Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

For U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Sacramento, CA 95814

☒ County Clerk
County of: Mendocino
Address: 501 Low Gap Rd, Room 1020
Ukiah, CA 95482

From:
Public Agency: City of Fort Bragg
Address: 416 N. Franklin
Fort Bragg, CA 95437
Contact: Marie Jones
Phone: 707-961-1807

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2009112071

Project Title: Fort Bragg Coastal Restoration and Trail project

Project Location (include county): Mendocino

Project Description:

The Fort Bragg Coastal Restoration and Trail Project, located on the western edge of the City of Fort Bragg, consists of habitat restoration of approximately 24 acres and construction of 4.5 miles of new multi-use and pedestrian trails stretching from Pudding Creek Trestle south to the Noyo Bridge. The project includes construction of a three parking lots, three restrooms, interpretive and safety signage, benches, and permiter fencing.

This is to advise that the City of Fort Bragg ☒ Lead Agency or ☐ Responsible Agency has approved the above described project on August 24, 2011 (Date) and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: 416 N Frankin Street, Fort Bragg CA 95437

Signature (Public Agency) Marie Jones Title Community Development Director

Date September 6, 2011

Date Received for filing at OPR

2011-E0067
Recorded at the request of:
CITY OF FORT BRAGG
09/12/2011 09:39 AM
Fee: $2889.25 Pgs: 1 of 1

OFFICIAL RECORDS
Susan M. Ranochak - Clerk-Recorder
Mendocino County, CA

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2005

POSTED FROM SEP 12 2011 TO: 10/11/11

Fort Bragg Coastal Restoration and Trail Project

Final Environmental Impact Report

Prepared for:
City Council &
Planning Commission
City of Fort Bragg

Prepared by:
Marie Jones
Community Development Director
City of Fort Bragg

July 2011

This page intentionally left blank.

INTRODUCTION

A Final Environmental Impact Report (EIR) as defined by the California Environmental Quality Act (CEQA) *Guidelines* §15132 must contain:

- The draft EIR or a revision of the draft.
- Comments and recommendations received on the draft EIR either verbatim or in summary.
- A list of persons organizations and public agencies commenting on the draft EIR
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- Any other information added by the Lead Agency.

This volume constitutes the Final EIR (FEIR) and contains an Errata Sheet and Response to Comments on the June 2011 Draft EIR. The Response to Comments section of this volume consists of tables listing persons, organizations, and public agencies commenting on the Draft EIR; verbatim comments received through the EIR process; and responses by the lead agency to comments received. The full EIR, including the Draft EIR and this Final EIR, is available at 416 N Franklin Street, Fort Bragg CA and online at: http://city.fortbragg.com

This page intentionally left blank.

RESPONSE TO COMMENTS

The Response to Comments section includes comment letters for the Fort Bragg Coastal Restoration and Trail Project Draft EIR. An errata sheet has been prepared summarizing the changes to the Draft EIR. Where appropriate, the number of the errata will be mentioned in the response to comments so that the reviewers can see the proposed changes to the Draft EIR. Once the City has certified the EIR, these comment letters, responses, and the errata, will be considered the Final EIR. The errata also include additional references identified in this chapter.

The following agencies and members of the public have prepared comments on the Draft EIR:

Respondent	Code	Contact	Page
State of California **Office of Planning and Research** **State Clearinghouse and Planning Unit** On Line Announcement of Filing Received:	OPR	1400 10th Street Sacramento, CA 95812 www.ceqanet.ca.gov	9-4
Joint City Council and Planning Commission **Public Hearing of Draft EIR** Comments received from: ▪ Sue Smith, Glass Beach Advocates ▪ Thomas Langenderfer ▪ Wallace Clark, Noyo Indian Community ▪ Dusty Dillion, Noyo Harbor District Commissioner ▪ Fay Yee ▪ Jim Tarbell, NHUDG ▪ George Reinhardt, NHUDG ▪ Gabriel Quinn Maroney ▪ Teri Jo Barber ▪ David Jensen ▪ Cat Talbot ▪ Dorothy Tobkin ▪ Amy Wynn ▪ Katie Terhaar **Minutes dated June 8th, 2011**	PH	Nancy Philips Administrative Assistant 416 N Franklin Street Fort Bragg 961-2827	9-6
Sue Smith **Glass Beach Advocates** Letter dated Jun 1, 2011 Letter dated May 23, 2011 Letter dated Jun 16, 2011	GBA	P.O. Box 457 Mendocino CA 95460	9-13 9-15 9-17
Joel Gerwein **Coastal Conservancy** Letter dated Jun 22, 2011	CC	1330 Broadway, 13 Floor Oakland CA 94612	9-19
Dusty Dillion Email dated June 20, 2011	DD	worldsend@saber.net	9-21
Jesse Robertson **Department of Transportation** Letter dated Jun 17, 2011	DOT	Caltrans District 1 PO Box 3700 Eureka, CA 95502	9-24

Respondent	Code	Contact	Page
S.V. Wilcom Letter dated June 20, 2011	SVW	P.O. Box 1837 Mendocino CA 95460	9-26
David & Gail Daly Letter dated June 8, 2011	DGD	PO Box 670 Mendocino, CA 95460	9-31
Ron and Manrie White Email dated June 28, 2011	RMW	ronandmarnie@comcast.net	9-33
Henry Manuel Mila Letter dated June 21, 2011	HMM	State Prison #F26875 c.c.c L2-101 P.O. Box 2210 Susanville, CA 96127	9-35
Alicia Guerra Letter dated July 5, 2011	AG	Briscoe Ivester & Bazel LLP 155 Sansome Street, 7th Floor San Francisco, CA 94104	9-37
Shelley Landon Letter dated July 5, 2011	SL	32300 Airport Road Fort Bragg, CA 95437	9-40

The letters of comment are given in the above order with the responses following the individual letters. Letters of comment are reproduced in total, and numerical annotation has been added as appropriate to delineate and reference the responses to those comments.

Notice of Completion for Fort Bragg Coastal Restoration and Trail Project Draft EIR.

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Fort Bragg Coastal Restoration and Trail Project
Lead Agency: City of Fort Bragg — Contact Person: Marie Jones
Mailing Address: 416 N Franklin Street — Phone: 707-961-1807
City: Fort Bragg CA — Zip: 95437 — County: Mendocino

Project Location: County: Mendocino — City/Nearest Community: City of Fort Bragg
Cross Streets: Elm St. & Glass Beach Dr., Noyo Point Rd & Main Street — Zip Code: 95537
Longitude/Latitude (degrees, minutes and seconds): 39 ° 25 ' ___ " N / 123 ° 48 ' ___ " W — Total Acres: 129 acres
Assessor's Parcel No.: 008-010-24/25/34/35 008-020-10/11 — Section: ___ Twp.: ___ Range: ___ Base: ___
Within 2 Miles: State Hwy #: Highway 1 — Waterways: Noyo River, Pudding Creek
Airports: None — Railways: Skunk Trail RR — Schools: Ft Bragg High School, M

Document Type:
CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☐ Mit Neg Dec ☑ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ___ Other: ___
NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI
Other: ☐ Joint Document ☐ Final Document ☐ Other: ___

Local Action Type:
☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan
☐ Rezone ☐ Prezone ☐ Use Permit ☐ Land Division (Subdivision, etc.)
☐ Annexation ☐ Redevelopment ☑ Coastal Permit ☑ Other: Design Review

Development Type:
☐ Residential: Units ___ Acres ___
☐ Office: Sq.ft. ___ Acres ___ Employees ___
☐ Commercial: Sq.ft. ___ Acres ___ Employees ___
☐ Industrial: Sq.ft. ___ Acres ___ Employees ___
☐ Educational: ___
☑ Recreational: 129 acre coastal restoration and trail project
☐ Water Facilities: Type ___ MGD ___
☑ Transportation: Type Multi-use bicycle path
☐ Mining: Mineral ___
☐ Power: Type ___ MW ___
☐ Waste Treatment: Type ___ MGD ___
☐ Hazardous Waste: Type ___
☐ Other: ___

Project Issues Discussed in Document:
☑ Aesthetic/Visual
☐ Agricultural Land
☑ Air Quality
☑ Archeological/Historical
☑ Biological Resources
☐ Coastal Zone
☑ Drainage/Absorption
☐ Economic/Jobs
☐ Fiscal
☐ Flood Plain/Flooding
☐ Forest Land/Fire Hazard
☑ Geologic/Seismic
☐ Minerals
☐ Noise
☐ Population/Housing Balance
☐ Public Services/Facilities
☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☑ Soil Erosion/Compaction/Grading
☐ Solid Waste
☑ Toxic/Hazardous
☑ Traffic/Circulation
☑ Vegetation
☑ Water Quality
☐ Water Supply/Groundwater
☑ Wetland/Riparian
☐ Growth Inducement
☑ Land Use
☐ Cumulative Effects
☐ Other: ___

Present Land Use/Zoning/General Plan Designation:
Timber Resources Industrial

Project Description: *(please use a separate page if necessary)*
The Fort Bragg Coastal Restoration and Trail Project, located on the western edge of the City of Fort Bragg, consists of habitat restoration of approximately 24 acres and construction of 4.5 miles of new multi-use and pedestrian trails stretching from Pudding Creek Trestle south to the Noyo Bridge. The project includes construction of a new parking lot and access road at the end of Elm Street and a new parking lot and access road at the intersection of Noyo Point Road and Main Street. The project includes the renovation of the existing parking lot at the south end of the Pudding Creek trestle bridge, construction of two welcome centers, three restrooms, bicycle parking racks, interpretive and safety signage, and perimeter fencing. The project requires two coastal development permits and design review for 008-010-24/25/34/35, 008-020-10/11/12, 018-430-09/10/11.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2008

