

COASTAL CONSERVANCY

Staff Recommendation
October 18, 2012

FORT BRAGG COASTAL TRAIL

Project No. 05-005-03
Project Manager: Joel Gerwein

RECOMMENDED ACTION: Consideration and possible authorization to disburse up to \$1,362,000 to the City of Fort Bragg for the construction of the Ka Kahleh coastal trail and associated facilities on Noyo Headlands Park, the former Georgia Pacific Mill Site, for natural resource enhancement on a portion of the site, and for the acquisition of the 4-acre Johnson Property, which is anticipated to be the location of a portion of the trail.

LOCATION: Fort Bragg, Mendocino County

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location and Site Map](#)
- Exhibit 2: [Site Photographs](#)
- Exhibit 3: [Final Environmental Impact Report](#)
- Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 et seq. of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of up to one million three hundred sixty two thousand dollars (\$1,362,000) to the City of Fort Bragg (“the City”) for construction of the Ka Kahleh coastal trail and associated facilities on Noyo Headlands Park, the former Georgia Pacific Mill Site, for natural resource enhancement on a portion of the site, and for the acquisition of the 4-acre Johnson Property (Mendocino County Assessor’s Parcel Number 018-430-04).

This authorization is subject to the following conditions:

1. Prior to disbursement of any Conservancy funds for the project, the City shall submit a work program, schedule, and budget for the review and approval of the Conservancy’s Executive Officer (“Executive Officer”).

2. Prior to disbursement of funds for construction, the City shall submit for the review and approval of the Executive Officer:
 - i) Final plans, cost estimates, and a plan for signage that acknowledges the Conservancy's funding assistance and identifies the Ka Kahleh Trail as part of the California Coastal Trail.
 - ii) Evidence that all necessary permits and approvals have been obtained.
 - iii) The names and qualifications of all contractors the City retains to complete any portions of the project funded by the Conservancy funds.
3. The City shall carry out the project in compliance with and shall incorporate all mitigation measures required by the Final Environmental Impact Report ("FEIR"), adopted by the City of Fort Bragg, attached as Exhibit 4 to the accompanying staff recommendation.
4. The City shall ensure that the coastal trail and related facilities improvements are consistent with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.
5. Prior to the disbursement of Conservancy funds for acquisition of the Johnson Property, the City shall submit for the review and approval of the Executive Officer:
 - a. All relevant acquisition documents, including but not limited to an appraisal, environmental assessments, agreement of purchase and sale, easements, escrow instructions, and documents related to title.
 - b. Evidence that the City has obtained all funds necessary to complete the acquisition.
6. The City shall pay no more than fair market value for the Johnson Property as established in an appraisal approved by the Executive Officer.
7. The City shall permanently dedicate the Johnson Property in a manner acceptable to the Executive Officer for the purposes of providing public access, and protecting habitat for plants and wildlife.
8. The City shall acknowledge Conservancy funding by erecting and maintaining on the Ka Kahleh Trail and on the Johnson Property a sign or signs, the placement and design of which has been reviewed and approved by the Executive Officer."

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 current Conservancy's Project Selection Criteria and Guidelines, most recently updated on November 10, 2011.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding a system of public accessways.
3. Public access facilities along the Fort Bragg coast at this location would serve greater than local public needs.

4. The Conservancy has independently reviewed and considered the FEIR for the Fort Bragg Coastal Restoration and Trail Project, attached to the accompanying staff recommendation as Exhibit 3, and finds that the project, as mitigated, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize the disbursement of up to \$1,362,000 to the City of Fort Bragg (City) for construction of the Ka Kahleh coastal trail and associated facilities on Noyo Headlands Park, the former Georgia Pacific Mill Site, for natural resource enhancement on a portion of the site, and for the acquisition of the four acre Johnson Property (Mendocino County Assessor’s Parcel Number 018-430-04). The Johnson Property is bounded by the Noyo Headlands Park and the Pacific Ocean, and has some of the best views of the Fort Bragg coastline and Soldier Bay. Its addition to the park will provide a superior location for part of the coastal trail. The new coastal trail will provide public access to parkland on the former Georgia Pacific Mill site (Mill Site), opening the majority of the City's coastline to the public for the first time in generations. Noyo Headlands Park was acquired by the City in December 2009 with funding from the Conservancy.

The project involves the construction of more than 4.2 miles of new multi-use and pedestrian only trails stretching from Pudding Creek Trestle Bridge south to Soldier Bay, and from the City’s wastewater treatment facility to the Noyo Bridge and the Caltrans ROW at Highway 1 (Exhibit 1). Multi-use trails will be 8 ft wide with an asphalt and/or NaturalPave surface and a 4 ft gravel shoulder on one side. Pedestrian trails will be 5 ft wide. Two new parking facilities at the end of Elm Street and Noyo Point Road and a welcome center will be constructed to support the project. Associated facilities will include restrooms, interpretive signage, and a 10-acre passive recreation field for activities such as picnicking and kite flying. Asphalt and packed gravel would be removed and habitat restored on approximately 18 acres of the former Mill Site.

