

COASTAL CONSERVANCY

Staff Recommendation
December 2, 2004

NAVARRO POINT PUBLIC ACCESS IMPROVEMENTS

File No. 99-058
Project Manager: Sheila Semans

RECOMMENDED ACTION: Authorization to disburse up to \$109,000 to the Mendocino Land Trust to construct access improvements and open to the public Navarro Point in Mendocino County.

LOCATION: The Navarro Point property lies just north of the mouth of the Navarro River and eight miles south of the town of Mendocino in Mendocino County (Exhibit 1).

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: Project Location Map
 - Exhibit 2: Site Plan Map
 - Exhibit 3: Coastal Development Permit and CEQA Negative Declaration
 - Exhibit 4: Letters of Support
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31409 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement to the Mendocino Land Trust (MLT) of an amount not to exceed one hundred and nine thousand dollars (\$109,000) to construct public access improvements at Navarro Point, subject to the following conditions:

1. Prior to the disbursement of any funds, MLT shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. A work program, budget and schedule, detailed site plans, and the names of any contractors to be employed in carrying out the work.
 - b. Evidence that all necessary permits and approvals have been obtained.
 - c. A signing plan for the project acknowledging Conservancy participation.

2. MLT shall enter into an agreement pursuant to Public Resources Code Section 31116(c) sufficient to protect the public interest and provide for maintenance of the project for no less than twenty (20) years.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of Division 21 (§§31400-31409) of the Public Resources Code.
 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
 3. The proposed project will serve greater than local needs.
 4. The Mendocino Land Trust is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and its purposes are consistent with Division 21 of the Public Resources Code.
 5. The Conservancy has independently reviewed and considered the CEQA Negative Declaration attached to the accompanying staff recommendation as Exhibit 3, adopted by the Mendocino Board of Supervisors on May 20, 2004 pursuant to the California Environmental Quality Act, and finds that the project, avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project will have a significant effect on the environment.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to one hundred and nine thousand dollars (\$109,000) to the Mendocino Land Trust (MLT) to construct access improvements at Navarro Point in Mendocino County.

In 1999, the Conservancy provided funding for MLT to acquire and manage the 55-acre property known as Navarro Point for open space preservation, public access, and recreation purposes. The property contains the first open coastal bluffs west of Highway 1 that the visitor sees as “The Mendocino Coast” when arriving on Highway 128, the main corridor from the San Francisco Bay and Sacramento areas. The Conservancy also funded MLT’s preparation of a management plan for the site, which was completed in December 2000.

MLT now seeks to implement the improvements identified in the management plan. Specifically, MLT will provide for parking, trails, viewpoints, interpretive and safety signs, benches and other site furnishings (Exhibit 2). The blufftop trail could add a 4,500-foot segment to the California Coastal Trail. All permits have been secured for the project and work will begin in early spring. MLT anticipates that construction work will be completed by summer 2005. Upon completion, MLT will officially open Navarro Point to the public, and visitors from all over the world (as well as locals) will be able to enjoy firsthand the beauty of this “gateway to the Mendocino Coast”.

Site Description: The 55-acre site known as Navarro Point is a sweeping expanse of open land adjacent to the Pacific Ocean, in Mendocino County. The site lies just north of the mouth of the Navarro River, approximately eight miles south of the town of Mendocino. It is the first open ocean view seen by the public when traveling north on Highway 1 from Anderson Valley (via Highway 128). The property features open grasslands sloping gently to the bluff edge, and has historically been used for grazing. It offers day use opportunities and a potential segment of the Coastal Trail. Surrounding land use is primarily single-family, rural residential.

Project History: Approximately 15 years ago staff conducted visual studies of the "Navarro Headlands," as the area was known, and Navarro Point was identified as a high priority for acquisition. Availability of funds and the opportunity for acquisition did not coincide until the winter of 1999, when the Conservancy provided funding for MLT to acquire the property. The \$1.1 million purchase price was funded by a legislative appropriation of \$3 million for Mendocino Coast acquisitions, which also included funds for the acquisition of Westport Bluff and Caspar Headlands. The Conservancy granted additional funding for five years of management and the preparation of a management plan for the site. The management plan was complete in December of 2000, and serves as the basis for the proposed improvements.

PROJECT FINANCING:

Coastal Conservancy	\$109,000
Mendocino Land Trust	\$6,500
Stewards and Volunteers (400 hours @\$15/hour)	\$15,000*
Total Project Cost	\$130,500

* Represents in-kind contribution

The anticipated source of Conservancy funds for this project is the FY 02/03 appropriation to the Conservancy from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40). This funding source may be used for development of land and water resources in accordance with the provisions of the Conservancy's enabling legislation, Division 21 of the Public Resources Code. As discussed above, the project is consistent with Chapter 9 of Division 21. Proposition 40 also requires the Conservancy to give priority to grant projects with matching funds. MLT will contribute \$9,500 to the proposed project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed authorization would be undertaken pursuant to and is consistent with the Conservancy's enabling legislation, Division 21 of the Public Resources Code, specifically Chapter 9 (Sections 31400-31409) pertaining to public access to and along the coast.

Section 31400 of the Public Resources Code states the Legislature's intent that the Conservancy have a principal role in implementing a system of public accessways to and along the state's coastline. In the proposed project, the Conservancy will fund public access improvements at Navarro Point, including a potential segment of the California Coastal Trail. The proposed funding authorization thus furthers the purposes of §31400.