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

X Air Resources Board
___ Boating & Waterways, Department of
___ California Highway Patrol
X Caltrans District # 1
___ Caltrans Division of Aeronautics
___ Caltrans Planning
___ Central Valley Flood Protection Board
___ Coachella Valley Mtns. Conservancy
X Coastal Commission
___ Colorado River Board
___ Conservation, Department of
___ Corrections, Department of
___ Delta Protection Commission
___ Education, Department of
___ Energy Commission
X Fish & Game Region # 1
___ Food & Agriculture, Department of
___ Forestry and Fire Protection, Department of
___ General Services, Department of
___ Health Services, Department of
___ Housing & Community Development
___ Integrated Waste Management Board
X Native American Heritage Commission
___ Office of Emergency Services
X Office of Historic Preservation
___ Office of Public School Construction
X Parks & Recreation, Department of
___ Pesticide Regulation, Department of
___ Public Utilities Commission
X Regional WQCB # 1
___ Resources Agency
___ S.F. Bay Conservation & Development Comm.
___ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
___ San Joaquin River Conservancy
___ Santa Monica Mtns. Conservancy
___ State Lands Commission
___ SWRCB: Clean Water Grants
___ SWRCB: Water Quality
___ SWRCB: Water Rights
___ Tahoe Regional Planning Agency
X Toxic Substances Control, Department of
___ Water Resources, Department of
___ Other: ___
___ Other: ___

Local Public Review Period (to be filled in by lead agency)

Starting Date May 17, 2011 — Ending Date July 5, 2011

Lead Agency (Complete if applicable):

Consulting Firm: SWCA
Address: 1422 Monterey Street, Suite C200
City/State/Zip: San Luis Obispo, CA 93401
Contact: Keith Miller
Phone: (415) 282-1367

Applicant: Marie Jones, City of Fort Bragg
Address: 416 N. Franklin Street
City/State/Zip: Fort Bragg, CA 95437
Phone: 707-961-1807

Signature of Lead Agency Representative: ___ Date: May 12, 2010

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Revised 2008

State Clearinghouse Online Notification

California Home Thursday, June 30, 2011

OPR Home > CEQAnet Home > CEQAnet Query > Search Results > Document Description

Fort Bragg Coastal Restoration and Trail Project

SCH Number: 2009112071
Document Type: EIR - Draft EIR
Project Lead Agency: Fort Bragg, City of

Project Description

The Fort Bragg Coastal Restoration and Trail Project, located on the western edge of the City of Fort Bragg, consists of habitat restoration of approximately 24 acres and construction of 4.5 miles of new multi-use and pedestrian trails stretching from Pudding Creek Trestle south to the Noyo Bridge. The project includes construction of a new parking lot and access road at the end of Elm Street and a new parking lot and access road at the intersection of Noyo Point Road and Main Street. The project includes the renovation of the existing parking lot at the south end of the Pudding Creek trestle bridge, construction of two welcome centers, three restrooms, bicycle parking racks, interpretive and safety signage, and perimeter fencing. The project requires two coastal development permits and design review for 008-010-24/25/34/35, 008-020-10/11/12, 018-430-09/10/11.

Contact Information

Primary Contact:
Marie Jones
City of Fort Bragg
707-961-1807
416 N. Franklin Street
Fort Bragg, CA 95437

Project Location

County: Mendocino
City: Fort Bragg
Region:
Cross Streets: Elm Street and Glass Beach Drive, Noyo Point Road and Main Street
Latitude/Longitude: 39° 25' / 123° 48' Map
Parcel No: 008-010-24/25/34/35 , 008-020-10/11
Township:
Range:
Section:
Base:
Other Location Info:

Proximity To

Highways: Hwy 1
Airports: None
Railways: Skunk Trail
Waterways: Pacific Ocean, Noyo Harbor, Pudding Creek
Schools: Ft Bragg HS, MS
Land Use: Open Space, Timber Resources Industrial

Development Type

Recreational (129 acre trail, restoration and parkland project), Transportation: Other (Multi-use bicycle path)

Local Action

Local Coastal Permit, Other Action (Design Review)

Project Issues

Air Quality, Archaeologic-Historic, Biological Resources, Geologic/Seismic, Noise, Traffic/Circulation, Wetland/Riparian, Other Issues (Hydrology), Aesthetic/Visual, Soil Erosion/Compaction/Grading, Toxic/Hazardous, Vegetation, Water Quality, Landuse

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 1E; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; **Caltrans, District 1**; Regional Water Quality Control Board, Region 1; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received: 5/13/2011 **Start of Review:** 5/13/2011 **End of Review:** 6/27/2011

CEQAnet HOME | NEW SEARCH

State Clearinghouse Online Notification

Comment No.	Response
SCH-1	This notification identifies the agencies that were notified by the State Clearinghouse, which include: ▪ California Coastal Commission ▪ Department of Conservation ▪ Department of Fish and Game, Region 1E ▪ Office of Historic Preservation ▪ Department of Parks and Recreation ▪ Department of Water Resources ▪ California Highway Patrol ▪ Caltrans, District 1 ▪ Regional Water Quality Control Board, Region 1 ▪ Department of Toxic Substances Control ▪ Native American Heritage Commission ▪ State Lands Commission This notification is included for informational purposes and no further response to this letter is necessary.

Fort Bragg, California
June 8, 2011 (Special Joint Meeting)
Town Hall

A special meeting of the City Council of the City of Fort Bragg, the Fort Bragg Redevelopment Agency, and the Fort Bragg Planning Commission was called for the above date at the hour of 6:00 p.m. at Fort Bragg Town Hall, 363 N. Main Street, Fort Bragg, California.

ROLL CALL

Present: Councilmembers Meg Courtney, Dan Gjerde, Doug Hammerstrom, Jere Melo, and Mayor Dave Turner; Planning Commissioners Scott Deitz, Derek Hoyle, and Chair Mark Hannon.

Absent: Planning Commissioners Becky Ellis and Georgia Lucas.

1. PUBLIC HEARING

A. Conduct Public Hearing on the Fort Bragg Coastal Restoration and Trail Project Environmental Impact Report

The Agenda Item Summary prepared for this item was reviewed with the Council/Planning Commission by Community Development Director Jones who noted that the public comment period is open until July 5th. This public hearing is being held to receive comments from the public, Council, and Planning Commission; no decisions will be made tonight. Referring to maps displayed on the wall, Jones explained that the northern loop of the trail on Glass Beach Headlands has been deleted from the project since the 2009 Notice of Preparation was issued. Additionally, the EIR proposes two forms of mitigation that will further modify the design: 1) the platform on the Soldier's Bay Headland may be deleted to avoid impacts to rare plants; and 2) the minor loop trail on the southern portion of the North Coastal trail may be deleted due to potential impacts on cultural resources.

Discussion: The following was noted during discussion of this item:

- Speakers have five minutes to make their oral comments, but written comments will be accepted through July 5th.

Mayor Turner opened the public hearing at 6:20 p.m.

1. Sue Smith, Glass Beach Advocates, read aloud a letter dated June 1st that she wrote Council and Commission which stated that impacts such as the increased number of parkland users are not mentioned in the EIR. She is keenly interested in native plant protection and the rare and endangered plant community on Glass Beach bluffs. It is very desirable to have the parking area, bathrooms and storage area at Elm Street and not down on the bluffs. Smith emphasized that what they particularly protest is spraying herbicides over ice plant in and around a rare plant community. Smith said that the grantors of Ocean Energy Management gave $120,000 to State Parks and told her that the funds could be used for temporary fencing and hand pulling. She noted that the EIR should analyze the following: PH-1
   - The impact of spraying herbicides and using jute netting on the burrowing solitary bee, the pollinator of blemosperma;
   - The cumulative impact of spraying herbicides for three years needs to be analyzed;
   - The impact of the 51 foot long bridge on attracting additional visitors to the walking trails on Glass Beach Headlands. The impact of more visitors on the rare plant population needs to be analyzed;
   - The EIR should explore the alternative of using hand pulling of invasive ice plant as a mitigation measure for potential impacts to rare plants and the pollinators.
   - The impact of bluff erosion on the parking area. The project parking should be pulled back from the bluff edge closed to Elm Street.

   Smith stated that she supports Alternative 5.3.2
2. Thomas Langenderfer, NASHA, said that Native American Indians have rights to State Parks. The Bureau of Indian Affairs has appropriated $6.1 million to rehabilitate the sovereign nation and devise an economic engine to create jobs. He asked the Council and Commission to acknowledge the proposal that he submitted in 2009. PH-2
3. Wallace Clark, Noyo Indian Community, stated that when the trail was first being designed he PH-3

Fort Bragg, California
June 8, 2011 (Special Joint Meeting)
Page 2

brought up concerns about traffic in front of their community area. It will be unsafe for tourists to enter Highway One at Noyo Point Road as people drive 55-60 mph crossing the bridge. Instead, the walking trail should continue to the north side of the harbor via the old logging road that goes down to the dredge spoils site and parking area; this should be looked at as an alternative for the location of the south parking lot. Another factor to consider is drainage. When Affinito's hotel was developed there was no forethought about water runoff and one year Harriet Rhoad's house was flooded by storm runoff. The EIR should look at potential drainage issues for the Noyo Point Road homes. Clark stated that cultural resources should be considered and that not enough study has been done on the burials west of their houses. Himalayan blackberries and pampas grass on the bluff are invasive. PH-3