The trail and associated facilities have been designed to provide access for persons with disabilities, as required under state and federal requirements. All of the multiuse trails will be accessible to wheelchairs. The majority of the pedestrian trails will also be accessible to wheelchairs, although, due to the existing topography, approximately 60% of the pedestrian trails on the South Parkland, one of the four subareas, will have steep grades that may preclude access by some potential users with disabilities.

The project area is divided into four subareas: Glass Beach, Elm Street Extension, the North Parkland, and the South Parkland (Exhibits 1 and 2).

The Glass Beach component will include the construction of 2,200 ft of separated bicycle and pedestrian trails within the City’s Right of Way along Glass Beach Drive, adjacent to land owned by State Parks. State Parks will restore coastal bluff vegetation impacted by volunteer trails on the Glass Beach Headlands adjacent to this area.

The Elm Street Extension Area will include a new linear parking area, with a welcome plaza, bicycle parking, restrooms, a storage building, welcome kiosk, two bioswales, interpretive signage, and cable stairs to the beach.

The North Parkland includes a primary trail of approximately 3,455 linear ft, and secondary trails of approximately 1,750 ft, including two short viewing loops. Interpretive signage will be installed along the trails. The North Parkland component also includes the restoration of approximately 13 acres of asphalt into grasslands, dunes, wetland bioswales, and other habitats. The restoration will include efforts to establish new populations of three sensitive plant species ranked by the California Native Plant Society (CNPS) as fairly endangered in California (Rank 1B.2): Blasdale's bent grass (*Agrostis blasdalei*) (CNPS 1B.2), short-leaved evax (*Hesperovax sparsiflora* var. *brevifolia*) (1B.2), and Mendocino coast paintbrush (*Castilleja mendocinensis*).

The North Parkland and Elm Street Extension Areas include an extensive stormwater management system that will be constructed. It consists of six detention basins and five hard outfalls to discharge stormwater from the site. The detention basins would be relatively shallow and naturalized with wetland plants to encourage filtration of stormwater pollutants. The outfall locations would be armored as necessary through a combination of vegetation, geofabrics, and large rocks.

The South Parkland includes a primary multi-use trail of approximately 6,100 linear ft and a pedestrian-only trail of 5,900 ft. Benches and interpretive signage will be installed along the trails. One viewing platform will be installed for resource protection and site safety to the north of the "blowhole" (Exhibits 1 and 2). Vehicular access would extend west from Noyo Point Road via an approximately 100-ft long, 24-ft wide gravel road that would terminate in a 63-space single-loaded gravel surface parking area. The parking area would be surrounded by a split rail fence to keep vehicles off of the Mill Site and Trail.

A welcome plaza will be located at the southern end of the site and consist of a welcome kiosk, vault restrooms, storage building, and bicycle parking. The South Parkland includes a number of passive recreation features including:

- A 10 ac recreation field for passive recreational activities such as frisbee, kite flying, dog walking, etc.
- Two picnic areas with three picnic tables each located at the southern end of the runway and east of the blow hole.
- Retention (and resurfacing of the southern ten percent) of the 2,800-ft long airstrip for passive recreational activities such as skating, biking, skateboarding, community events, etc.

Approximately 5 acres of the South Parkland will be restored with grassland vegetation, wetland vegetation, and woody plants such as shore pine.

The North Parkland and South Parkland areas will be separated from one another until 2016. Until this time, the Central Parkland will be closed to the public while the former Mill Pond is remediated and the structurally unsound Mill Pond Dam is removed. It is expected that a portion of Maple Creek will be day-lighted from Highway 1 through the Mill Site and under the beach berm.

The project is the result of significant community input. In 2006, the Fort Bragg community participated in a three-day design charrette to create a cohesive plan for the joint parkland areas. In 2009 and 2010, the Fort Bragg community participated in a variety of planning activities for the South Parkland parcel, including: three walking workshops (attended by over 300 people), a three-hour community design workshop, an open-house, and a community survey returned by 94 residents. The City certified a Final EIR and issued a Coastal Development Permit for the project in August 2011. The California Department of Transportation (Caltrans) was assigned by the Federal Highway Administration to be the lead agency for the National Environmental Policy Act (NEPA) process. Caltrans issued the Draft Environmental Assessment (EA) on March 8, 2012. The City has obtained all required permits including the Coastal Development Permit for the project. Detailed construction drawings were prepared between winter 2011 and summer of 2012, bidding will take place in November of 2012, and project construction will begin in spring 2013. Cultural resources mitigation would likely be implemented first (January through March of 2013), with major construction efforts beginning in April 2013. Restoration activities would continue throughout the year and for an additional three years (2012-2015).

