

Addendum

FINAL MITIGATED NEGATIVE DECLARATION

for

MT. DIABLO STATE PARK PRIMARY ROAD SYSTEM IMPROVEMENT PROJECT SCH# 2003042080

September 2007

Lead Agency



State of California
DEPARTMENT OF PARKS AND RECREATION
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ADDENDUM MITIGATED NEGATIVE DECLARATION

PROJECT: PRIMARY ROAD SYSTEM IMPROVEMENT

LEAD AGENCY: California Department of Parks and Recreation (DPR)

INTRODUCTION AND REGULATORY GUIDANCE

An Addendum to the Final Mitigated Negative Declaration (MND) for the Primary Road System Improvement Project at Mount Diablo State Park has been prepared by the California Department of Parks and Recreation (DPR). It will identify minor technical changes and additions to the previously adopted MND and Supplement to the MND for this project and disclose changes in project conditions that do not require the preparation of a subsequent negative declaration (per described in CCR §15162), in accordance with CCR §15164(b). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 *et seq.*, and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 *et seq.*

This Addendum to the Final MND does not need to be recirculated, per CCR §15164(c), but will be filed with the Office of Planning and Research/State Clearinghouse, distributed to all affected responsible and trustee agencies, and included as part of the Final MND, which will be available, by request, at the locations indicated below. The Final MND, including this Addendum, will be included with all permitting applications.

The Project Description and Summary of Mitigation Measures sections below reflect changes as specified in the Corrections and Additions section of this document.

LEAD AGENCY

The lead agency is the public agency with primary approval authority over the proposed project. In accordance with CEQA Guidelines §15051(b)(1), "the lead agency will normally be an agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." The lead agency for the proposed project is DPR.

SUMMARY OF FINDINGS

Based on this Initial Study and environmental review and analysis contained in the Draft and Final MND and Supplement to the MND for this project, it was determined that the proposed project would not have any significant impacts on the environment, once all proposed mitigation measures have been implemented. This conclusion is supported by the findings indicated below.

- There was no potential for adverse impacts on agricultural resources, land use and planning, mineral resources, and population and housing associated with the proposed project.
- Potential adverse impacts resulting from the proposed project were found to be less than significant in the following areas: recreation, public services, transportation/traffic, and utilities and service systems.
- Full implementation of the proposed mitigation measures included in this MND would reduce potential project-related adverse impacts on aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise to a less than significant level.

AVAILABILITY OF DOCUMENTS:

The Initial Study for this Mitigated Negative Declaration was made available throughout the 30-day public review period at the reference desks of the Clayton, Pleasant Hill, Lafayette, and Danville public libraries. It was also available at the public information desks of DPR's Northern Service Center Service Center, Bay Area District Headquarters, and Bay Sector offices. The Notice of Determination for this project as originally certified was filed on May 14, 2003 (SCH#2003042080).

A Supplement to the MND was prepared in February 2005 and made available throughout the 30-day public review period at the reference desks of the Clayton, Pleasant Hill, Lafayette, and Danville public libraries. It was also available at the public information desks of DPR's Northern Service Center Service Center, Diablo Vista District Headquarters, and Bay Sector offices, as well as online at the California Department of Parks & Recreation website, www.parks.ca.gov/default.asp?page_id=981. The Notice of Determination for the new Final MND (including the Supplement to the MND) for this project was filed on March 29, 2005 (SCH#2003042080).

This Addendum will be appended to the Final Mitigated Negative Declaration and will be available by request, along with all supporting materials, at DPR's Northern Service Center and the Diablo Vista District Office.

PROJECT DESCRIPTION:

PRIMARY ROAD IMPROVEMENTS PROJECT, MT. DIABLO STATE PARK

PURPOSE OF PROJECT

This project would make high priority improvements to the primary road system that serves Mt. Diablo State Park.

SCOPE OF PROJECT

(Corrections and additions indicated below have been incorporated into this section.)