4. Dusty Dillion, Noyo Harbor District Commissioner, agreed with Clark, adding that the 1992 Noyo Harbor Draft Plan includes a path along the old rail bed next to the seaman's graveyard near Clark's house and allows people to enter from Cypress Street. One third of the dredge sands could be utilized to restore the road bed and dredge sands should be used to restore the site. The sands in the Noyo sand pile come from the same place as the drinking water. Runoff from Highway One adds most of the chemistry to that pond, a filter in the single drain below Affinito's property could remove runoff contamination. Geologists drilled 150' in the Noyo River Canyon and hit redwood. The Harbor District does not have the money to haul off the dredge sands, and it would be advantageous to use the same soil. Seamen who were coming and going from the sea and are buried on the bluff would be nearer to the ocean. PH-4
5. Fay Yee asked that geotextile fabrics not be used as they would become trash in the rare plant area. Instead use straw not encased in plastic. If the alternative of hand-pulling invasives is done we should recognize that there are no roads or hardened trails next to the places where people would be working and hand removal will also have impacts on rare plants. PH-5
6. Jim Tarbell, Noyo Headlands Unified Design Group (NHUDG), said that the trail should be planned keeping in mind Mill Site development. Tarbell mentioned that the south parking lot is temporary until Mill Site development to the north allows relocation of the entrance to Cypress Street. Noyo Point Road comes up out of a hole, and it is hard to see Highway One traffic. He felt that the trail to the Harbor would also be a valid approach. PH-6
7. George Reinhardt, NHUDG, agreed with Smith's comments about moving the north parking lot away from the bluff due to concerns about bluff erosion. TheEIR should look at bluff erosion impacts on north trail parking area and at hand pulling of invasive plants or reducing herbicides. It needs to look at the impact from people traipsing across the area to pull ice plant. PH-7
8. Gabriel Quinn Maroney stated that he found the Draft EIR online, but prefers to print from a single pdf. No pesticides should be used; manually pulling plants is preferred and should be explored as mitigation measure in the EIR. The north parking lot should not be on the bluff because of erosion factors, and the south parking lot should be temporary. This is really a celebration of diversity and ecology, with all different species. Maroney has photos of rare plants that he would be willing to donate for the trail. PH-8
9. Teri Jo Barber supported the idea of a trail from the cemetery to the harbor. Dredge sands should be recycled to create minor topography and a medium for growing native plants. Pavement on the north side should be recycled from the Mill Site so the trail has historic elements of the Mill Site as part of it. Barber said that she encourages open channel method of drainage embracing natural stream geology, direct drainage using a more articulated rock approach or, if that does not work, a hard culvert. Plastics are not smart. Investigate burning ice plant. PH-9
10. David Jensen asked whether the maps on the wall would be available for viewing. It is a no-brainer that having the north parking lot removed from the ocean does not prohibit anyone from accessing Glass Beach. Moving the south parking lot to the harbor would not be suitable for anyone not able-bodied and would limit access to anyone not sufficiently robust to make that climb. The EIR focuses only on the impacts to the environment from construction of the trail. The EIR does not look at, but should look at impacts to the environment (marine and bluff top) resulting from use/access PH-10

Fort Bragg, California
June 8, 2011 (Special Joint Meeting)
Page 3

that is afforded by the project especially from people climbing down the bluffs to gain access to the marine environment. The real harm to the environment will occur once the trail is open as people scramble down the bluff to go get their abalone.

11. Cat Talbot said that she was concerned with herbicide on the ice plant; not so much the herbicide itself as the agent (sufactant) that sticks to the plant and carries the herbicide. She recommended mechanical removal of the ice plant be considered as a mitigation measure. The south parking lot would be difficult to get in and out of and should be moved to Cypress Street which is accessible by stoplight; it would allow easier access for people with disabilities. There is a discrepancy in the report as the double-crested cormorant does not nest here. Brandt's cormorants are not mentioned in the report, but they nest here as do Pelagic cormorants. PH-11
12. Dorothy Tobkin clarified that double-crested cormorants do nest on the coast, but it is unlikely in the area you are talking about. PH-12
13. Amy Wynn reflected that, in considering how far to locate the parking area from the bluff, the EIR should consider the abundance of cigarette butts at parking lots where there are views. The abundance of cigarette butts stops about 200-300' from the parking lot; less than that and they wash into the ocean. PH-13
14. Katie Terhaar, student, complained that she would like to hike from Noyo Beach to Ten Mile, but the maps show that they are not connected on the Mill Site. The EIR should look at accessing the south parking lot from Cypress Street where there is a stoplight. The EIR should look at mechanical removal of ice plant. PH-14

Mayor Turner closed the public hearing at 7:07 p.m.

Discussion: The following was noted during continued City Council and Planning Commission discussion of this item:

a) CDs of the Draft EIR are available for purchase at City Hall. Maps on the wall are included in the Draft EIR though they differ from maps at the scoping sessions.
b) The north and south ends of the trail will be constructed before the middle section due to complicated remediation issues with the Mill Pond. The trail will connect once the middle section is completed. PH-15
c) It makes sense for the trail to connect to the harbor.
d) Engineers say that a connection to the harbor would require cable stairs to the beach which would not meet ADA standards which State funding requires. It is not possible to connect the trail to the parking lot because of the active dredge spoils site. At some point a decision will need to be made on what gets built first and what will be built later with funds yet to be identified.
e) The Draft EIR includes analysis of the north parking lots being in alternative locations.
f) Egress/ingress at Noyo Point Road is scary.
g) Dredge sands should be used in the project, but must be studied before they can be used for restoration and capping of cultural deposits.
h) A shortened trail on the State's property is a concern to the Fire Chief because ocean rescue is more dangerous the further it is from the bluff.
i) The north parking lot was designed near the bluff so people could sit in their cars and see the surf.
j) Restoration and habitat are not one and the same. None of this project is undisturbed land. It has been a Mill Site, a dump, a racetrack, and area to store construction materials.
k) Reuse of dredge sands may be a problem with the Regional Water Quality Board, but it is the same stuff as what is on the beach.
l) Page 4-190 says that access would not be allowed on the north edge of Glass Beach Headlands, but Page 4-15 says that scenic vistas would not be significantly impacted. One would not be able to see the Pudding Creek Trestle from the trail, only from the Headlands.
m) When the cold foam process used on Franklin Street, pavement was ground and injected with foam for the new road base. This could be a good use and mitigation of existing asphalt for the

Fort Bragg, California
June 8, 2011 (Special Joint Meeting)
Page 4

trail and parking lot. New technology allows grinding asphalt without heating it and using the cold liquid material to become the surface material. Asphalt could be reused on site or in alleys. PH-15 Continued
n) Herbicides should not be used for the project; hand pulling of invasives should be a mitigation measure instead of using herbicides. In other areas, entrepreneurs pickle ice plant and sell it as an edible product.

#200-09/C

Mayor Turner adjourned the meeting at 7:29 p.m.

_____
DAVE TURNER, Mayor

_____
MARK HANNON, Chair

ATTEST:

_____
Nancy Philips
Administrative Assistant

INDEXED: _____(_____) **IMAGED:** _____(_____)

Response to Meeting Minute Comments Provided During June 8th Public Hearing before a joint meeting of City Council and the Planning Commission

Comment No.	Response
PH-1	a) Existing mitigation measures in the DEIR would reduce biological resources impacts to a less than significant level. Nevertheless, revised Mitigation Measures BR/mm-18 through BR/mm-20 and revised mitigation measure BR/mm-25a would further reduce impacts and address these comments. Please see revised mitigation measure BR/mm-18, which will prohibit the use of herbicides on the Glass Beach Headlands project; revised mitigation measure BR/mm-18 will not result in new or substantially more severe significant impacts, since it will add no new activities capable of adversely affecting the environment. (In light of the revision of mitigation measure BR/mm-18 to prohibit use of herbicides, mitigation measures BR/mm-21, BR/mm-22, BR/mm-29, and BR/mm-30, which placed lesser limitations on the use of herbicides, are no longer needed and have been deleted in this FEIR. Mitigation measure BR/mm-24 has also been revised to delete provisions which place lesser limitations on the use of herbicides. These revisions to mitigation measures will not result in new or substantially more severe significant impacts, as any protection they would provide is made stronger under the prohibition on use of herbicides under revised mitigation measure BR/mm-18.) b) Please also see revised mitigation measure BR/mm-20 which requires hand pulling and mechanical removal of invasive plants in Environmentally Sensitive Habitat Areas (ESHA). Revised mitigation measure BR/mm-20 will not result in new or substantially more severe significant impacts, since it will add no new activities capable of adversely affecting the environment. c) The Final EIR includes a new mitigation measure BR/mm-20 which requires hand pulling of invasive plants in Environmentally Sensitive Habitat Areas. Revised mitigation measure BR/mm-20 will not result in new or substantially more severe significant impacts, as it includes safeguards such as flagging and requiring that a botanist monitor all hand and mechanical weeding in ESHAs. d) The EIR does discuss the fact that use of the project site would increase due to the project and the expected increase in tourist activity in general in Mendocino County. The bridge itself would not result in increased visitation.. Nevertheless, mitigation measure BR/mm-25a (see below) has been added to mitigate all ADA trail construction related impacts on the Glass Beach Headlands by requiring that all improvements to the existing volunteer trail be eliminated from the project. Mitigation measure BR/mm-25a will not result in new or substantially more severe significant impacts, as it will not add new activities or improvements capable of adversely affecting the environment. e) Existing mitigation measures in the DEIR would reduce cultural resources impacts to a less than significant level. Nevertheless, revised Mitigation Measure AR/mm-4 would further reduce impacts and address these comments. Revised mitigation measure AR/mm-4 requires the relocation of the Elm Street parking area to the east, in order to further reduce potential cultural resource impacts through avoidance of sites. Revised mitigation measure AR/mm-4 will not result in new or substantially more severe significant impacts, as it will relocate the Elm Street parking area to an area of proposed disturbance for the access road, the impacts of which were fully analyzed and mitigated in the DEIR.
PH -2	This comment does not address environmental impacts of the project or mitigation measures in the EIR.