The Johnson Property is located on Soldier Point on the Fort Bragg coast, overlooking Soldier Bay (Exhibits 1 and B). The property comprises the majority of this beautiful peninsula that sticks out into the Pacific Ocean and provides stunning elevated and unobstructed views of miles of craggy California coastline. The site includes a large and striking rock formation called “Johnson Rock,” which will likely attract visitors to the site. The property offers excellent coastal bluff scrub habitat, with rare plant occurrences and observations of burrowing owl. One of the major objectives in acquiring this property is to protect these natural resources and allow for managed public access. The property contains an unpaved road which is expected to be improved and utilized as a portion of the coastal trail, which will minimize impacts to the adjacent sensitive resources. The fair market value of the Johnson Property is expected to be around \$415,000. An updated appraisal is being prepared. Conservancy funding would pay for approximately \$277,000 of the fair market value. The City will raise the remaining funds necessary to complete the acquisition.

The City is highly qualified to carry out this project. It has demonstrated a strong commitment to and capacity for developing parks and other public access opportunities on its coast. The City currently owns and maintains three parks comprising over 24 acres as well as the as-yet unopened approximately 82-acre Noyo Headlands Park. The City opened the 18-acre Pomo Bluffs Park to the public in 2006, and utilized a Conservancy grant to construct trails and associated access facilities at the site in 2009. The City is completing a project to enhance natural resources and improve access facilities at the five acre Otis Johnson Wilderness Park. The project includes removal of invasive plants and bioengineering to prevent erosion, and has involved collaboration with the Fort Bragg Middle School and the Jughandle Creek Farm and Nature Center.

Site Description: The North Parkland includes 17.1 acres and is located on the Mill Site immediately south of the Glass Beach Headlands (Exhibit 2). It extends east from the Pacific Ocean and is approximately 110 ft wide, but varies in width due to the variegated bluff edge. This area was formerly used, in part, for finished lumber storage, Mill Site waste disposal, a golf course, dynamite storage, and a scrap yard. The site is currently an unused finished lumber storage area. Approximately 80% of the site is covered by pavement and/or hard packed gravel, a small dynamite storage shack, security fencing, warning signage, and developed access roads.

The North Parkland is currently impacted by stormwater from the remainder of the Mill Site. The heavy stormwater flows have resulted in concentrated areas of bluff erosion of the site due to extensive storm water flows hitting low berms along the bluff edge and resulting in bluff edge undercuts. In addition to developed areas, the site includes coastal terrace prairie, northern coastal bluff scrub, and freshwater seeps. There is currently no public access to this site.

The South Parkland includes 66.5 acres, approximately 20% of which is currently paved with asphalt or compressed gravel. This area is bordered on the north by the City's wastewater treatment plant, the west by the Pacific Ocean, the east by the Mill Site, and the south by Noyo Bay. The area was formerly used, in part, as a lumber operations mill, fill disposal, a cemetery, an airstrip, and log storage. The site is currently largely undeveloped and is comprised primarily of introduced perennial grassland dominated by velvet grass and sweet vernal grass. It also includes some large areas of pavement and/or hard packed gravel, an abandoned runway, developed dirt and gravel access roads, and large areas of soil fill. The South Parkland also includes areas of wax myrtle riparian wetlands, northern coastal bluff scrub, creeping wildrye grassland, and coastal terrace prairie. The site is currently not in use and public access is restricted.

The North and South Parkland both support occurrences of three rare plant species, located primarily within northern coastal bluff scrub and coastal terrace prairie areas. Two of these species, Blasdale's bent grass and short-leaved evax, are ranked as fairly endangered in California by the California Native Plant Society (CNPS List 1B.2). The third species, Menzies' wallflower, is federally and state listed as endangered, and ranked as seriously endangered by the California Native Plant Society (CNPS List 1B.1). The North and South Parkland also support cultural and historic resources, including extensive subsurface cultural resource deposits, prehistoric and historic dump sites, a pioneer cemetery and the "dynamite shack."

The Glass Beach Drive Right of Way (ROW), owned by the City, is a 60-ft wide ROW that extends from the end of the Pudding Creek Trestle Bridge to Elm Street. The ROW is currently developed with a 5-ft wide sidewalk (eastside), the 34-ft wide Glass Beach Drive, and a drainage swale and associated infrastructure. An informal parking area exists on the southern edge of the ROW, adjacent to Glass Beach Headlands, and an 18-space developed parking area is located at the northern terminus of Glass Beach Drive at the Pudding Creek Trestle Bridge.

The Johnson Property consists of four acres of coastal bluff scrub. It supports occurrences of Blasdale's bent grass and short-leaved evax, and provides habitat for burrowing owl.

Project History: The Conservancy has worked with the City for a number of years to develop public access along the coast, and at the Mill Site in particular. After Georgia Pacific ceased operations at the Mill Site in 2002, the Conservancy provided a planning grant of \$136,000 to the City in 2003 to consider alternatives for the restoration and reuse of the area. As noted above, the project area, now named Noyo Headlands Park, was acquired by the City from Georgia Pacific with a Conservancy grant of \$4,165,000 in 2009. In addition, the Conservancy provided a \$250,520 reimbursable grant to the City in 2010 to acquire an additional 12 acres of the Mill Site as the site of a future marine and coastal science research and education center.