The work will improve the safety of the road conditions for both motor vehicles and bicyclists and would prevent further erosion and degradation of the existing road

system. The following is a summary of the improvements as they apply to all portions of the project and individual roadways:

All Roadways

- Repairs, alterations, and improvements to culverts would include “upsizing” of existing pipes, installation of additional pipes, replacement of existing pipes, and repair or construction of new inlet and outlet structures.
- Roadway drainage around curves of the fill side of the roadway would be channeled into overside drains and, ultimately, into existing drainage swales, using mountable asphalt concrete (AC) dikes (Caltrans, Type D or similar).
- Rock slope protection would be placed on the cut side of the roadway, where appropriate, to slow the flow of water (reducing erosion) and create a smaller vertical drop adjacent to the roadway.
- Approximately 750 cubic yards of clean spoils will be stockpiled at the Turtle Rock Complex playing fields. Best Management Practices (BMPs) for erosion control will be adhered to including containing the stockpiled spoils with hay bales. All other spoils from the project will be disposed of offsite.

South Gate Road

- Repair/improve/upgrade a total of 46 pipe culverts along this road.
- Reconstruct or stabilize approximately 7,000 linear feet of road base structural sections with reinforcing geotextile fabric; install a subdrainage system to divert water away from the road section prism.
- Place a new road surface with an asphalt concrete overlay the entire length of Southgate Road, a distance of approximately 5.7 miles.

North Gate Road

- Repair/improve/upgrade a total of fifty pipe culverts along this road.
- Reconstruct or stabilize approximately 1,200 linear feet of road base structural sections with reinforcing geotextile fabric; install a subdrainage system to divert water away from the road section prism.
- Repair existing retaining walls, using geogrid reinforced fill.
- Restore existing road embankment, using geo-grid reinforced fill, at locations where severe subsidence is occurring.

Summit Road

Summit Road has many of the same types of problems as North Gate and South Gate Roads, but the road surface is in the worst condition of the three main roads in Mt. Diablo SP. The existing pavement shows severe block shrinkage and cracking.

- Repair/improve/upgrade a total of thirty-five pipe culverts along this road.
- Expand the width of several portions of the roadway to reestablish adequate shoulder and road width for safety, stability, and resource protection.
- Replace existing road surface; install aggregate base with asphalt concrete overlay (approximately 4.5 miles), including necessary patch work and geo-textile fabric.

- Reconstruct repair area R6, just north of post mile 2, using a geo-grid reinforced fill.

SUMMARY OF MITIGATION MEASURES

The following mitigation measures have been incorporated into the scope of work for the proposed project and will be fully implemented by DPR to avoid or minimize adverse environmental impacts identified in this MND. These mitigation measures will be included in contract specifications and instructions to DPR personnel involved in implementing the project.

The following mitigation measures would be implemented by DPR as part of the Mt. Diablo SP Primary Road Improvement Project.

AESTHETICS

MITIGATION MEASURES AES-1

- To minimize the scenic impact of removing 8 trees alongside Southgate Road and 3 trees alongside Northgate Road, replacement trees will be planted in the vicinity of the removed trees in accordance with **Bio-9**.
- The eleven trees that will be left standing along Southgate Road between stations 154+90 and 160+00 will be monitored for five (5) years and replaced at a 3:1 ratio if necessary due to decline or death.

AIR QUALITY

MITIGATION MEASURES AIR-1

- All active construction areas would be watered at least twice daily during dry, dusty conditions.
- All trucks hauling soil, sand, or other loose materials would be covered or required to maintain at least two feet of freeboard.
- All equipment engines would be maintained in good condition, in proper tune (according to manufacturer's specifications), and in compliance with all State and federal requirements.
- Excavation and grading activities would be suspended when sustained winds exceed 25 mph; instantaneous gusts exceed 35 mph.

BIOLOGICAL RESOURCES

MITIGATION MEASURE BIO-1: ALAMEDA WHIPSNAKE AND CALIFORNIA RED-LEGGED FROG

- At least 7 days prior to the onset of activities, DPR would submit the name(s) and credentials of biologists who would conduct activities as Service-approved biologists to USFWS for approval.
- Immediately prior to the start of work, a Service-approved biologist would conduct a pre-construction survey in the construction area for Alameda whipsnakes and California red-legged frogs. If either species is found, work at that project site would be delayed until the species moves on its own accord out of the project site. No handling or harassing of Alameda whipsnakes or

California red-legged frogs would occur.

