

COASTAL CONSERVANCY

Staff Recommendation

January 27, 2005

CRESCENT CITY COASTAL TRAIL: HARBOR TRAIL NORTH SEGMENT

File No. 04-030

Project Manager: Michael Bowen

RECOMMENDED ACTION: Authorization to disburse up to \$893,000 to the City of Crescent City to implement portions of the Crescent City Coastal Trail, Harbor Trail North Segment, including acquisition of the 1.16-acre Endert Property in Crescent City, California.

LOCATION: Crescent City, Del Norte County (Exhibit 1).

PROGRAM CATEGORY: Access

EXHIBITS

Exhibit 1: Project Proposal, location and Site Map

Exhibit 2: Letters of Support

Exhibit 3: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

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 of an amount not to exceed eight hundred ninety-three thousand (\$893,000) to the City of Crescent City to implement the Harbor Trail North Segment of the Crescent City Coastal Trail, including the acquisition of the 1.16-acre Endert Property, Assessors Parcel Number 118-380-32, as shown on Exhibit 1 to the accompanying staff recommendation, and construction of the trail as shown in Exhibit 1 to the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for acquisition, the City shall:
 - a. Submit for review and approval by the Executive Officer of the Conservancy (the "Executive Officer") all relevant acquisition documents including but not limited to, the appraisal, agreement(s) of purchase and sale, escrow instructions and documents of title;

and

- b. Dedicate the property for open space, habitat conservation and public access in a manner acceptable to the Executive Officer.
2. Pay no more than fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. Prior to the disbursement of Conservancy funds for trail construction, the City shall submit for the review and written approval of the Executive Officer:
 - a. A final work program, budget, and project schedule.
 - b. Any contractors that the City intends to employ to implement the project.
 - c. A signing plan acknowledging the Conservancy.
 - d. Written evidence that all permits and approvals necessary to the implementation and completion of the project under applicable local, state, and federal laws and regulations have been obtained.
4. The City shall implement its approved Mitigation Monitoring Program as part of trail construction.

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 (Sections 31400-31409) of Division 21 of the Public Resources Code regarding the provision of a system of public accessways and will serve greater than local needs.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 25, 2001.
3. The Conservancy has reviewed the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached to the accompanying staff recommendation as Exhibit 3, and finds, based on the State Coastal Conservancy’s independent judgment and analysis of the whole record before it, including the Initial Study and any comments received, 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 Harbor Trail North Segment Project may have a significant effect on the environment, as defined in 14 California Code Regulations Section 15382.”

PROJECT SUMMARY:

The proposed authorization would enable the City of Crescent City to acquire the Endert

Property and pay for most of the construction costs necessary to implement the Harbor Trail North Segment of the Crescent City Coastal Trail, as described in the City's Resolution 2003-33 and project proposal (Exhibit 1) for the purpose of improving coastal access at the entrance to the City and in the area north of the Crescent City Harbor.

The proposed trail begins at the Crescent City Visitor's Center and ends at the Harbor's boat basin area. Trail construction includes the construction of Class 1 and Class 3 bike facilities and a beach oriented pedestrian route for the Coastal Trail. A 10-12 foot wide single span bike/pedestrian bridge across Elk Creek is included in the design, and will allow trail users to avoid traversing a busy section of Highway 101. Post and chain fencing will demarcate the trail, and will provide protection for sensitive plant species along the trail route. The parcel proposed for acquisition will serve as the park trailhead, and, when acquired and developed pursuant to the project proposal, will include a public parking lot, restrooms, interpretive panels, and an on-site stormwater detention basin which is likely to function as a new wetland area.

Site Description: Crescent City is located in Del Norte County, near the Oregon border, and the Crescent City harbor is California's northernmost harbor. The Harbor Trail North Segment of the Crescent City Coastal Trail would extend from the intersection of Front and K streets, near the Cultural Center, proceed through Beachfront Park to a proposed bridge at Elk Creek, cross Elk Creek, enter the newly acquired trailhead on the Endert parcel, circumnavigate the County owned RV-Trailer Park, and enter the beach immediately north of the Crescent City Harbor. 1.16-acre Endert Property would serve as the trailhead to the City's portion of the California Coastal Trail, provide public access amenities, and otherwise be dedicated as open space. Due to a concurrent harbor management planning process, also funded by the Conservancy, this proposed segment of the Harbor Trail is sited solely on City property, extending to, but not including, property managed by the Harbor District.