Comment No.	Response
PH -3	a) A north bound turn from Noyo Point road onto Main Street is an illegal turn movement (the intersection is marked with a "no left turn" sign). The traffic analysis concluded that a southbound turn onto Main Street does not have a reduced level of service impact and thus requires no mitigation measures. b) An access road through the dredge sands site was considered but abandoned as an infeasible alternative due to the likely continued future use of this site for dredge sands storage. At some later date, if the site is no longer used for dredge sands storage and the Harbor District abandons its lease of the site from the City of Fort Bragg, this alternative access route could be considered. At this time it is not a feasible access route for the trail alignment or road access to the site. c) The design for the trail and parking area on the South Parkland area includes a drainage analysis and the installation of a linear bio-swale along the southern edge of the parking lot to infiltrate and convey storm water to a culvert that drains to the wetland area located to the west of the old cemetery. This bio-swale will capture all storm water from the parking area and trail project and convey it to the ocean. There will be no storm water impacts from the project on the Noyo Point Road homes. d) The Cultural Treatment Plan includes avoidance measures to ensure that construction activities will have no impact on possible burial sites. In the unlikely event that a burial is encountered the Cultural Treatment Plan includes procedures to properly handle the remains in accordance with State law.
PH -4	a) An access road through the dredge sands site was considered and abandoned as an infeasible alternative due to the likely continued future use of this site for dredge sands storage. At some later date, if the site is no longer used for dredge sands storage and the Harbor District abandons its lease of the site from the City of Fort Bragg, this alternative access route could be considered. At this time it is not a feasible access route for the trail alignment or road access to the site. b) Dredge sands are included as a potential source for project restoration activities in the EIR. Please see the project description on page 2-17 in the DEIR.
PH -5	Please see revised mitigation measure BR/mm-18, which prohibits the use of herbicides on the Glass Beach Headlands project. Please see revised mitigation measure BR/mm-20 which requires hand pulling and mechanical removal of invasive plants in Environmentally Sensitive Habitat Areas (ESHA). Please see also revised mitigation measure BR/mm-19, which minimizes the use of nonnative materials, such as jute webbing, and prefers the use of native material, such as straw and small woody material, for erosion control during restoration. Revised mitigation measure BR/mm-19 will not result in new or substantially more severe significant impacts, since it will add no new activities capable of adversely affecting the environment. Mitigation measure BR/mm-25a has been added to avoid all ADA trail construction related impacts on the Glass Beach Headlands by requiring that all improvements to the existing volunteer trail be eliminated from the project. The EIR does note that restoration activities could result in potential impacts to sensitive species, and includes mitigation to address them.
PH -6	Please see response to PH-4 and Ph-3 above.
PH -7	Please see response to comments PH-5 and PH-1 above.
PH -8	Please see response to comments PH-5 and PH-1 above.

Comment No.	Response
PH -9	a) Please see response to comments PH-5 and PH-1 above. b) As proposed, the project would not result in significant drainage impacts. The EIR has concluded that the proposed drainage system, including vegetated swales and increased onsite infiltration would result in potential beneficial impacts compared to existing conditions, despite the use of culverts. The project engineers explored the feasibility of including open channels to direct drainage over the bluff edge to the ocean, however the sheer forces involved are too strong to withstand the erosion forces produced by the large quantity of storm water that is generated on the upstream paved portions of the Mill Site, unless the channels are paved with Rock Slope Protection (RSP). The Coastal Act and the City's Certified Local Coastal Program do not permit shoreline structures such as RSP (see Policy SF-1.10 of the Coastal General Plan). Thus open channels are not a feasible storm water management solution for the site. c) The project description includes the reuse of paving materials on the site as base aggregate and to create asphalt berms upstream of the project to direct storm water flow into the bio-swales and drainage features of the project and thereby avoid the restoration areas. d) The project would allow burning of ice-plant with the appropriate air quality permits.
PH -10	The Biological Resources section and the Cultural resources section both note that the proposed project would result in increased access to the bluff edge, and sandy beaches below, and indicates that potential impacts would result. The commenter is correct in noting that the project would potentially provide greater access to those who wanted to access near shore and inter-tidal zone areas. However, Glass Beach and adjacent areas, including inter-tidal areas, is and has historically been accessed for beach glass collection and abalone picking (even historically when the area was privately owned and trespassing technically prohibited). In addition, there is existing public use of the beaches at the north end of Noyo Harbor (the southern edge of the South Parkland). Generally, the South Parkland has very high headlands (50 to 70 feet above sea level) and this site has no access to the inter-tidal zone west and north of the blow hole. The lack of access and the very dangerous bluffs reduces the potential for impacts to near shore and sub-tidal resources. The project has many features that were included to minimize the development of unauthorized trails down the bluffs to the beach, reduce impacts to near shore and sub-tidal environments, including: ▪ Designated stair access to a beach just south of Glass Beach, which will encourage ocean and beach access in an area where there is already existing intensive public visitation from beach combers, abalone pickers, and the curious who cross over from Glass Beach ▪ Habitat protective fencing to limit access to and over the bluff edge to the near shore and sub-tidal areas. ▪ Interpretive signage that provides information regarding the need to protect and keep your distance from: 1) rare plants; 2) off shore and bluff edge bird nesting habitats; and 3) the off shore monuments. ▪ A fenced preserve area that will prohibit people from accessing the only undisturbed area of the site, south of Soldiers Point, unless accompanied by a docent. ▪ Improved site access for the Department of Fish and Game and Abalone Watch to engage in enforcement activities. ▪ A restoration and drainage plan component that would substantially reduce the amount of concrete and asphalt eroding from the Mill Site directly into the near shore an inter-tidal habitat. These project components, along with the various existing mitigation measures in the EIR (including marine mammal and bird surveys prior to and during construction) reduce potential impacts to a less than significant level. No new measures are required.

Comment No.	Response
PH-11	a) Please see response to PH-1 b) Please see response to PH-3 c) The Double Crested Cormorant does nest on the coast, though no evidence of these cormorants was found during bird nesting surveys. The Brandt's Cormorant (*Phalacrocorax penicillatus*) was also not observed on the coast during bird surveys. However the mitigation measures (BR/mm-38 and BR/mm-39) proposed for the protection of the Double Crested Cormorant and the Black Oystercatcher will also be protective to the Brandt's Cormorant and reduce the impact to this species to less than significant.
PH-12	Refer to response to PH-11.
PH-13	Please see revised mitigation measure AR/mm-4 which requires the relocation of the Elm Street parking area to the east in order to further reduce potential cultural resource impacts.
PH-14	a) Comment noted. b) It is not feasible to access the South Parkland parking lot from the Cypress Street Gate, because Cypress Street, west of Main Street, is a privately owned road. The City does not have an easement over this property to provide access. The property owner is not interested in selling an easement or right of way to provide access at this time. Cypress Street may become an access point for the trail at such time as the remainder of the Mill Site is redeveloped. c) Please see revised BRmm-20, which addresses mechanical and hand pulling of invasive plants on Glass Beach Headlands.

Comment No.	Response
PH-15	The comments below are for each letter bullet point identified in the hearing minutes under discussion. a) Comment noted. b) Comment noted. c) Please see response to comment PH-4. d) Comment noted. e) Comment noted. f) Please see response to comment PH-3. g) Comment noted. h) Comment noted. Rescue access will be provided throughout the site through a number of gates along the site fence line. The proposed trail on Glass beach Headlands was not designed to accommodate rescue vehicles, as it was designed with a five foot width for pedestrian access only. The existing volunteer trail will be retained in the mitigated project which will provide the same access as is currently available for emergency personnel. i) Comment noted. j) Comment noted. k) Comment noted. The Regional Water Quality Control Board has review authority over the reuse of the dredge spoils for the trail site. l) There is no conflict between these two points. “Scenic vistas” refers to the view of the project site from nearby public rights of way, not to scenic views from the project site. m) Comment noted. Reuse of asphalt on or off site has the potential to further reduce the less than significant impacts to Green House Gas production and particulates associated with the transportation of demolition materials from the site. n) Please see revised mitigation measure BR/mm-18 through BR/mm-20.

REC'D JUN 07 2011

MARIE JONES
Community Development Director

PO BOX 457, Mendocino 95460 937 1649 June 1, 2011

For: Fort Bragg City Council and Planning Commission.

Re: STATEMENT ON BEHALF OF GLASS BEACH ADVOCATES for the GLASS BEACH portion of the COASTAL TRAIL DEIR - June 8th hearing.

I am speaking for Glass Beach Advocates. We are keenly interested in native plant protection and the rare and endangered plant community on Glass Beach bluffs. For some 3½ years we have protested State Park development plans on the bluffs. GBA-1

Their latest development and treatment program for Glass Beach bluffs fail DEIR requirements for full disclosure and detailed impact analysis.

Even if a project like the 51' long bridge from the beach to the bluffs is mentioned, the crucial "growth inducing" impacts are not. Surely a huge increase in walkers will result. Glass Beach has been included in MacKerricher State Park. Its Resource Management Plan has guidelines for sensitive wetlands and rare plant bluff units which dictate Natural Preserve status, a limiting factor. The Coastal Act similiarly discourages greater use of sensitive areas. GBA-2

The Historic Footpath can continue to be the trail that best serves Glass Beach bluffs at low intensity levels. GBA-3

All want to see the G-P bluff trail go forward swiftly. It will offer lovely coastal views over an even surface for miles!