- Before any construction activities begin on a project, a Service-approved biologist would conduct a training session for all construction and park personnel involved in construction of the project. At a minimum, the training would include a description of the Alameda whipsnake and California red-legged frog and their habitats; the importance of the species' and their habitats; the general measures that would be implemented to conserve the Alameda whipsnake and California red-legged frog, as they relate to the project; and the physical boundaries within which the project would be accomplished. The training session would include instruction in the appropriate protocol to follow in the event that an Alameda whipsnake or California red-legged frog is found onsite. Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions. Handouts with photos of both species would be provided to construction personnel.
- DPR-approved Best Management Practices (BMP's) would be implemented during construction to prevent any construction debris or sediment impacting adjacent habitat.
- Immediately prior to the start of work, a Service-approved biologist would conduct a pre-construction survey in the construction area for Alameda whipsnakes and California red-legged frogs. If either species is found, work at that project site would be delayed until the species moves on its own accord out of the project site. No handling or harassing of Alameda whipsnakes or California red-legged frogs would occur.
- The number of access routes, number and size of staging areas, and the total area of the activity would be limited to the minimum necessary to achieve the project goal. The Service-approved biologist and/or biological monitor would identify the boundaries of the work and staging areas, and ensure that the no ground is disturbed outside of the designated area. All activity and equipment would be kept within designated staging and work areas, unless approval from the onsite biological monitor is obtained, in advance, to go outside designated areas.
- A Service-approved biologist would be present at the work site until such time as instruction of construction workers and ground-disturbing activities have been completed. After this time, DPR would designate a full-time biological monitor(s) to ensure on-site compliance with all minimization measures. The Service-approved biologist would train the monitor(s) or verify proof of training in the identification of Alameda whipsnakes and California red-legged frogs. The biological monitor would be present during construction activities. Both the monitor and the Service-approved biologist would have the authority to halt any action that might result in impacts to either species exceeding the levels anticipated by the Service during review of the proposed action.
- Rocks, logs, or other habitat features moved during construction would only occur in the presence of the biological monitor and would be replaced in the

same location or adjacent suitable habitat.

- All shrubs and vegetation that could potentially provide refuge for an Alameda whipsnake would be removed by hand, under the supervision of the biological monitor.
- If US Fish and Wildlife Service or DFG determines, during consultation, that a significant amount of habitat would be impacted by the project, DPR would incorporate recommended mitigations into the scope of the project and implement to the extent feasible. If sufficient mitigation cannot be implemented to reduce potential impacts to a less than significant level, subsequent evaluation and documentation would occur, in compliance with CEQA.

MITIGATION MEASURE BIO-2: CALIFORNIA HORNED LIZARD

- A DPR-qualified biologist or resource ecologist would monitor all ground-disturbing activities for the presence of California horned lizards or other sensitive species.
- If a California horned lizard is found onsite, any construction activities that could put the lizard at risk would be temporarily suspended. If the species does not move out of the construction area of its own accord in a reasonable period of time, as determined by the on-site monitor, it may be relocated by a qualified biological monitor to nearby suitable habitat, or other protection measures would be taken, as recommended by DFG.

MITIGATION MEASURE BIO-3: NESTING RAPTORS AND SENSITIVE BIRDS

- Potential nesting habitat that would be impacted by this project would be surveyed for nesting species prior to construction. If any nests for sensitive species or raptors are found, construction within a minimum 500-foot radius buffer zone around the nest would be delayed until after the nesting season (i.e., between March and August).
- An onsite biological monitor would be present during construction to prevent unanticipated impacts. If a nest is found during construction that had not be previously identified during surveys, construction within a minimum 500-foot radius buffer zone around the nest would be stopped until the young have fledged.

MITIGATION MEASURE BIO-4: SAN JOAQUIN POCKET MOUSE & BRIDGE'S COAST RANGE SHOULDERBAND SNAIL

- An onsite biological monitor would be present during construction. If either of these species is found onsite, work would be temporarily stopped in that area, and the onsite biological monitor would contact DFG. DPR would incorporate recommended mitigations into the scope of the project and implement to the extent feasible. If sufficient mitigation cannot be implemented to reduce potential impacts to a less than significant level, subsequent evaluation and documentation would occur, in compliance with CEQA.