Project History: The Crescent City Harbor Trail Feasibility Study, authorized by the Conservancy on June 27, 2002, provided a grant of \$33,500 to the City to plan for a portion of the Coastal Trail extending from the Crescent City Visitors Center to the Crescent City Harbor. An inability to reach agreement on trail configuration within the Harbor led City staff to proceed with the planning and feasibility study effort promptly, omitting the Harbor District jurisdiction, and including the completion of a biological survey for the proposed trail areas. These plans were subsequently submitted to the Conservancy and approved by staff. Pursuant to a harbor planning grant, Conservancy staff continues to work with the Harbor District to identify an appropriate location for the continuation of the Harbor Trail through the harbor proper.

Concurrent with this planning effort, Mr. Grant J. Endert contacted the City with an offer to sell his 1.16 acre waterfront parcel adjacent to Elk Creek for the purpose of enhancing coastal access in the Harbor area of the City. An appraisal was conducted as part of the planning process, and a property value of \$250,000 was assigned and approved by Conservancy staff. The City submitted a complete proposal, plans, and a budget for the trail, including a city council resolution supporting the proposal on December 2, 2003.

In August 2003, the Conservancy authorized disbursement of up to \$218,000 to the Crescent City Harbor District to prepare a harbor access and revitalization plan. The purpose of the plan is to revitalize the harbor, update the harbor's deteriorating infrastructure, diversify its uses and income sources, and provide for a balance of fishing, boating, waterfront access and recreation, and visitor-serving uses. The plan will also include segments and linkages for the California Coastal Trail. The Harbor District has been directed by Conservancy staff to ensure that plans for additional coastal access within the harbor are consistent with and link to the City's Harbor Trail North Segment.

PROJECT FINANCING:

City General Fund – parks <i>(Trail)</i>	20,000
City General Fund- staff <i>(administration)</i>	36,000
City Redevelopment Agency <i>(Acquisition/Trailhead)</i>	120,000
Regional Surface Transportation Program <i>(Trail)</i>	120,000
CA Park Bond Fund (CC allocation grant) <i>(Trailhead)</i>	45,000
California Coastal Conservancy <i>Acquisition/Trail/Trailhead</i>	893,000
Total Project Cost	\$1,234,000

Funding for the proposed project is expected to come from the Conservancy's fiscal year 2002-2003 appropriation from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40). The proposed project is consistent with this funding source because it will further the provision of a system of public accessways throughout coastal California, in accordance with Division 21 of the Public Resources Code. These bond funds may be used in accordance with Division 21 for the acquisition and development of land and water resources.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 9 of Division 21 (Sections 31400-31409) of the Public Resources Code, as follows:

Pursuant to sections 31400.1 and 31400.2, the Conservancy may provide up to the total cost of the acquisition of interests in lands and the initial development of public accessways by any public agency or non-profit organization for public access purposes to and along the coast that serve greater than local needs. Consistent with this authority, the proposed project provides funds to the City to acquire fee simple title for the Endert property and to construct a public accessway extending from the Crescent City Visitor Center to the Harbor. The proposed trailhead would be prominently located at the entrance to Crescent City, and therefore accessible to the thousands of visitors who come to this region for its scenic beauty. Moreover, the trailhead is located adjacent to the City-owned trailer park and campground, a long-term stopping site for visitors to this region.

Pursuant to Section 31400.2, the amount of funding provided by the Conservancy shall be determined by the total amount of funding available for coastal public accessway projects, the urgency of the project relative to other eligible projects, and the application of factors prescribed by the Conservancy for the purpose of determining project eligibility and priority in order to more effectively carry out the provision of the division. The proposed contribution by the Conservancy was determined based on application of priority criteria and after taking into account other available resources and the matching contributions to the project by other funding sources.