The F.B. Local Coastal Plan depicts G-P trails along the bluff and also extending due south from Glass Beach Drive. It is very desirable to have the parking area, bathrooms and storage area at Elm St. and not down on the bluffs. These bluffs are eroding, harbor rare plants with sensitive bird habitat offshore. The geology report in the DEIR notes that any structure must be built 106' back from the bluffs. GBA-4

The Elm St. parking location is endorsed in the Alternatives book Section 5.3.2. as is the efficient building of multi-use trails <u>within</u> the Glass Beach Drive right of way. Consider the cost savings over the proposed choices in the DEIR requiring park land and wetland impact approvals! GBA-5

The 51' long bridge and 2000' of trails on the bluffs are also eliminated in Alternative 5.3.2. All these proposed choices for Glass Beach would require the review and approval of 6 or 7 federal and state agencies all having jurisdiction. Alternative 5.3.2 does not require agency review! It speeds the DEIR process enormously. It prevents delays or outright rejection. GBA-6

06/08/2011
SPECIAL JOINT CITY COUNCIL
/PLANNINGCOMMISSION
MEETING AGENDA ITEM #1A

Finally we believe the spraying of herbicides over iceplant in and around a rare plant community would be extremely destructive to habitat and pollinators. In the DEIR this is "restoration" without any research on impacts on plants and pollinators. GBA-7

Nor has the public been told that spraying would go on for 3 years. Nor has State Parks researched the adverse impacts of jute webbing blanketing pollinator habitat or studied the needs of the ecosystem for sand and minerals blowing up the gullies. Grant funds for $120,000 were to be so expended for chemical and webbing without public review or supporting documentation. However, full review is required in the DEIR. The far better alternative would choose temporary fencing along the bluffs. GBA-8

It is not true that hand pulling of iceplant is impractical. For example, Pt. Reyes Natl. Seashore personnel require hand pulling of iceplant in rare plant areas. The Light Stations along the coast at Piedras Blancas and Pt. Arena hand pull iceplant in native plant areas. The NE Mendocino bluff is ablaze in colorful flowers after iceplant was pulled over a 3 year period. GBA-9

We believe an alternative must be practical, environmentally beneficial and economically viable. This is the superiority of Alternative 5.3.2: A simplied plan for Glass Beach Bluffs and Drive which could well save hundreds of thousands of dollars while moving projects swiftly forward. Choosing simplicity and savings also protects the rarest of wildflower bluffs. GBA-10

Susan M. Smith

Susan M. Smith

- 2 -

Response to Letter from Fort Bragg Advocates (Sue Smith), dated June 1, 2011

Comment No.	Response
GBA-1	The commenter did not provide sufficient information regarding the "failure" of the full disclosure and detailed impact analysis. The comment letter does not identify a specific issue regarding disclosure that should be redressed within the Final EIR.
GBA-2	The EIR does discuss the fact that use of the project site would increase somewhat due to the project , but would increase due to the expected increase in tourist activity in general in Mendocino County. The bridge is not a growth-inducing feature. It simply provides a more formal method for visitors to avoid walking through an existing drainage feature. Mitigation measure BR/mm-25a has been added to avoid potentially significant ADA trail construction related impacts on the Glass Beach Headlands by requiring that all proposed improvements to the existing volunteer trail be eliminated from the project.
GBA-3	The historic footpath currently transects the ESHAs. Restoration of this area will reduce, but likely not eliminate, foot traffic in this area. Mitigation measure BR/mm-25a has been added to avoid potentially significant ADA trail construction related impacts on the Glass Beach Headlands by requiring that all improvements to the existing volunteer trail be eliminated from the project.
GBA-4	Please see revised mitigation measure AR/mm-4 which requires the relocation of the Elm Street parking area to the east in order to avoid cultural resource impacts.
GBA-5	Comment noted.
GBA-6	Comment noted.
GBA-7	Please see revised mitigation measure BR/mm-18.
GBA-8	Please see response to GBA-7 above.
GBA-9	Please see response to GBA-7 above.
GBA-10	Comment noted.

May 23, 2010 PO BOX 457, Mendocino, Ca 95460 937 1649

For: Marie Jones, Community Development Officer & CEQA contractors. Fort Bragg, California
Re: Glass Beach bluffs - Scoping session letters.

RECEIVED
MAY 24 2011
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

GBA - 11

We were asked to provide a description of the Glass Beach bluff issues of concern which have not been responded to in the DEIR. They are detailed in my letters on behalf of Glass Beach Advocates in ALTERNATIVES BOOK 5. They are dated 1/18/10 and 3/15/10. Perhaps other letters have gone unassessed as well.

GBA-12

State Parks bears full responsibility for delaying the DEIR. Without facts disclosing the full ramification of their projects on plants, wildlife, pollinators there can be no environmental analysis. A DEIR supplement is required.

GBA-13

Some 1200 of 1600 acres of MacKerricher State Park are designated a Natural Preserve to protect rare and endangered species. We enclose RES. 21-95 establishing this management directive under PRC 5019.50. Glass Beach is part of MacKerricher. Has it Natural Preserve status or is it guided by free will, perhaps.

What are the growth inducing impacts of the 51' long bridge from the beach to the bluff? How many users are projected on a daily basis? Can we know the costs?

GBA-14

A 5' trail in areas with outsloping and eroding dunes results in 12' of lost habitat! State Parks staff meeting minutes of 3/4/08 (draft 3/8/08) says: Glass Beach trail "3.5' buffer each side ... 12 feet". Information from Bill Maslach needs to be in writing. Please include in the DEIR the following description of the project for GLASS BEACH PERCHED DUNE AND COASTAL TERRACE RESTORATION finalized 5/26/10. The controversial projects by definition cannot be covered by a categorical exemption. As well CIAP project exemptions were limited to hand pulling of weeds and spot herbicide use. (sent to you)

GBA-15

2.5 acres of iceplant is to be "treated" by Dec. 15, 2010!
Retreatment of 2.5 acres plus one more acre by 6/30/11!
Retreatment 3.5 acres by 6/30/12
Retreat all iceplant by 6/30/13

GBA-16

Decision makers through the DEIR must be informed of the massive and repeated use of herbicides suggested by this schedule. Describe impacts on pollinators. The Fremontia article in ALTERNATIVES Book 5 describes compelling reasons why specialist solitary bees must be conserved for their role in the ecosystem. Please discuss in the DEIR.

GBA-17

State Parks could be asked to cancel all projects lacking public review. They could support Alternative 5.3.2 and use $120,000 of grant monies on needed hand pulling of weeds in the rare plant community. What if there are cost overruns for the very desirable 4 mile G-P trail. Describe in the DEIR/EIR the savings in choosing the Glass Beach Modified Trail alternative.

Sue Smith
by: Sue Smith for Glass Beach Advocates.
cc: Kathleen Cameron, Denali Files, Wilma and Bill Follette,

06/08/2011
SPECIAL JOINT CITY COUNCIL
/PLANNINGCOMMISSION
MEETING AGENDA ITEM #1A

Response to Letter from Fort Bragg Advocates (Sue Smith), dated May 23, 2011

Comment No.	Response
GBA-11	Letters written prior to the publication of the Draft EIR cannot anticipate shortcomings of the EIR. Letters submitted prior to the comment period are not part of the comment period record.
GBA-12	The DEIR fully identifies numerous potential impacts to resources within the project area, including the Glass Beach Headlands. The DEIR includes an extensive mitigation and monitoring plan that would ensure that potential impacts are mitigated to a less than significant level. Nevertheless, additional mitigation, which would further reduce previously identified impacts have been recommended. Please refer to BR/mm-18, 20, and 25a below. A DEIR supplement is not required.
GBA-13	Please see response to comment GBA -2. It is uncertain how many visitors will come to Glass Beach Headlands. However a 2008 survey found that up to 120 people per hour and 800 people per day visit Glass Beach during peak days in the summer months. The number of people that walk on the undeveloped trails is much less than this, in the order of ten to 20 per hour on a peak day and time. There is no evidence to suggest that a bridge, which would be located within an existing trail alignment, would substantially increase this number or "induce growth" of any kind. On the contrary, while this hasn't been confirmed, the commenter notes (see GBA-24) that even the opening of the Pudding Creek Trestle and new parking lot did not increase visitor use of the Glass Beach bluffs. The development of the trail system on the City's property to the south of Glass Beach Headlands and the Glass Beach Drive connection to the Haul Road would potentially divert visitors from the Glass Beach Headlands, as the proposed City trail is wider, longer and includes more impressive views of off-shore monuments. The City is unaware of the cost for construction of the trail or the bridge on Glass Beach Headlands.
GBA-14	Comment noted.
GBA-15	It is unclear why construction of a new trail would require 12 feet of disturbance. The DEIR does note that temporary disturbances due to construction would be approximately 2 feet on either side. Existing mitigation measures in the DEIR would reduce impacts to a less than significant level. Nevertheless, revised Mitigation Measures BR/mm-18 through BR/mm-20 and revised mitigation measure BR/mm-25a would further reduce impacts and address these comments.
GBA-16	Please see revised mitigation measure BR/mm-18. As herbicides will not be permitted on Glass Beach Headlands they will not have an impact on the solitary bee.
GBA-17	Please see revised mitigation measure BR/mm-18. Potential cost savings are not required by CEQA to be included in an EIR.

90d11 PO BOX 457, Mendocino 95460 937 1649 June 16, 2011

For: Marie Jones, Fort Bragg Development Office and EIR CONSULTANTS.

Re: DEIR Fort Bragg Coastal Trails - Glass Beach bluffs section.