MITIGATION MEASURE BIO-5: ROCK SANICLE AND MT. DIABLO BIRD'S-BEAK

- Rock sanicle blooms from April through May and Mt. Diablo bird's-beak blooms from July-August. A survey within the proposed project area will be conducted during these months, prior to project construction.
- If rock sanicle or Mt. Diablo bird's-beak are found within the project area, the occurrences will be mapped on project maps and the perimeters will be flagged. Protective fencing will be placed around the occurrence and will include a 10-foot buffer. No construction-related activities will occur within the exclusion area.
- If either of these State-listed species is found within the project area, the California Department of Fish and Game will be consulted.

MITIGATION MEASURE BIO-6: LARGE-FLOWERED FIDDLENECK

- The large-flowered fiddleneck blooms from April through May. A survey within the proposed project area would be conducted during these months, prior to project construction.
- If occurrences of the large-flowered fiddleneck are found within the project area, they would be mapped on project maps and the perimeters would be flagged. Protective fencing would be erected around the occurrence and would include a 10-foot buffer zone. No construction-related activities would occur within the exclusion area.
- If the large-flowered fiddleneck is found within the project area, DPR would enter consultation with both the USFWS and DFG.

MITIGATION MEASURE BIO-7: MT. DIABLO BUCKWHEAT

- Mt. Diablo buckwheat blooms from April through November. A survey within the proposed project area would be conducted during these months, prior to the start of project construction.
- All occurrences of CNPS List 1B and List 2 species found within the project area would be mapped on project maps and the perimeter of the occurrence would be flagged on the ground.
- Protective fencing would be placed around the occurrence and would include a 10-foot buffer zone. No construction-related activities would occur within this exclusion area.
- If the Mt. Diablo buckwheat is found within the project area, DPR will enter consultation with the California Department of Fish and Game.

MITIGATION MEASURE BIO-8: CNPS LIST 1B AND LIST 2 PLANT SPECIES

- Surveys would be conducted for all CNPS List 1B and List 2 plant species that could potentially occur within the project area, during the appropriate phenological period when the species can be unmistakably identified (i.e., during the blooming period for most species).
- All occurrences of CNPS List 1B and List 2 species found within the project area

would be mapped on project maps, flagged on the ground, and avoided if possible.

- If unavoidable impacts would occur to CNPS List 1B or List 2 species as a result of project implementation, DPR consult with DFG and would incorporate recommended mitigations into the scope of the project and implement to the extent feasible. If sufficient mitigation cannot be implemented to reduce potential impacts to a less than significant level, subsequent evaluation and documentation would occur, in compliance with CEQA.

MITIGATION MEASURE BIO-9: RIPARIAN AND OAK TREES

- All trees larger than 3" diameter-at-breast-height removed as a result of the proposed project would be replaced at a minimum 3:1 ratio, using seeds from local seed sources, to result in no net loss of native oak or riparian trees.
- The revegetated area would be monitored for survival success and invasive plant species would be removed or controlled for five years following revegetation.

CULTURAL RESOURCES

MITIGATION MEASURES CULT-1: HISTORIC RESOURCES

- Existing drainage facilities along the proposed route of repair would be surveyed by a DPR-qualified historian prior to the start of construction to identify potentially significant historic resources. Current road alignments would be compared to historic alignments.
- Historic project elements and surrounding site would be photo-documented before, during, and after construction and photos added to historical records (archives) for the park.
- Project area is within a CCC cultural preserve. All CCC-era structures and trails would be avoided or treated in compliance with specified mitigations. A DPR-qualified cultural resource specialist would consult with the contractor and project manager prior to start of construction to identify all resources that must be protected.
- Flags, protective fencing, or other methods would be used to identify the resources and buffer zone. No construction-related activities would occur within this exclusion area.
- Replacement of drain pipes, road repairs, and other work would be conducted, to the extent feasible, without impacting historic resources. If damage is unavoidable, or where features were intended to be altered or upgraded as part of this project, historic elements would be repaired or replaced in kind, using the same materials and methods of construction.
- All work impacting the historic fabric or significance of the historic resource and its surroundings would adhere to the requirements set forth in the California Historic Building Code and the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