The Conservancy also provided funding to the City to acquire and enhance Pomo Bluffs Park, which borders the Mill Site to the south. In 2001, the Conservancy provided the City with \$520,000 in grant funds and \$274,000 in Caltrans mitigation funds to acquire 20 acres in fee

simple and additional access easements for Pomo Bluffs Park. In 2003 and 2004, the Conservancy provided \$78,000 in Caltrans mitigation funding and \$631,200 in grant funds to plan and construct access improvements at the park. In October 2002, the Conservancy assisted the State Department of Parks and Recreation in acquiring the Glass Beach property, which borders the Mill Site to the north.

In addition to its work on the Mill Site and adjacent areas with the City and State Parks, the Conservancy has been actively engaged with coastal trail planning and construction in Mendocino County. For example, the Conservancy granted \$207,500 to the Mendocino Land Trust in 2006 to prepare the Mendocino County Coastal Trail Plan.

PROJECT FINANCING

Coastal Conservancy	\$1,362,000
Caltrans	\$1,644,301
Sustainable Communities	\$143,000
State Parks	<u>\$5,294,495</u>
Total Project Costs	\$8,669,018

The expected sources of Conservancy funds for this project are: 1) the FY 2002-03 appropriation (re-appropriated in FY 2010-11) to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), and 2) a Caltrans mitigation fund for its retrofit of the Noyo River Bridge that is held in the Conservancy Coastal Trust Account. Proposition 84 funds may be used for projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote access to and enjoyment of the coastal resources of the state, provided that such projects are consistent with the Conservancy’s enabling legislation, Division 21 of the Public Resources Code. The proposed project will serve to restore and enhance coastal lands by restoration of approximately 18 acres of asphalt and invasive plant communities into grasslands, dunes, wetland bioswales, and other habitats, including efforts to establish new populations of three sensitive plant species. The project will also promote access to and enjoyment of a portion of the coast that has been privately held and unavailable to the public for centuries. In addition, as discussed below, the project is consistent with Chapter 9 of Division 21.

Proposition 84 also requires that for acquisition or restoration projects that protect natural resources, the Conservancy assess whether the project meets at least one of the criteria specified in Section 75071(a)-(e). The proposed acquisition and restoration project satisfies one of the specified criteria, in that the City will secure a significant non-state matching contribution towards the acquisition of the property, and will provide funding for ongoing stewardship and management of the property. . Finally, as required by Section 75701, Conservancy staff has submitted to the Resources Agency and has posted on the Conservancy’s website an explanation as to how the proposed acquisition meets the criteria of that section.

Approximately \$38,300 of the Conservancy’s authorization are expected to come from a Caltrans mitigation fund for its retrofit of the Noyo River Bridge that are held in the Conservancy Coastal Trust Account. Pursuant to a special condition of Caltrans’ coastal development permit for the bridge

retrofit, and as subsequently memorialized in an MOA between the Coastal Commission, the Conservancy, and Caltrans, the Noyo River Bridge Mitigation fund must “only be used to acquire and improve...land in the Fort Bragg or Mendocino County area as a public recreational area offering views of the Pacific Ocean.” Hence, use of these funds to construct the Fort Bragg Coastal Trail project is entirely consistent with funding source requirements. After this authorization, the mitigation fund would be exhausted.

Matching funds for the project include the following funds from Caltrans: 1) a federal appropriation of \$742,000 for project design to the Federal Highway Administration/Caltrans, 2) \$557,600 in Highway Safety Improvement Program Funds, and 3) \$3445,701 in Bicycle Transportation Account funds. State Parks awarded two Proposition 84 grants to support the project, totaling \$5,294,495. In addition, the Noyo River Harbor District will deliver dredge sands from the Noyo River to the project site to be utilized for capping cultural resources in trail construction, at an estimated savings to the project of \$450,000.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project will be undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 et seq.) relating to the provision of public access to the coast. Under Section 31400, the Conservancy is directed to have a principal role in the implementation of a system of public accessways to and along the state's coastline.

The project is consistent with Public Resources Code Section 31400.1, which allows the Conservancy to provide grants to public agencies to acquire and develop lands for public access purposes. As authorized by this section, the Conservancy would provide funds to allow the City of Fort Bragg, a public agency, to develop a trail and associated facilities for public access to Noyo Headlands Park, which is currently only open to the public through occasional guided walks. As also required by this section, the acquisition of the Johnson Property and the development of public access on that property will serve more than local needs, as detailed in the “Consistency with Conservancy’s Project Selection Criteria & Guidelines” section, below, under “Required Criteria”, subsection “6. Greater-than-local interest”.

Section 31400.2 states that the amount of funding provided by the Conservancy shall be determined by the total amount of funding available for coastal public accessway projects, the fiscal resources of the applicant, 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 provisions of the division. Consistent with Section 31400.2, the amount of funding to be provided by the Conservancy was determined based on the project’s high public benefit and the limited resources of the applicant, as well as the high degree of leveraging of Conservancy funds by other funds secured for the project by the applicant.