We are very impressed with the advantages of the Reduced Trail Alternative - it offers great simplicity in the planning and execution of the coastal trails by keeping within the Glass Beach Drive right-of-way. It obviates any need for an undesirable "growth inducing" State Parks bridge and trail project. GBA - 18

Other voices at the public hearing June 8th joined us in opposing use of herbicides. So too was there agreement on the benefits of moving the parking area to the Elm St. area as Alternative 5.3.2 outlines. GBA - 19

This Reduced Trail Alternative is briefly but cogently mentioned in the DEIR. However, we urge a more complete description be circulated to interested parties as early as possible as a supplement to the DEIR. As well as the sufficiency issue as required by CEQA, the economic feasibility analysis is important too. Amazingly, the RTA offers large savings in both time and money while protecting the rarest of wildflower bluffs. GBA - 20

Other concerns not in the RTA regarding projects discussed in the DEIR include State Parks ideas of mitigation which are inherently valueless (1) Closing trails from the G.B. Drive to the Historic Footpath; or destructive (2) Planting and seeding a unique, rare ecosystem which will only be unique and natural if left to reestablish itself. Note perched dunes require sand replenishment. GBA - 21

The edge of bluff trails can best be "closed" by use of low temporary fences. When iceplant, non-native grasses and other weeds are hand pulled in timely fashion - over 3 to 5 years - the rare annuals have seeds in the soil and with perennials quickly reestablish a vibrant community. GBA - 22

The designation of Glass Beach bluffs as a Natural Preserve can lead to much greater respect for its protection keeping users on the Historic Footpath. For dog walkers, a trail should be mowed just inland of the fence along the drive. GBA - 23

Our early studies of users of the bluff, trestle, parking lots and MacKerricher haul road trail proved quite wrong the assumption that the opening of the trestle would lead to greater foot traffic on Glass Beach bluffs. It did not. Similiarly, the Fort Bragg 4 mile trail and drive extension will be as popular with the public as the MacKerricher haul road and Pudding Creek beach are now as destinations and activities. GBA - 24

Susan M. Smith

Susan M. Smith
Glass Beach Advocates

RECEIVED
JUN 17 2011
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

Response to Letter from Fort Bragg Advocates (Sue Smith), dated June 16, 2011

Comment No.	Response
GBA-18	Comment noted.
GBA-19	Comment noted
GBA-20	CEQA Guidelines Section 15126.6(d) provides direction for the evaluation of alternatives to the proposed project. d) Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project [or plan]. A matrix displaying the major characteristics and significant environmental effect of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, the in less detail that the significant effects of the project as proposed. The alternative analysis of the Coastal Trail EIR meets these requirements. Additional analysis is not required for an adequate EIR. An economic feasibility analysis is not required by CEQA. However City Council and the Planning Commission may take economic issues into consideration when considering approval or denial of the permits for the project.
GBA-21	Closing the volunteer trails from Glass Beach Drive to the bluff edge will reduce the introduction of invasive plants to the site and the number of visitors traveling through Environmentally Sensitive Habitat Areas (ESHAs). While it is difficult to quantify the benefits, it is reasonable to assume that focusing trail use to specific trails and reducing the development of new and expansion of existing volunteer trails, would be beneficial to sensitive species and habitats. Restoration of native habitats can be accomplished in different ways. The method proposed for Glass Beach Headlands has been adequately evaluated in the DEIR and would not result in significant impacts. The comment regarding perched dunes has been noted.
GBA-22	Please see revised mitigation measure BR/mm-18, which addresses this comment.
GBA-23	Comment noted.
GBA-24	Comment noted.

Coastal Conservancy

June 22, 2011

Marie Jones
Community Development Director
City of Fort Bragg
416 North Franklin Street
Fort Bragg, CA 95437

Subject: Comments on Notice of Preparation for the North Fort Bragg Coastal Restoration and Trail Project

Dear Ms. Jones:

The State Coastal Conservancy (Conservancy) is pleased to have the opportunity to comment on the Fort Bragg Coastal Restoration and Trail Project, and looks forward to working together with the City of Fort Bragg and the California Department of Parks and Recreation (State Parks) as the project continues to evolve. This letter is to provide the Conservancy's comments on the Draft Environmental Impact Report (DEIR) for the project. CC - 1

The Conservancy is a potential future funder of the implementation of the project. As such, we consider our role to be as a potentially responsible agency under the California Environmental Quality Act (CEQA) both as a funder and possible approver of the project, although we are non-regulatory. In that role, it is important to the Conservancy that the Project EIR consider all relevant environmental information that is necessary for it or other responsible agencies to make adequate determinations for the project under CEQA. The Conservancy has the following specific questions and comments regarding the DEIR. CC - 2

ADA Access

Please clarify what portions of the pedestrian trail on Glass Beach will be wheelchair accessible and meet the requirements of the Americans with Disabilities Act. CC - 3

1330 Broadway, 13th Floor
Oakland, California 94612-2530

510-286-1015 *Fax:* 510-286-0470

California State Coastal Conservancy

Coastal Bluff erosion related to Sea Level Rise

The DEIR "assumes that the 150 year setback would be equivalent or greater than 100 retreat setback that included the effects of sea level rise." Please discuss whether this assumption is consistent with the results presented by the Pacific Institute's 2009 estimate of coastal bluff retreat associated with sea level rise, available online here: http://www.pacinst.org/reports/sea_level_rise/hazmaps/Fort_Bragg.pdf
If not, please discuss why the Pacific Institute's findings regarding coastal bluff erosion are not being used as the basis for determining potential impacts from coastal bluff erosion on the trail and associated infrastructure. CC - 4

Please clarify whether any structures would be affected by bluff retreat due to sea level rise within the lifetime of the structure. It appears from the Pacific Institute map that the South Parkland and North Parkland/Elm Street Extension parking lots and associated structures may be vulnerable to impacts from sea level rise and coastal bluff erosion by 2100. This may be an acceptable risk given the lifespan of these structures, but a more detailed discussion of the issue in the EIR would be appropriate. It should be noted in the Alternatives Analysis that the Reduced Trail Alternative would place the Elm St extension outside the area at high risk of coastal bluff erosion by 2100. The EIR reads "Portions of the proposed project, particularly 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." It would be helpful to have more clarity about whether any structures would be affected over the shorter period of their lifespan. As noted in the Alternatives Analysis, the component of the Reduced Trail Alternative that would shorten the Elm Street Extension would reduce potential impacts from coastal bluff erosion associated with sea level rise. The Alternatives Analysis concludes that the Reduced Trail Alternative only marginally reduces impacts from coastal bluff retreat and impacts to cultural resources, while potentially leading to greater impacts from volunteer trails. It would be appropriate to discuss modifying the project design to shorten the Elm Street Extension and perhaps to relocate the parking lot at the southern end of the project as well to reduce vulnerability to coastal bluff erosion, while retaining the full trail network described in the project design. CC - 5 CC - 6

The Conservancy has no further comments at this time.

We look forward to working with the City on implementing the Coastal Restoration and Trail Project.

Sincerely,

Joel Gerwein
Project Manager

2

Response to Letter from Coastal Conservancy, dated June 22, 2011

Comment No.	Response
CC-1	Comment noted.
CC-2	Comment noted.
CC-3	All portions of the proposed *multi-use trail* on Glass Beach Headlands and the North and South Mill Site Parkland parcels will be wheelchair accessible and meet the requirements of ADA, with the exception of the cable stairs to the beach on the North and South Parkland parcels. However mitigation measure BR/mm-25a requires that the proposed five foot wide *pedestrian trail* on Glass Beach Headlands remain unimproved, as such this segment of the project with mitigation measures would not be handicapped accessible.
CC-4	The Pacific Institute Study, while useful for general planning purposes, is limited in that it is not based on site-specific conditions or field review. The study (Table 25) notes that the average bluff retreat from the year 2000 to 2100 was 33 meters (approximately 108 feet), and that maximum retreat rates would be approximately 160 meters (525 feet) in Mendocino County. A site specific geotechnical and bluff retreat report was prepared for the project by BACE Geotechnical in 2004. That report concluded that retreat rates onsite varied from as low as 1.5 inches to 6 inches per year. This would equal a retreat of between 12.5 feet and 50 feet over the next 100 years. These results are lower than the Pacific Institute Study predicted, but are based on site-specific field analysis and review of historic aerial photos (going back as far as 1907), which could not be captured in the Pacific Institute study. To be conservative, the BACE bluff retreat rate was increased by 50% to account for sea level rise implications. Nevertheless, using the blowhole, wastewater treatment plant, and runway as reference points one can see that the Pacific Institute maps and EIR figures show a similar predicted retreat.
CC-5	As noted in the EIR, components of the proposed project would be subject to damage from bluff retreat . As proposed the restroom at the Elm Street parking lot would be located within the 100 year bluff retreat setback. Please see revised mitigation measure AR/mm-4 which requires the relocation of the Elm Street parking area to the east in order to reduce cultural resource impacts. The relocation of the restroom would also place it well out of the 100 year bluff retreat setback. Trails will remain within the 100 year setback as the City's property is 110 feet in width for a significant portion of the site; it is not feasible to locate the trails entirely outside of the 100 year setback. Additionally, the community planning process placed a very high priority to visual access to the ocean so the primary objective of the project cannot be achieves if all trails are set back from the bluff edge by 150 feet. The trails will not have a useful life of 100 years.
CC-6	Please see revised mitigation measure AR/mm-4, which would relocate the parking area and thereby reduce its vulnerability to bluff erosion.

Jones, Marie

From: Dusty Dillion [worldsend@saber.net]
Sent: Monday, June 20, 2011 3:14 PM
To: Jones, Marie
Subject: Harbor access and dredge materials

June 20, 2011

City of Fort Bragg
416 N. Franklin St.
Fort Bragg, CA 95437
Email: mjones@fortbragg.com

Attn: Marie Jones
Community Development Director

Dear Marie:

Thank you for meeting with me Wednesday concerning the Noyo second access and the coastal trail to the beach.