MITIGATION MEASURE CULT-2: ARCHAEOLOGICAL RESOURCES

- All ground-disturbing work would be monitored by a DPR-qualified cultural resource specialist. If potentially significant resources are unearthed, work in the immediate area of the find would be temporarily halted or diverted until identification and proper treatment are determined and implemented. The DPR Service Center or District Cultural Resource Section would be notified a minimum of three weeks prior to the start of ground-disturbing work to schedule monitoring, unless other arrangements are made in advance.

MITIGATION MEASURE CULT-3

- In the event that human remains are discovered, work will cease immediately in the area of the find and the project manager/site supervisor will notify the appropriate DPR personnel. Any human remains and/or funerary objects will be left in place or returned to the point of discovery and covered with soil. The DPR Sector Superintendent (or authorized representative) will notify the County Coroner, in accordance with §7050.5 of the California Health and Safety Code, and the Native American Heritage Commission (or Tribal Representative). If a Native American monitor is on-site at the time of the discovery, the monitor will be responsible for notifying the appropriate Native American authorities.

If the coroner or tribal representative determines the remains represent Native American interment, the NAHC in Sacramento and/or tribe will be consulted to identify the most likely descendants and appropriate disposition of the remains. Work will not resume in the area of the find until proper disposition is complete (PRC §5097.98). No human remains or funerary objects will be cleaned, photographed, analyzed, or removed from the site prior to determination.

If it is determined the find indicates a sacred or religious site, the site will be avoided to the maximum extent practicable. Formal consultation with the State Historic Preservation Office and review by the Native American Heritage Commission/Tribal Cultural representatives will also occur as necessary to define additional site mitigation or future restrictions.

GEOLOGY AND SOILS

MITIGATION MEASURES GEO-1: EROSION CONTROL

- A Stormwater Pollution Prevention Plan (SPPP) would be prepared and implemented for this project, as required by the RWQCB for all projects of one acre or more, and would include BMPs to control soil erosion and runoff. Temporary erosion control BMPs (refer to Caltrans specifications) would be used during all soil disturbing activities and until all disturbed soil has been stabilized (paved, revegetated, etc.) These BMPs would include, but not be limited to, the use of silt fences, straw bales, straw or rice coir rolls, and sediment detention basins to prevent soil loss and siltation into streams. Permanent BMPs for erosion control would consist of revegetation of disturbed areas, in combination with the use of geotextile fabrics, or other approved methods as needed.

- DPR-approved BMPs would be used in all areas to control soil and surface water runoff during grading, excavation, and repaving. Grading operations would not be planned during the rainy season (October 31 to May 1) or when soils are saturated, but if storms are anticipated during construction, “winterizing” would occur, including the covering (tarping) of any stockpiled soils and the use of temporary erosion control methods to protect disturbed soil.
- If any portion of the proposed work is performed by a contractor, that contractor would be responsible for providing the planned BMPs or other erosion control measures not addressed in the SPPP to DPR for review and approval prior to the start of work.
- The project would adhere to all applicable local building and engineering regulations/ordinances set forth by Contra Costa County.

MITIGATION MEASURE GEO-2: ROAD & SLOPE REPAIRS

- Repairs would be designed and constructed to industry standards for areas of unstable geologic conditions and soils, including the use of geo-grid reinforced fill. This stabilization must also include properly designed drains and/or culverts to direct water away from the road fill and minimize additional failures due to saturated conditions.
- The project would adhere to all applicable local building and engineering regulations/ordinances set forth by Contra Costa County.