Section 31400.3 states that the Conservancy may provide such assistance as is required to aid public agencies in establishing a system of public accessways. Consistent with this section, the Conservancy would provide funds to the City of Fort Bragg, a public agency, required to provide public access to the Noyo Headlands Park by means of a trail and associated facilities.

Above all, this project carries out the requirements of sections 31408 and 31409, which mandate that the Conservancy coordinate the development of the California Coastal Trail and authorizes the award of grants to carry out that purpose.

CONSISTENCY WITH CONSERVANCY'S 2007 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1, Objective D** of the Conservancy's 2007 Strategic Plan, the proposed project will construct an approximately 4.2 miles of new segment of the California Coastal Trail.

Consistent with **Goal 2, Objective B** of the Conservancy's 2007 Strategic Plan, the proposed project will assist in the creation of a waterfront park.

Consistent with **Goal 2, Objective C** of the Conservancy's 2007 Strategic Plan, the proposed project will open approximately four miles of the Fort Bragg coastline that are currently only open to public use through occasional guided tours. Consistent with Objective 2C, the City has worked closely with the community and neighboring landowners in designing public access facilities for the park, and has designed the project so as to minimize impacts on sensitive natural resources.

Consistent with **Goal 3, Objective B** of the Conservancy's 2007 Strategic Plan, the proposed project will restore four miles of Fort Bragg's waterfront. The site of Noyo Headlands Park is currently an abandoned industrial site. After the project is complete, the park will promote public access to the coast, increase wheelchair accessibility, and protect the abundant cultural resources at the site.

Consistent with **Goal 5, Objective B** of the Conservancy's 2007 Strategic Plan, the proposed project will restore approximately 18-20 acres of coastal habitats, including coastal dunes, grasslands, and wetlands in place of existing asphalt and compacted gravel surfaces. The project also includes extensive invasive plant removal activities on 30 percent of the unpaved portion of the site.

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 November 10, 2011, 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 project is broadly supported by the public (Exhibit 4).
4. **Location:** The proposed project would be located within the coastal zone of the City of Fort Bragg.
5. **Need:** The project has secured significant outside funds, but will not be able to move forward without Conservancy funding.

6. **Greater-than-local interest:** The proposed project is a unique and historic opportunity to provide public access to a significant portion of the coast. The project will not only benefit the residents of Fort Bragg, but residents of and visitors to the entire Mendocino Coast, which is a statewide and national scenic and recreational destination. Furthermore, development of public access at this location will provide an important link in the California Coastal Trail.
7. **Sea level rise vulnerability:** The coastal trail and associated facilities will be located on a coastal blufftop that is approximately 40-50 ft in height. The project design included an analysis of coastal bluff erosion and retreat due to ongoing sea level rise and increased storm intensity. The analysis concluded that portions of the trails would be affected by bluff retreat within the next 100 years. Over the long-term it may be necessary to abandon or relocate portions of the trail inland over time as bluffs retreat. The original project design called for the placement of the Elm Street parking area and associated buildings closer to the bluff edge. However, the final design moved the parking area and buildings further from the bluff edge, resulting in reduced vulnerability to bluff retreat, as well as reduced cultural resource impacts.

Additional Criteria

8. **Urgency:** The project has secured significant matching funds that must be utilized in the near future, and the public has been eagerly awaiting access to the project area since the City acquired the property in 2009.
9. **Resolution of more than one issue:** The project will provide public access to a significant portion of the coast, while also restoring habitat and facilitating the beneficial reuse of the remainder of the Mill Site.
10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** The project has obtained: 1) the remainder of the funds necessary for the project; 2) all permits required for implementation; 3) completed 90% design documents; and 4) has a certified final EIR for the project. The City anticipates beginning construction in spring of 2013.
12. **Realization of prior Conservancy goals:** “See “Project History” above.”
13. **Return to Conservancy:** See the “Project Financing” section above.
14. **Cooperation:** The community will participate in restoration activities, particularly over the long term. Public stewardship will be critical to maintaining the project.
15. **Vulnerability from climate change impacts other than sea level rise:** Climate change may result in fewer, but possibly more intense, rainstorm events producing high runoff and flooding in the project area. The project addresses this threat by increasing the amount of permeable area within the Mill Site and providing a more effective stormwater management system (bioswales, re-vegetation, restoration, and removal of asphalt and compacted gravel will result in better infiltration and stormwater management) and thereby potentially reducing runoff and improving stormwater quality.
16. **Minimization of greenhouse gas emissions:** Project design includes bicycle parking and multi-use trails that may ultimately increase bicycle use in Fort Bragg. The project includes

some characteristics that help minimize construction GHG emissions. The fill to be imported to the site would likely come from the adjacent Noyo Harbor dredge spoils pond or Newman Gulch reservoir, and therefore the distances to haul the material would be only a few miles, significantly less than would typically be expected. Further, the City has proposed to reuse the compacted gravel and asphalt which currently covers much of the North Parkland as base-rock materials for the parking lots, the trails, and stormwater improvements to the extent feasible. This will reduce emissions associated with the mining and transportation of new construction aggregate as well as with the disposal of the recycled materials.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the relevant portions of the City of Fort Bragg’s Local Coastal Program (LCP), certified in May 2008.