I know you have been working on this project for four years; nothing happens quickly here on the Coast. It took me two and a half years to get a permit to construct an ADA restroom for the dock. It is up to the community, and dedicated civil servants, to better serve our citizens and visitors. **DD-1**

The access proposal map I provided you has been decades in the works. The City of Fort Bragg originally proposed it in 1982; a different set of difficulties pushed it into limbo, but I think now is a good time to re-visit it. **DD-2**

First, restoration of the old rail bed at the original 3% grade falls well within the perimeters of ADA. With regard to the existing roadway, it could use a considerable amount of the dredge material and making it a gentler grade as well. **DD-3**

The Harbor District is working to lower the level of storage back to beach level. We will still need to use the area to dry sand; but our intention is to avoid this much accumulation in the future. **DD-4**

I understand it is very late to change the paperwork, and I appreciate your advice to include this work in Phase II. I also appreciate your advice that Linda Ruffing is the "go to" on incorporating dredge sands into the coastal trail landscaping and terra forming. **DD-5**

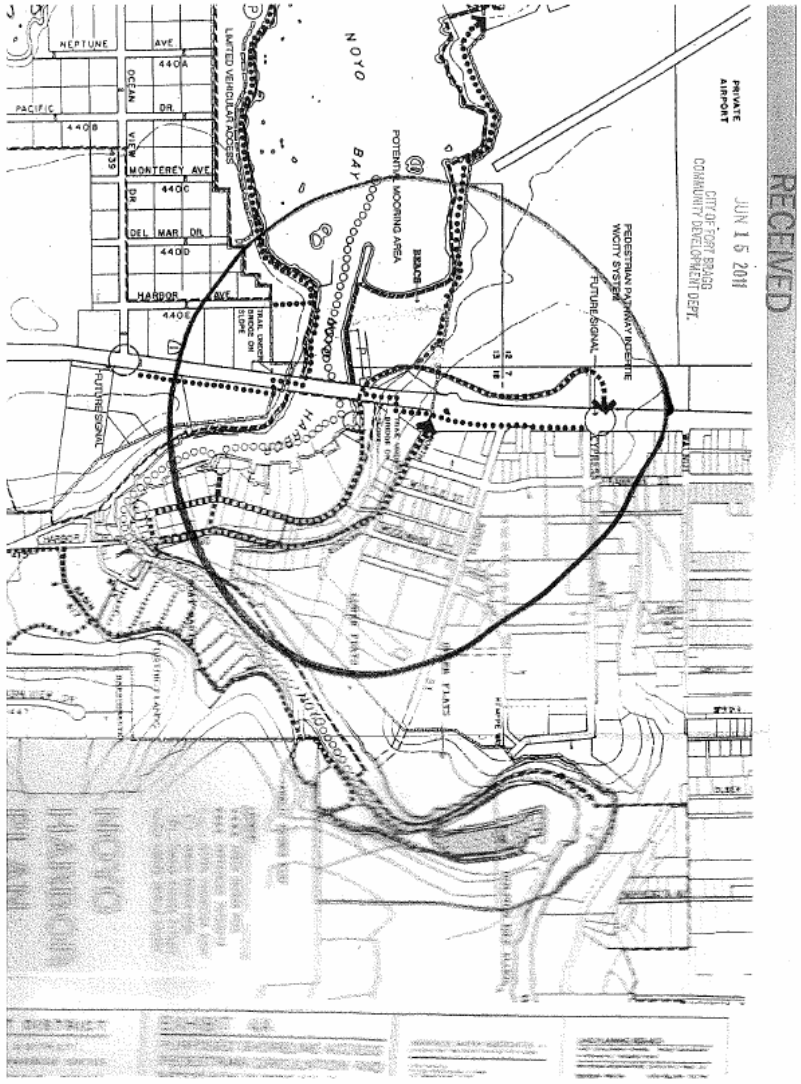
I have advised the Harbor District office and they have advised our engineers to work with the City to provide as much material as needed. In these hard economic times it is important for agencies to work together to accomplish mutual goals on terms that reflect moving ahead together. **DD-6**

Please let Jeanie at the District office know how becoming an alternative plan in Phase II works and what the anticipated timeline might be. If you would like, you could address the Harbor Commission at our monthly meeting. **DD-7**

Thanks for your help and directions, keep up the work.

Dusty Dillion, Commissioner
Noyo Harbor District
P.O. Box 1490
Fort Bragg, CA 95437
707-964-2612

CC: Kendall Smith, Chair
County of Mendocino
Via email



D R A

WALT LAABS AND ASSOCIATES

Proposed Roadway Improvement Projects

There are two projects proposed by the City of Fort Bragg in the vicinity of the project area. A private development is proposed on the westerly side of Shoreline Highway near the intersection of Highway 20 (Ref. 2).

OCEAN VIEW DRIVE EXTENSION. One of the conditions of approval of the Boatyard Shopping Center was the extension of Boatyard Drive to Shoreline Highway near the intersection of Shoreline Highway and Ocean View Drive. As part of the project Ocean View Drive will be realigned approximately 200 feet northerly of the present intersection with Shoreline Highway. The realignment is necessary to avoid conflicts with the driveway to the Surf Motel which is located on the easterly side of Shoreline Highway. A traffic signal will be installed at the new intersection of Ocean View Avenue and Shoreline Highway. The signal standards have already been installed.

CYPRESS AVENUE EXTENSION. The City of Fort Bragg is proposing to provide a second access to the north side of the Noyo River by the construction of a new road westerly of Main Street. This two lane road runs between the intersection of Cypress Avenue and Main Street and the parking lot on the westerly end of North Harbor Drive. The exact alignment has not yet been determined. A traffic signal will be installed at the intersection of Cypress Avenue and Main Street as part of the project. The private logging road located just southerly of Cypress Avenue may be incorporated into the project.

SHORELINE HIGHWAY/HIGHWAY 20. A proposal has been made to develop the westside of Shoreline Highway in the vicinity of Highway 20. A motel, two restaurants, apartments and highway commercial are the proposed land uses. As part of the development a fourth leg will be added to the intersection of Shoreline Highway and Highway 20. A new north/south street will connect the new road with Harbor Avenue to the north.

Current Traffic Volumes

Traffic volume data were compiled from data published by the California Department of Transportation (Ref. 1) and the traffic studies in the vicinity of the project (Ref. 3, 4). Traffic volumes on area streets are summarized in Table 1.

3 DRAFT

Response to e-mail from Dusty Dillion, dated June 20, 2011

Comment No.	Response
DD-1	Comment noted.
DD-2	Comment noted.
DD-3	A trail alignment down the length of the former rail bed beneath the dredge sands site is not part of the proposed project under review by the EIR. It could be constructed as part of some future project, if so directed by City Council.
DD-4	Comment noted.
DD-5	Comment noted.
DD-6	Comment noted.
DD-7	Comment noted.

Marie

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 1, P. O. BOX 3700
EUREKA, CA 95502-3700
PHONE (707) 441-2009
FAX (707) 441-5869
TTY 711

REC'D JUN 22 2011

Flex your power!
Be energy efficient!

June 17, 2011

1-MEN-1-60.46
Coastal Restoration & Trail DEIR
SCH# 2009112071

Marie Jones
City of Fort Bragg
Community Development Department
416 N. Franklin Street
Fort Bragg, CA 95437

Dear Ms. Jones,

Thank you for giving us the opportunity to comment on the Fort Bragg Coastal Restoration and Trail Project Draft Environmental Impact Report (DEIR). The project is located in the City of Fort Bragg, west of State Route 1, from Noyo Point Road to Elm Street. We have the following comments: **DOT-1**

- The DEIR notes for road and sidewalk, or trail, connections to Route 1, an encroachment permit from Caltrans will be required. Any work within the State right of way will require an approved encroachment permit. Encroachment permit applications are reviewed for consistency with State standards and are subject to Department approval. Requests for Caltrans encroachment permit application forms can be sent to Caltrans District 1 Permits Office, P.O. Box 3700, Eureka CA 95502-3700, or requested by phone at (707) 445-6389. For additional information, the Caltrans Permit Manual is available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>. **DOT-2**

- We recommend that a statement be included in AR/mm-6 of the DEIR, that if requested by the local tribal group, a Native American monitor will be present during all archaeological excavation (Phase III) activities. **DOT-3**

If you have questions or need further assistance, please contact me at the number above.

Sincerely,

Jesse Robertson
Associate Transportation Planner
District 1 Regional & Community Planning

c: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California."

RECEIVED
JUN 22 2011
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

Response to Letter from Jesse Robertson, Department of Transportation, dated June 17, 2011

Comment No.	Response
DOT-1	Comment noted.
DOT-2	Comment noted.
DOT-3	Existing mitigation measures in the DEIR would reduce cultural resources impacts to a less than significant level. Nevertheless, revised Mitigation Measure AR/mm-6 would further reduce impacts and address these comments. Revisions to AR/mm-6 provide for a Native-American monitor to be "on-call" and/or involved with the excavation of areas – to be determined prior to construction in consultation with and at the request of the appropriate Native American communities. Revised mitigation measure AR/mm-6 will not result in new or substantially more severe significant impacts, since it will add no new activities capable of adversely affecting the environment.

RECEIVED

JUN 20 2011

CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

THIS IS A COMPLAINT:
BY: S.V. Wilson

IN RE: THE FORT BRAGG GRANT SCAM. INFILL:

WHO WANTS A TRAIL TO NOWHERE?