Pursuant to Section 31408, the conservancy “shall, in consultation with the Department of Parks and Recreation, and the California Coastal Commission, coordinate the development of the California Coastal Trail.” The proposed project was submitted by the City to the staff of the Coastal Commission, and the Commission staff has expressed its initial support for the proposed project. There are no adjacent properties administered or owned by the California Department of Parks. The project will provide an important link in the California Coastal Trail.

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

Consistent with **Goal 1 Objective C**, the proposed project will result in the construction of 1,500 feet of waterfront coastal trail, all of which will be held in public ownership.

Consistent with **Goal 1 Objective D**, the proposed project will result in the acquisition of a new right of way and bridge a challenging gap in the Coastal Trail over Elk Creek.

Consistent with **Goal 2 Objective A**, the proposed project will enable the grantee to acquire fee interest in 1.16 acres of urban waterfront land expressly for the enhancement of coastal access and the protection and enhancement of the harbor view at the entrance of Crescent City.

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:** Supporters of this project include the City of Crescent City, the Crescent City Harbor District, Coastwalk, Assemblymember Patty Berg, the County of Del Norte, and the Del Norte Local Transportation Commission. Letters of support are included (Exhibit 2).
4. **Location:** See "Site Description" section, above.
5. **Need:** The project site is prominently situated at the entrance of Crescent City, and provides a rare opportunity to transform a rather unsightly entrance to the city into an aesthetically pleasing, visitor serving trailhead to the California Coastal Trail. Although the Crescent City harbor and surrounding beaches are immensely popular with residents and visitors alike, access in the project area is in need of improvement. As one heads south from the Cultural Center, the only means of crossing Elk Creek is over a busy and unpleasant Highway 101 bridge that is unsafe for cyclists. Heading south, access along the seaside is unsigned, and undeveloped. There is a sidewalk within the harbor, but neither signage, nor linkage to and from the envisioned segment of the Coastal Trail exists. The proposed project will clearly delineate this segment of the Coastal Trail, and enhance coastal trail linkages along this scenic and urban segment of California's northern coastline.
6. **Greater-than-local interest:** The State has an interest in promoting the improvement and development of the Harbor Trail North Segment of the Crescent City Coastal Trail, an important segment of the California Coastal Trail. Thousands of visitors come to Crescent City each year to enjoy the parks, coast, and redwood forests that make this area so popular. Many of these visitors stay in the city-owned RV Park, located adjacent to the proposed trailhead. Making the transition away from sole dependence on resource-extractive economies, Crescent City and County of Del Norte economies are increasingly dependent upon visitor serving amenities in the coastal zone. The coastal trail is a rewarding way to promote and enhance visitation to this scenic coastal region, and to blend a working harbor region with scenic visual resources in the context of the coastal trail.

Additional Criteria

7. **Urgency:** The Endert property is currently listed on the open market in an area of rapidly rising real estate values, and faces the potential of intensive commercial development as has unfolded elsewhere along the Highway 101 corridor in and around Crescent City.
8. **Leverage:** See the "Project Financing" section above.

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9. **Innovation:** The City has demonstrated a compelling vision for improving the coastal scenic qualities at the entrance to Crescent City, and for securing a variety of matching fund sources to make the project a reality.
 10. **Readiness:** The project applicant has demonstrated that it has the expertise, local public support, and administrative capability necessary to commence and complete the project in a timely fashion.
 11. **Realization of prior Conservancy goals:** The Conservancy's prior feasibility study grant demonstrates the Conservancy's strategic focus on and commitment to the expansion and improvement of the coastal trail. Implementation of the City's proposal will realize the vision for improved coastal access that the City has provided to the Conservancy through this and other projects, and provide a link in the California Coastal Trail.
 12. **Cooperation:** Community members, agency officials, and others have all expressed support for, and a willingness to, cooperate with the grantee in accomplishing the project.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

According to the Land Use Policies of the City of Crescent City Local Coastal Program ("LCP"), the City's existing General Plan contains no specific policy directly related to public access, although "...it has always been an unwritten policy to protect, provide, and maintain public access to the shoreline" LCP Public Access Section II p. 3. However, the overall recommendation for the Public Access element is that the City of Crescent City adopt a policy of "Maintaining the Status Quo" for public access. LCP Public Access Section IV p. 7.