The City’s LCP states in Policy OS-16.17 (Coastal Trails) that the City shall “Develop a continuous trail system throughout the City which connects to the California Coastal Trail system.” Program OS-16.17.2 of the LCP states: “The City shall strive to complete the links in the California Coastal Trail (CCT) by participating and consulting with the National Park Service, the State Department of Parks & Recreation, the State Coastal Conservancy, Mendocino County, and other appropriate public and private entities and interested parties in designing, locating, funding, acquiring, and implementing the Fort Bragg California Coastal Trail Element.”

Consistent with this policy, the project will build the majority of the California Coastal Trail indicated in the City’s LCP.

The City’s prior Local Coastal Program (LCP), certified in 1988, states in Section III (D) that public access to coastal areas within the City of Fort Bragg is very limited due primarily to the location of the Mill Site “along virtually the entire city coastline,” and to “the incompatibility of such a heavy industrial use with public recreational uses.”

CONSISTENCY WITH THE CONSERVANCY’S STANDARDS AND RECOMMENDATIONS FOR ACCESSWAY LOCATION AND DEVELOPMENT:

The project is consistent with the Coastal Conservancy’s Standards and Recommendations for Accessway Location and Development. In particular:

Standard No. 1, Protect the Public and Coastal Resources: The accessway design for this project minimizes alterations of natural landforms while protecting against impacts to environmentally sensitive habitats and adjacent private residences. There will be signage and habitat protective fencing consisting of a 3-ft stake and wire fence, to clearly mark off-limit areas, in order to protect sensitive habitats, and to encourage users to stay on the trail.

Standard No. 2, Correct Hazards: This project will not increase the potential of any hazard and will correct potential hazards in the project area. The stormwater runoff improvements discussed in the Project Description above will reduce bluff undercuts and erosion.

Standard No. 5, Environmentally Sensitive Areas: The project design includes components such as signage and habitat protective fencing that will protect sensitive habitat

within the project area by restricting access to those areas. In addition, the project includes the restoration of grasslands, wetlands, and dunes in approximately 18 acres that are currently paved or dominated by weedy vegetation, creating a net benefit to environmentally sensitive areas.

Standard No. 8, Trails: This project provides public access to a portion of the coast that was previously not open to the public, and connects the Noyo Headlands Park to parks (Glass Beach and Noyo Harbor Beach) and portions of the coastal trail to the north and south of the project area. The project design addresses appropriate drainage and includes access amenities such as trash receptacles, bathrooms, interpretive signage, benches, and barriers to sensitive habitat areas.

Standard No. 13, Barrier-Free Access: The trail improvements will generally be wheelchair-accessible due to the relatively flat topography of the trail and will provide access for persons with disability as required by state law and by the Americans with Disabilities Act of 1990. The steepness of the cliff to the beach makes it infeasible to provide wheelchair access to this area; the cable stairs to the beach will preclude access to the beach by some user groups, such as wheelchair users, although visual access to the beach will be provided from the cliff top.

COMPLIANCE WITH CEQA:

The City of Fort Bragg, as lead agency for the Fort Bragg Coastal Restoration and Trail Project under the California Environmental Quality Act (CEQA), prepared an Environmental Impact Report (EIR) (See Exhibit 3). On August 8, 2011, the City certified the Final EIR and a Mitigation Monitoring and Reporting Plan (“MMRP”) with respect to the required mitigation measures. Scoping/Initial Study for the project determined that there would be no adverse impacts in the following areas: agricultural resources, mineral resources, noise, and recreation. The EIR examined and identified no impacts with regard to paleontological resources, and found only less than significant impacts in the following areas: aesthetics (temporary and partial obstruction of scenic vistas during Elm Street Extension and North Parkland construction), climate change (small amount of construction related greenhouse gas emissions), geology and soils (portions of trail lost to bluff retreat by 2100), hazardous waste/materials (hazardous materials will be used in servicing and fueling equipment on site during construction), land use and planning (cumulative impacts will be avoided or minimized by incorporation of design standards and procedures into proposed projects).

All other areas considered were found to have a less than significant impact once applicable mitigation measures were incorporated, as detailed below. Note that some of the mitigation measures in the FEIR applied to trail construction on the Glass Beach Headlands, which has since been removed from the project. The mitigation measures listed below are associated with the Glass Beach Drive, Elm Street Extension, North Parkland, and South Parkland project components, and the restoration of volunteer trail areas on the Glass Beach Headlands, which constitute the entirety of the project as it will be implemented.

Air Quality: Potential contribution to continued non-attainment of federal PM-10 standard would be mitigated by preparing and implementing a construction dust control plan, including measures such as limiting vehicle speeds, and watering stockpiles and excavation areas.

