The previously observed special-status plant, seaside bittercress, near Libby Creek will be temporarily relocated prior to construction activities in this area and replanted as soon as possible.

#### **Sensitive Natural Communities**

- **Mitigation Measure BIO-27: Protection to Designated Sitka Spruce Forest Area**, states that no work including cutting, filling, vegetation removal, or modification shall take place in the “Protected Sitka Spruce Area” as shown on Figure 4.4-4 located west of the Lower Road. The boundary of this area shall be clearly marked for avoidance.
- **Mitigation Measure BIO-28: Offset Impacts to Sensitive Natural Communities**, states that all areas considered SNCs (as shown in Table 4.4-8 in the MND) adversely impacted by the RNSPVCR Project shall be replaced at a minimum one to one ratio in an appropriate location within the RNSPVCR Project area. This measure states what the Habitat Mitigation and Monitoring Plan (HMMP) will include and the expected monitoring frequency. All SNCs to be retained onsite during construction shall be clearly identified in the construction plans. The extent of the work area will be clearly marked when construction activities occur adjacent to SNCs.

#### **Wetlands**

- **Mitigation Measure BIO-26: Mitigate Temporary and Short-term Impacts to Wetlands and other Waters of the U.S. through Construction Minimization and Avoidance Measures**, states that wetlands and other Waters of the U.S. to be retained onsite shall be clearly identified in the construction plans and specifications. The limits of the work area shall be clearly marked in order to avoid inadvertently harming wetlands or other Waters of the U.S. to be retained onsite.

#### **Cultural Resources**

With regard to **cultural resources**, potential impacts to historical and archaeological resources have been identified. The historical resource eligible for listing in the National Register for Historic Places (NRHP) includes the section of Lower Road from the intersection with the proposed California Coastal Trail and Highway 101. The proposed use of this area is in alignment with the historical character, and therefore a less than significant impact would occur. Four archaeological resources were identified and recorded within the Area of Potential Effect, however none of them meet the NRHP or California Register of Historic Resources (CRHR) and therefore are not considered archaeological resources under CEQA. No human remains or burial sites have been documented or are known to exist in the APE. Though there are no recognized cultural resources under CEQA, the RNSPVCR Project site is in ancestral Yurok

Tribal lands and construction activities have the potential to inadvertently encounter cultural resources.

The potential impacts to cultural resources will be mitigated to a less-than-significant level by implementing the following mitigation measures listed below. A generalized summary of each mitigation measure is presented below.

- **Mitigation Measure CR-1: Worker Cultural Awareness Training**, includes training to all contractors that would perform construction activities that could encounter cultural resources or human remains about the cultural sensitivity of the site, procedures to be taken if cultural resources or human remains are discovered, and implementation of construction BMPs.
- **Mitigation Measure CR-2: Protect Archaeological Resources during Construction Activities**, includes stop work protocol within 20 meters (66 feet) of discovered cultural materials. Work would not resume until an archaeologist evaluated the materials and offered recommendations. This measure also includes Yurok Tribal policies related to the discovery of Native American cultural items.
- **Mitigation Measure CR-3: Protect Human Remains if Encountered During Construction**, includes procedures to be implemented following the discovery of human remains, grave goods or associated items. This measure also includes Yurok Tribal policies related to the discovery of Native American cultural items or remains.

### **Energy**

With regard to **energy**, potential impacts to the environment from wasteful, inefficient, or unnecessary consumption of energy resources during construction could occur. Inefficient construction-related activities will be reduced a less-than-significant level due to the measures in **Mitigation Measure AQ-1: BMPs to Reduce Air Pollution**. In general, this mitigation measure states that equipment idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes or less. Operation of the RNSPVCR Project is not expected to result in wasteful, inefficient, or unnecessary energy consumption because use of heavy machinery for operational maintenance would occur periodically and on a short-term basis for up to five years following construction.

### **Geology/Soils**

With regards to **geology/soils**, potential impacts from implementation of the RNSPVCR Project to the environment or people due to seismicity, ground shaking, landslides, liquefaction, soil erosion, and construction and use of wastewater systems are found to be less than significant. Although the RNSPVCR Project is located in a seismically active area, implementation of the RNSPVCR Project would not increase the risk of seismically related impacts above and beyond existing conditions. The proposed visitor center wastewater system and leach field are to be implemented in an area of the RNSPVCR Project that has suitable soils. The RNSPVCR Project would be designed to comply with the site-specific recommendations identified in the RNSPVCR Project's geotechnical report to be completed by a California-registered Geotechnical Engineer, as required by **Environmental Protection Action 1: Implement Geotechnical Design Recommendations**. To reduce potential soil erosion and control sediment, the RNSPVCR

Project will implement a Stormwater Pollution Prevention Plan (SWPPP) and best management practices (BMPs) as required by **Environmental Protection Action 2: SWPPP**, and **Environmental Protection Action 3: Construction BMPs**, respectively. Potential impacts to the environment or people could occur from incidental discovery of paleontological resources, such as fossils, which may exist subsurface to the RNSPVCR Project. A potentially significant impact would occur if construction activities adversely affected paleontological resources. In order to reduce this potential impact to be less than significant, **Mitigation Measure GEO-1: Protect Paleontological Resources during Construction** will be implemented. In general, this mitigation measure includes protections to discovered fossils, and requires construction activities to cease within 50 feet of the discovery.