HAZARDS AND HAZARDOUS MATERIALS

MITIGATION MEASURES HAZMAT-1

- All equipment would be inspected for leaks immediately prior to the start of construction, and regularly inspected thereafter until equipment is removed from park premises.
- The contractor(s) would prepare an emergency spill response plan prior to the start of construction and maintain a spill kit on-site throughout the life of the project. This plan would include a map that delineates construction staging areas, where refueling, lubrication, and maintenance of equipment may occur. In the event of any spill or release of any chemical in any physical form on or immediately adjacent to Mt. Diablo SP during construction; the contractor or project manager would immediately notify the appropriate DPR staff (e.g., State Representative or supervisor).
- Equipment would be cleaned and repaired (other than emergency repairs) outside the park boundaries. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of outside park boundaries, at a lawfully permitted or authorized designation.

MITIGATION MEASURE HAZMAT- 2: FIRE MANAGEMENT

- A safety plan would be developed and reviewed by all project staff prior to the start of any work. Job site characteristics to reduce the potential for fire would be

included.

- Spark arrestors or turbo-charging (which eliminates sparks in exhaust) and fire extinguishers would be required for all heavy equipment.
- Construction crews would be required to park vehicles away from flammable material, such as dry grass or brush. At the end of each workday, heavy equipment would be parked over mineral soil, asphalt, or concrete to reduce the chance of fire.
- Park staff would be required to have a State Park radio on site, which allows direct contact to California Department of Forestry and Fire Protection (CDF) and centralized dispatch center, to facilitate the rapid dispatch of control crews and equipment in case of a fire. Fire suppression equipment would also be available on park grounds.

NOISE

MITIGATION MEASURES NOISE-1

- Construction activities would generally be limited to the daylight hours, Monday - Friday. If work during weekends or holidays is required, no work will occur on those days before 7:30 am or after 8 p.m., if the adjacent campgrounds are open and occupied.
- Internal combustion engines used for any purpose at the job site would be equipped with a muffler of a type recommended by the manufacturer. Equipment and trucks used for construction would utilize the best available noise control techniques (e.g., engine enclosures, acoustically-attenuating shields or shrouds, intake silencers, ducts, etc.) whenever feasible and necessary.
- Stationary noise sources and staging areas would be located as far from sensitive receptors as possible. If they must be located near sensitive receptors, stationary noise sources would be muffled to the extent feasible and/or, where practicable, enclosed within temporary sheds.

Corrections and additions included in this Addendum will not result in substantial changes to the circumstances under which the project will be undertaken, new significant environmental effects, or a substantial increase in the severity of previously identified significant effects, as identified in CCR §15162, *et seq.*

Additions and corrections are underlined; strikeouts indicate a deletion. Minor punctuation, spelling, and grammatical corrections that contribute to ease of understanding, but have no significant impact on the content, have not been included in this document.

Changes in wording as follows: Chapter 2, Project Description, Section 2.5, Project Description, Page 14, text changed as indicated below:

South Gate Road

- Repair/improve/upgrade a total of ~~thirty-three~~ 46 pipe culverts along this road.

- Reconstruct or stabilize approximately ~~500~~ 7,000 linear feet of road base structural sections with reinforcing geotextile fabric; install a subdrainage system to divert water away from the road section prism.
- Place a new road surface with an asphalt concrete overlay the entire length of Southgate Road, a distance of approximately 5.7 miles.

Summary of change and significance

Indicates minor additions to the project scope on South Gate Road. Has no bearing on the impacts of the project.

Addition to Appendix A as follows: Exhibit ‘A’ Culvert Locations will be supplemented/replaced by the following attached drawings:

Mt. Diablo State Park South Gate Road System Improvements 95% Milestone drawings (33 pp.)

Summary of addition and significance

Drawings to graphically indicate details of revised planned work to culverts on South Gate Road. Has no bearing on the impacts of the project.

This Addendum, along with the previously adopted Final MND and Supplemental MND (SCH#2003042080), will now constitute the Final MND for the Primary Road System Improvement Project.

Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Department of Parks and Recreation (DPR) has independently reviewed and analyzed the information contained in this Addendum to the Final MND for the proposed project and finds that this document reflects the independent judgment of DPR. DPR, as lead agency, also confirms that the project mitigation measures detailed in these documents are feasible and will be implemented as stated in the Final MND.

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Date

Stephen Lehman
 Deputy Director, Acquisition and Development Division

Date