Biological Resources: The project could have temporary and permanent impacts to Environmentally Sensitive Habitat Areas (ESHA), jurisdictional wetlands, and endangered and

other special status plant species. The project may result in temporary impacts to one acre of Northern Coastal Bluff Scrub ESHA and 0.16 acres of wetlands on Glass Beach Headlands, and <0.04 acres of drainage ditch. Restoration within the Glass Beach Headlands would result in the temporary loss of some habitat, erosion, soil disturbance, and/or the crushing of whole (or parts of) sensitive plants (Blasdale's bentgrass, short-leaved evax, and Point Reyes blennosperma, all of which are listed as fairly endangered in California by the California Native Plant Society), which could result in injury or mortality. The project could impact Howell's spineflower and Menzies' wallflower individuals, both of which are federally listed endangered, although it has been designed to avoid these species. The project would also result in the restoration of 20 acres of native habitats. These adverse impacts would be mitigated to a less than significant level by the following measures:

- Avoid and minimize temporary impacts during construction by marking ESHA exclusion zones, avoiding herbicide use in ESHA, environmental training for construction workers, and maintaining a biological monitor onsite during construction.
- Protect wetlands through drainage control methods to reduce erosion or release of harmful substances to wetlands, and limiting disturbance within wetlands to June 15-October 31. An Erosion Control Plan and Stormwater Pollution Prevention Plan shall be prepared to guide these impact avoidance measures.
- Cleaning and refueling of construction equipment shall occur in a designated area. A Hazardous Materials Response Plan will be prepared to minimize any impacts from spills of construction fluids.
- Use native materials (straw) rather than non-native materials (jute) where possible.
- Project design modified to reduce trail area and associated facilities on Glass Beach Headlands and South Parkland.
- Prior to construction, the applicant will prepare a final Habitat Mitigation and Monitoring Plan (HMMP) to detail restoration methods, success goals, and monitoring criteria for vegetation and natural habitats. The HMMP will be consistent with Federal regulatory requirements and will be amended with any regulatory permit conditions, as required. The applicant will implement the HMMP during construction and following project completion.
- Any native riparian trees with >4 inch diameter at breast height or special status plants removed shall be replaced at a 2:1 ratio. Temporarily impacted jurisdictional areas will be restored at a 1:1 ratio.
- Rare plant surveys will be conducted in the flowering season prior to construction to delineate avoidance areas for special status plant species.
- Topsoil will be sequestered during construction and replaced during revegetation to preserve the seedbank.
- Project area will be weeded regularly to reduce invasive plants for at least 4 years.
- Potential habitat for Blasdale's bentgrass and Mendocino paintbrush will be created by removing invasive plants and asphalt from suitable areas and reseeding with native seed.

Potential project impacts to Ten Mile Shoulderband snails and Northern Red-Legged Frogs would be avoided by having a qualified biologist relocate any native shoulderband snails and red-legged frogs observed in disturbance areas during construction to suitable habitat outside disturbance areas.

Potential project impacts to nesting birds and other protected bird species would be mitigated to a less than significant level by the following measures:

- Vegetation shall be removed outside of nesting bird season (March 15 to July 31), if feasible.
- During nesting season, weekly bird surveys of construction areas that will be under construction shall be conducted by a qualified biologist, beginning 30 days prior to the disturbance of suitable nesting habitat. If a protected native bird nest is found, clearance/construction will not occur within an appropriate buffer/exclusion zone until August 1, or until any active nests are vacated and there is no evidence of a second attempt at nesting. Buffer zones shall be as follows: 300 ft for northern harrier and white-tailed kite nests, 100 ft for Bryant's savannah sparrow, as appropriate for other species.
- If avoidance is feasible, no project-related disturbance shall occur within 160 ft of occupied burrowing owl burrows documented at the Glass Beach Headlands during the nonbreeding season (Sept 1-Jan 31) or within 250 ft during the breeding season (Feb 1-Aug 31). With avoidance, a minimum of 6.5 acres of foraging habitat (300-ft foraging radius around the burrow) shall be permanently preserved contiguous with occupied burrow sites for each pair of breeding burrowing owls or each single unpaired resident bird.
- Occupied burrows shall not be disturbed during the nesting season (Feb 1- Aug 31) unless a qualified biologist verifies through noninvasive methods that either birds have not begun egg-laying and incubation; or juveniles from the occupied burrows are foraging independently and capable of independent survival.
- When destruction of occupied burrows is unavoidable, existing unsuitable burrows shall be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1 on protected lands.
- If avoidance requirements cannot be met and owls must be moved away from the disturbance area, passive relocation techniques shall be used rather than trapping. Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 160 ft from the impact zone and that are within or contiguous to a minimum of 6.5 ac of foraging habitat for each pair of relocated owls. Relocation of owls shall only be implemented during the non-breeding season. On-site habitat shall be preserved in a conservation easement and managed to promote burrowing owl use of the site.