### **Hazards and Hazardous Materials**

With regard to **hazards and hazardous materials**, potential impacts to the environment or people could occur from exposure to hazardous materials, substances or waste during demolition and removal of the former mill site and barn foundations, use of herbicides, or potential use of propane tanks during operation. The potential impacts from hazards and hazardous materials will be mitigated to a less-than-significant level by implementing the mitigation measures and environmental protection actions listed below. The mitigation measures and environmental protection actions below have already been summarized.

- **Mitigation Measure AQ-1: BMPs to Reduce Air Pollution** (summarized in Air Quality)
- **Mitigation Measure BIO-15: Manage Herbicide Control and Minimize Spill Risk** (summarized in Biological Resources)
- **Mitigation Measure BIO-16: Accidents Associated with Releases of Chemicals and Motor Fuel** (summarized in Biological Resources)
- **Environmental Protection Action 2: SWPPP** (summarized in Geology and Soils)
- **Environmental Protection Action 3: Construction BMPs** (summarized in Geology and Soils)

### **Hydrology and Water Quality**

With regard to **hydrology and water quality**, the potential exists for impacts to degrade water quality from short term sedimentation (increased turbidity) from in-channel construction work and operational maintenance activities, erosion during and immediately following construction activities, and accidental spillage of toxic substances during construction. There is potential that a proposed trail would impede or redirect flood flows. The potential impacts to hydrology and water quality will be mitigated to a less-than-significant level by implementing the mitigation measures listed below. A generalized summary of each mitigation measure is presented below.

- **Mitigation Measure BIO-5: Seasonal Work Windows** (summarized in Biological Resources)
- **Mitigation Measure BIO-6: Native Aquatic Species Relocation** (summarized in Biological Resources)

- **Mitigation Measure BIO-7: Dewatering** (summarized in Biological Resources)
- **Mitigation Measure BIO-13: Pre-construction Mapping and Treatment of Invasive Species** (summarized in Biological Resources)
- **Mitigation Measure BIO-14: Treatment of Invasive Species during Construction** (summarized in Biological Resources)
- **Mitigation Measure BIO-15: Manage Herbicide Control and Minimize Spill Risk** (summarized in Biological Resources)
- **Mitigation Measure BIO-16: Accidents Associated with Release of Chemicals and Motor Fuel** (summarized in Biological Resources)
- **Mitigation Measure BIO-24: Treatment of Invasive Species Post Construction** (summarized in Biological Resources)
- **Mitigation Measure HYD-1: Implementation of Design that will Not Increase Flood Levels**, in general this mitigation measure states that the pedestrian trail and associated fill located in the southwest portion of the RNSPVCRCR Project shall not be constructed if the flooding predicted with the current designs cannot be eliminated.

### Noise

With regard to noise, potential impacts to people (and wildlife, see Biological Resources discussion, above) or to the ambient noise levels could occur from the use of construction equipment. The potential impacts from noise will be mitigated to a less-than-significant level by implementing **Mitigation Measure NOI-1: BMPs to Reduce Noise Impacts**. In general, the mitigation measure states that construction equipment that is ranked Very High (according to the USFWS 2006 Guidance), shall take place between 8:00 am and 6:00 pm in order to avoid sleep disturbance to the nearby neighborhood.

### Transportation

With regard to **transportation**, potential adverse impacts to the environment and people could occur from inadequate conditions at the Highway 101/Bald Hills Road intersection, particularly the absence of a left turning lane for southbound traveling cars on Highway 101. In order to reduce this potential impact to a less-than-significant level, **Mitigation Measure TR-1: Safety Measures for Highway 101/Bald Hills Road Intersection** would be implemented. This mitigation measure generally states that a new southbound left-turn lane shall be constructed on Highway 101 to provide safe ingress/egress onto Bald Hills Road, as well as shoulder widening to allow for greater multi modal transportation. The Visitor Center shall not be opened until these improvements are in place.

### Cumulative Impacts

The RNSPVCRCR Project, as proposed and mitigated, will not cause environmental impacts that are cumulatively significant.

**Conclusion**

Staff recommends that the Conservancy adopt the proposed MND and find that, as mitigated, the RNSPVCR Project does not have the potential for a significant environmental effect as defined in 14 California Code of Regulations Section 15382. Staff also recommends that the Conservancy adopt the Mitigation, Monitoring and Reporting Program (attached as Exhibit 7), consistent with Public Resources Code Section 21081.6.

Upon Conservancy approval, staff will file a Notice of Determination for the RNSPVCR Project.