Relative to the Harbor Trail North Segment of the Crescent City Coastal Trail, the LCP specifically states that the City of Crescent City, in the interest of improved public access, "...shall encourage the study of the feasibility of the extension of K Street past Front Street to Howe Drive, then a bridge over Elk Creek to the Crescent City Harbor Parking Lot...." (LCP Public Access Section VI (5), p. 9). A CalTrans realignment of Highway 101 rendered that plan moot, and afforded the opportunity to align a pedestrian and bike trail in the same area. City staff are pursuing that opportunity in their effort to design and implement the Harbor Trail Connector segment of the Crescent City Coastal Trail. Therefore, given the LCP acknowledgement of the City's policy of protecting, providing, and maintaining public access to the coast, and the inability to proceed with the original plan for extension of K Street, the proposal is consistent with the spirit, intent, and direction of the LCP.

COMPLIANCE WITH CEQA:

The City of Crescent City, lead agency under the California Environmental Quality Act (CEQA), prepared a CEQA Initial Study and proposed Mitigated Negative Declaration for the Harbor Trail North Segment of the Crescent City Coastal Trail, including acquisition and development of the Endert property as a trailhead, and circulated the document to the State Clearinghouse for public comment on December 10, 2004. Conservancy staff submitted comments which will be forwarded along with the City's response, in a subsequent mailing. The public review period will conclude January 13, 2005. The City's Planning Commission is scheduled to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program on January

13, 2005, and a finding pursuant to Fish and Game Code Section 711.4 that the project will have a *de minimus* effect on fish and wildlife. These documents together with the Notice of Determination will be provided to the Conservancy at or prior to the January meeting.

The Initial Study identified potential impacts to biological resources, hydrology and water quality, transportation and endangered species that the City determined could be mitigated to a level of insignificance through changes in project design.

Impacts to biological resources, hydrology endangered species and water quality were identified in an analysis commissioned in 2003 by the City. The ensuing report (Biological Constraints Analysis and Wetlands Delineation, July 31, 2003) identified a number of potential concerns with the proposed project, and suggested a variety of measures that the City should incorporate into the project design. Notably, the report advised trail alignment and construction measures to avoid impacts to listed plant species. In addition, the report suggested the placement of large woody debris in Elk Creek to provide safe habitat for juvenile salmonids at risk of predation by birds roosting on the proposed bridge. Among other protective measures, the City will protect listed plant species by sizing and aligning the trail appropriately to provide sufficient setbacks from Ecologically Significant Habitat Areas (ESHA), installing post and chain fence as protective mitigation for protected plant species, utilizing Best Management Practices (BMPs) during construction, maintaining or replacing Beach Pine at a 2:1 ration in adjacent trailhead areas, and, as mitigation for potential stormwater runoff from parking area, provide a drainage retention area that will function as a wetland in the project area.

The Initial Study identified potential impacts to local transportation patterns, notably increased traffic in the highway intersection area entering the trailhead area, and proposed a series of project designs to mitigate these impacts to a level of insignificance. First, Sunset Circle will be improved to handle additional traffic; Second, the RV Park access will be realigned; Last, Sunset Circle will be posted as a “No Left Turn” intersection, and traffic will be directed from the Trailhead parking lot and RV Park exits to a signalized intersection at Elk Valley Road.

The City has adopted these and other measures into the overall project design and construction of a trailhead and Class 1 and 3 trail, parking area and various public access improvements between the Visitor Center and the Harbor, and the City prepared and will adopt a corresponding Mitigation Monitoring and Reporting Program, as required by CEQA.

Staff has reviewed the City’s Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to be adopted by the City, and concurs that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment. Staff will file a Notice of Determination upon approval of the project.