Section 31400.1 of the Public Resources Code requires the Conservancy find that the project will serve more than local interests. The Mendocino coast is a statewide, national, and international visitor destination. The property is located along world renown Highway 1, and is suitable for

observing migrating whales during part of the year as well as many types of marine birds. The property contains the first open coastal bluffs west of Highway 1 that the visitor sees as “The Mendocino Coast” when arriving on Highway 128, the main corridor from points south of the area. The property also provides the possibility to create a valuable link in the California Coastal Trail. MLT seeks to develop and manage the Navarro Point as a coastal public accessway for both the local community and out-of-area visitors alike.

Section 31400.3 enables the Conservancy to aid nonprofit organizations in establishing a system of public coastal accessways. Section 31400.2 states that the Conservancy may provide up to the total cost of the initial development of public accessways provided that the Conservancy evaluate the fiscal resources of the application, current funds available for coastal accessways, the urgency of the project relative to other access projects, and consistency with other Conservancy funding criteria. MLT is a nonprofit organization that seeks to develop and manage the Navarro Point as a coastal public accessway for both the local community and visitors. Without additional funding from the Conservancy, MLT will be unable to implement this project that has been fifteen years in the making. The acquisition and management plan anticipated opening this area to the public. Adequate funds in the Coastal Access account exist to complete this project for the public. Other criteria identified in section 31400.2 are discussed in the Project Selection and Criteria section below.

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

Consistent with **Goal 2 Objective A**, the project improves public access amenities at Navarro Point in coordination with a local non-profit entity. The project also expands recreational opportunities for handicapped visitors to the area; and

Consistent with **Goal 2 Objective B**, the project opens up the dramatic Navarro Point property to the public, while respecting the rights of nearby landowners and minimizing the impacts on sensitive natural resources by identifying and fencing the property.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the “Consistency with Conservancy's Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Support of the public:** The management planning process provided several forums for public input, and development of public accessways at Navarro Point was strongly supported.

Please see letters of support in Exhibit 4. The public has anticipated this project for the past 15 years of planning access along the Mendocino coast.

4. **Location:** The Navarro Point property lies just north of the mouth of the Navarro River and eight miles south of the town of Mendocino in Mendocino County and is fully within the coastal zone. It has significant visual importance given its location on Highway 1 and as travelers pass out of the coastal chaparral-covered slopes of the Anderson valley and emerge to see the Pacific Ocean offshore from Navarro point.
5. **Need:** Improved coastal access in Mendocino County is a priority for the Conservancy and the local community. MLT does not have sufficient funds to implement the recommendations of the *Management Plan for Navarro Point*. Therefore, construction of the access improvements at Navarro Point will not occur without Conservancy funds.
6. **Greater-than-local interest:** The Mendocino coast is a statewide, national, and international visitor destination. See discussion of Conservancy Enabling Legislation above.

Additional Criteria

7. **Urgency:** The Conservancy has already funded acquisition of this important property that serves as a gateway to the Mendocino coast. Without additional funding to implement the acquisition and management plan, an important public access opportunity will not be realized.
8. **Readiness:** MLT has developed the *Management Plan for Navarro Point*, designed the site improvements, secured all necessary permits, and is now ready to implement the Plan.
9. **Realization of prior Conservancy goals:** “See “Project History” above.”

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the Local Coastal Program (certified in 1992) as determined by the Coastal Development Permit, attached as Exhibit 3. In summary, the project is consistent with the Coastal Element of the Mendocino County General Plan as follows:

Coastal Plan Policy 3.5-1 states:

The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas.

Coastal Plan Policy 3.5-3 states, in part:

Any development permitted in [highly scenic] areas shall provide for the protection of ocean and coastal views from public areas including highways, roads, coastal trails, vista points, beaches, parks, coastal streams, and waters used for recreational purposes.

Shoreline Access Policy No. 3.6-6 states in relevant part:

“Shoreline access points shall be at frequent rather than infrequent intervals for the convenience of both residents and visitors and to minimize impacts on marine resources at any one point.”

COMPLIANCE WITH CEQA: The Navarro Point Negative Declaration (ND) was prepared by Mendocino County in April 2004 (Exhibit 3). The ND was circulated for public review from April 12, 2001 through May 19, 2004 and comments are summarized on page 14 of the ND. The ND conditioned approval on 17 conditions, 10 of which mitigate potential impacts by the project. The Coastal Development Permit and [mitigated] ND were adopted by the County’s Board of Supervisors on May 20, 2004.

The ND found that no significant environmental impacts would result from the proposed project that cannot be adequately mitigated through the conditions of approval. The most substantial development will be a new gravel parking lot and a paved driveway. Erosion control measures will be used during construction and reseeding exposed soil will begin immediately. Native shrubs or other vegetation will be planted near the north, east, and south edges of the parking lot to soften the visual impact of the lot and parked cars. Existing trails will be maintained or improved and new trails will be created. Trails will be established primarily by mowing a two-foot wide path through the grass. Wood chips and gravel surfacing will be used when needed to prevent erosion. MLT must adopt additional mitigation measures if needed to prevent damage to sensitive areas, particularly the wetland, the peninsula, and the bluff face of the property. See Exhibit 3.

The County also made findings that the project does not have the potential to adversely effect wildlife resources as defined under Fish and Game Code Section 711.2 and 14 Cal. Code of Regulations Section 753.5(d).

Conservancy staff has independently reviewed the County’s ND and recommends that the Conservancy concur in the County’s finding that, as designed, there is no evidence that the project will have a significant effect on the environment. Upon approval, staff will file a Notice of Determination for the project.