Potential impacts to marine mammal pupping/nursing habitat and haul-out areas will be reduced to a less than significant level by the following measures:

- Prior to construction, a qualified biologist shall conduct surveys to identify potential marine mammal haul-out sites in the vicinity of the BSA. If project activities will occur within designated exclusion zones, the qualified biologist shall survey potentially

affected beach areas for presence of marine mammals. The surveys shall occur the day before work activities are scheduled to commence, with both a morning and afternoon count. If a marine mammal is found to be hauled out within a defined exclusion zone, project construction shall not occur within that exclusion zone until the marine mammal has departed. The condition of any marine mammal observed shall be noted. Marine Mammal Center personnel shall be contacted if the animal appears to be injured or in distress.

- During construction, monitoring by a qualified biologist shall occur every morning work is scheduled to occur for the proposed project within designated exclusion zones. The qualified biologist shall have the authority to halt work if it is determined that project activities are impacting marine mammals.

Cultural Resources: Potential project impacts to historical resources related to the Offshore Monument and cultural resources within the Fort Bragg Native American Archaeological District would be mitigated to a less than significant level by the following measures:

- Realign the Elm Street parking lot, restroom, and all utilities to a location further east of the originally proposed location.
- Use fence and sign supports that minimize the depth and breadth of disturbance. Where feasible, eliminate “habitat protective” fencing, shown in the plans, where such fencing is not necessary to protect habitat.
- Attach benches to asphalt pads with hardware that does not disturb cultural resource deposits.
- Place interpretive, safety, and habitat protection signage outside of cultural resource sites.
- Realign primary trails, and/or realign/delete secondary trails to avoid sites P-23-4292, and P-23-4864.
- Prior to construction, the City of Fort Bragg shall hire a qualified cultural resources consultant to assist in implementation of all cultural resources mitigation measures.
- To protect cultural resources, prior to construction, the City of Fort Bragg shall prepare an Environmentally Sensitive Area (ESA) action plan. The plan shall be implemented prior to, during and after construction, as applicable. ESA action plans for the significant cultural resources identified shall be clearly described and illustrated in the final construction plans and specifications prepared to guide construction of the project.
- ESA action plans will be discussed during the preconstruction meeting. The importance of ESA action plans will be discussed with construction personnel and it will be stressed that no construction activity (including storing or staging of equipment or materials) should occur within the ESAs and that workers must remain outside of the ESAs at all times. Additionally, construction personnel will be informed of historic preservation laws that protect archaeological sites against any disturbance or removal of artifacts.
- One week prior to initiating any ground disturbance, the archaeologist will perform a field review of completed installation of ESA protections (permanent and/or temporary plastic fencing). Laminated “Keep Out” signs will be posted along ESA fencing to unmistakably indicate that the fencing marks areas that are off-limits during construction.

- The archaeologist will be notified when construction begins and will inspect the construction area as necessary during excavation work to ensure that the ESAs are not violated. Inspections shall occur at least weekly with reports provided to relevant agencies. Archaeologist will notify the City of Fort Bragg and the State Historic Preservation Officer within 48 hours of any ESA violation or unanticipated discovery to determine how it will be addressed. Consultation with Native Americans shall also be included.
- The City of Fort Bragg shall prepare a four year monitoring plan that includes an annual review of the sites in the project ADI to assess cumulative impacts, measures to address impacts, and an annual report of findings, which would be available for review by the public and resource agencies. That plan shall be implemented for at minimum four years, or until it is clear that resources are no longer impacted by the project.

Transportation and Traffic: The project could create a traffic safety hazard for bicyclists and pedestrians trying to cross Highway 1 to access the South Parkland. To mitigate this potential impact to a less than significant level, the City shall coordinate with Caltrans to identify and develop designated pedestrian access to the South Parkland, such as a high visibility crosswalk with bulb outs and a pedestrian safety island to be installed at the Highway 1/Noyo Point Road intersection. In addition, the City shall install a “Right Turn Only” island at this intersection, consistent with the Caltrans Highway Design Manual.

Water Quality: Construction of the proposed project could alter the existing storm water system, potentially expose native soils and fill to storm water, and result in erosion and sedimentation. To mitigate this potential impact to a less than significant level, final Drainage plans shall be prepared and implemented, including measures such as constructing bioswales with side slopes shall be no steeper than 3:1, constructing them in existing compacted gravel and/or native soil to the maximum extent feasible maximizing onsite infiltration as feasible and required by the City’s Coastal General Plan.

On August 8, 2011, the Fort Bragg City Council adopted a resolution certifying the Final Environmental Impact Report and adopted findings and a Mitigation Monitoring and Reporting Program for the Fort Bragg Coastal Restoration and Trail Project (Exhibit 3).

Staff has independently reviewed the FEIR, the public comment, and the Mitigation Monitoring and Reporting Program and concurs that there is no substantial evidence based upon the whole record that the project as mitigated will have a significant adverse effect on the environment. Staff therefore recommends that the Conservancy find that the project as designed avoids, reduces or mitigates the potentially significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.

Upon Conservancy approval, staff will file a notice of determination for the project.