QUESTIONS:

1. WHO ARE THE GRANTWRITERS? SVW-1
ANSWER:
2. HOW MUCH MONEY DO THE GRANTWRITERS GET UPFRONT?
ANSWER:
3. MONEY FROM WHO?
4. WHERE DO THE " GRANTWRITERS" LIVE? ARE THEY LIVING IN THE AREAS THAT THEIR GRANTWRITING EFFECTS?
ANSWER:
5. WHAT ARE THE JOBS, HELD BY THESE " GRANTWRITERS"?
ANSWER:
6. Why would anyone want to walk across A TOXIC-WASTE SITE? THE LOCATION IS, THE FORMER G.P. ABANDONED, MILLSITE, IN FORT BRAGG, CA. SVW-2
7. WHO OWNS THIS LAND? IT IS NOT THE CITY OF FORT BRAGG, WHO THE GRANT WRITER WORKS IN CITY HALL FOR, CORRECT? SVW-3
8. WHEN THE WIND BLOWS THERE, AS IT DOES ALOT, IT IS KNOWN, TO BE FULL OF DIOXIN LADDEN WINDS CORRECT? SVW-4
ANSWER:
9. Since toxic-waste IS A KNOWN, HEALTH HAZARD, WHOSE IDEA WAS IT TO PUT A PEDESTRIAN TRIAL, THROUGH A PRIVATELY OWNED, TOXIC-WASTE SITE? SVW-5
ANSWER.
10. WHOSE IDEA WAS IT TO CREATE A TRAIL TO A DEADEND? SVW-6
ANSWER:
11. THE "PROPOSED",* TRAIL LEADS TO AREAS THAT ARE KNOWN, TO BE LADDEN WITH TOXIC-WASTE HAZARDS, CORRECT? SVW-7
ANSWER:
12. WHOSE IDEA WAS IT TO BUILD A TRAIL LEADING TO THE FORT BRAGG SEWER PONDS? WHY? DOES THIS SOUND LIKE REACREATION? SVW-8
ANSWER:
13. WHOSE IDEA WAS IT TO BUILD, A BRIDGE, TO AN OLD GRAVEYARD ON THE CRUMBLING BLUFF, OVERLOOKING THE MOUTH OF THE NOYO RIVER? SVW-9
ANSWER:
15. WHOSE IDEA WAS IT TO BUILD A " PUBLIC" TRAIL TO A DANGEROUS STREET WITH NOT ONE SINGLE PEDESTRIAN WALKWAY? DOES THIS MAKE ANY SENCE? TO WHO? SVW-10
ANSWER:

1.

QUESTIONS, CONTINUED, IN COMPLAINT OF THIS " PROJECT."*
SEE, ATTACHED " NOTICES," IN PUBLIC " PAPER, F.B. " ADVOCATE."
16. DATE: PAGE.
17. QUESTION: WHY , WOULD PEOPLE , WANT TO, GO, THROUGH, A DEADEND, AREA OF, FORT BRAGG, WITH, NO, "PUBLIC", TRANSPORTATION,, AND MUST GO BACK TO WHERE THEY, BEGAN? SVW-11
18. IN RE: " FINIS TERRE." THERE ARE NO, PUBLIC PHONES. NO WALKWAYS , FOR, PEDESTRIANS, NOR, ANY, ROOM FOR THEM. SVW-12
19. WHAT IF PEOPLE GET TIRED? THERE ARE NO BENCHES. IF THE PEOPLE, GET THIRSTY, THERE IS NO WATER. IT IS ALTOGETHER, A DEADEND."* THEN WHAT? GO BACK? WHO FOR? WHOSE IDEA WAS THIS, IN THE FIRST PLACE, AND WHAT, FOR.?* SVW-13
20. IN THE NORTH NOYO HARBOR DRIVE, THERE IS A NARROW, TWO- LANE ROAD. THIS IS NOT, A TRAIL. SVW-14
21. THE NOYO COVE, WHICH, HAS BEEN DUBBED*, A DOG BEACH," IS ALREADY OVER USED, DIRTY, AND OVER CROWDED. THE PARKING LOT FILLS ON WEEKENDS, WHERE IS THE TRAFFIC GOING? ANSWER: " INTO", AROUND, AND THROUGH, OUR, "NEIGHBORHOODS."* SVW-15
22. " YOU WILL, ALSO, PLEASE NOTE,* IT IS "NEVER,"* THROUGH, " THEIR", * " NEIGHBORHOODS," SVW-16
NATURALLY, WHO IS THIS BENEFITTING, TO CALL, A TOXIC-DUMP, TO CALL THIS, A PARK WALK?"
23. ANSWER:" FOLLOW THE MONEY".* SVW-17
24. THE KOCH BROTHERS NOW, DO OWN, THE FORMER G.P, , SITE, A KNOWN HAZARDOUS WASTESITE, UN- MITIGATED." CORRECT? SVW-18
ANSWER:

2.

DATE:
JUNE, 2011.
COMPLAINT: "INFILL," IN FORT BRAGG, CA.

25. I CONTEND THESE, " SO-CALLED",* " RESTORATIONS,"* ARE A MISUSE OF THE PUBLICS TRUST, AND FURTHERMORE, AN ABUSE OF CONTRACT. SVW-19

26. These nativeplant, restorations, - "so-called," *

ARE SELF-SERVING, " MYTHS."* THIS IS VIGILANTISM, NOT, SCIENCE. FOLLOW THE MONEY. THE MATERIAL " MERCENARIES,"* LIVE ON, THE ABUSE, OF THE PUBLIC'S " TRUST". A CONTRACT, IS WHAT, THE U.S. CONSTITUTION, IS. SVW-19

27. WHEN City HALL, ASSUMMES POWERS UNDELEGATED,

WHEN, ANY OFFICER OF THE COURT, ANY ATTORNEY AT LAW, SUPERCEDES, AND ABUSES HIS POSITION, OF TRUST, IT IS "FRAUD, WASTE, AND ABUSE." IT IS FRAUD. IT IS MATERIAL*, BREACH OF CONTRACT, PERJURY AND, SUBVERSION.* SVW-20

ANY ACT IN VIOLATION, OF " THE SUPREME,"* CLAUSE, SEE SECTION TEN: " POWERS DELEGATED."* THE POWERS, " NOT", SO DELEGATED, ARE RESERVED, TO THE PEOPLE. PEOPLE'S RIGHTS, ARE CIVIL RIGHTS, AND THE RATIFIED,* DOCUMENT, AND " ANCIENT DOCUMENT," IS, HOLDING LAW. SVW-21

THIS IS PROTECTED, GUARENTEED, AND PROMISED. AN OATH* IS A PROMISE. A PROMISE IS A SWORN OATH, AND AN ORALLY LEGALLY BINDING AGREEMENT,* CALLED,* " A CONTRACT."* SVW-22

28. TO COLLUDE, IN ORDER TO OBSTRUCT " JUSTICE, IS A HOSTILE ACT, AN INCRIMITORY, VIGILANTI ACT, IN VIOLATION OF,* THE TENETS, AND THE DECREES OF " THE U.S. CONSTITUTION."* SVW-23

29. The Rights OF PRIOR Rights, ARE, PROPERTY LAW. SVW-24

3.

A COMPLAINT: FROM THE COAST OF CALIFORNIA.

30. THE PLANT NURSERIES, WHO WILL MAKE MONEY, ONLY,*** AFTER,**, " THEY",** " RIP-OUT"***, THE BEAUTIFUL, BLOOMING, LIVING PLANTS, AND FLORA, THAT ARE OBVIOUSLY, BENEFICIAL TO THE " FAUNA" IN A HISTORICLLY,* "KNOWN, MIGRATORY ZONE, FOR TIME OUT OF MIND. THIS IS A.,* SVW-25

31. RIPARIAN COASTAL ZONE, WITH NUMEROUS, " PROTECTED", SPECIES, AND, ENDANGERED,* SPECIES, WHICH ARE BEING, EGREGIOUSLY, RECKLESSLY, " ENCROACHED UPON. THIS IS LITERALLY, FINISTERRE. THE END OF THE EARTH. WE, AND THESE, HARRIED AND HARRASSED SPECIES, HANGING ON HERE, HAVE, A RIGHT TO BE! NO ONE HAS THE AUTHORITY TO KILL, WITH RUTHLESS, USURIOUS, AND FALSE PREMISES, +MOTIVES. THESE PEOPLE LIVE ON COLD-CUTS OF, " THE MARGIN." SVW-26

32. THESE MYRIAD PLANTS, WHICH HAVE CHOSEN, TO FLOURISH, HERE, ARE LIVING, AND ALIVE. SVW-27

THE DESTRUCTION OF RIPARIAN FLORA, IS AN ABUSE OF POWERS,* " UNDELEGATED" THIS IS NOT, SCIENCE. THIS IS, " USURY." → " FOLLOW THE MONEY."

RIPPING-OUT, LIVING FLORA, LITERALLY, BY IT'S ROOTS, IS STUPID. THESE PLANTS ARE BENEFICIAL, THE LEAST OF WHICH, IS HOLDING THE EARTH DOWN. EROSION IF, CAUSED BY, AN ACT OF COLLUSIVE GRAFT, IS A FRAUD, AND A CRIME. SVW-28

" SEE: " INSIDERS". " SWEETHEART DEALS". NEPOTISM, CRONYISM, ROGUE FORCE, AND RACKETEERING, BY MATERIAL COLLUSION TO OBSTRUCT JUSTICE.* RICO, RICO, RICO. SVW-29

AN EYEWITNESS, ACCOUNT, IN my NEIGHBORHOOD.
PART 1.

By:
S.V. WILSON
NORTH NOYO PARK
20 NORTH
HARBOR DRIVE
F.B.
CA.

4.

PO Box 1837
Mendocino CA 95460

Response to Letter from S. V. Wilson, dated June 20, 2011

Comment No.	Response
SVW-1	Grants for the Coastal Trail project were completed by Marie Jones, Community Development Director of the City of Fort Bragg. Ms. Jones received no money "up front" for her work, but is paid through a regular wage by the City of Fort Bragg. Ms. Jones lives seven miles south of Fort Bragg and her grant writing does not have a material effect on her property.
SVW-2	The Fort Bragg Coastal Trail property was fully remediated in 2009 under a clean up order from the Department of Toxic Substance Control (DTSC) for passive recreation uses. The property was transferred to the City of Fort Bragg upon certification of its clean status by DTSC via a "no further action letter."
SVW-3	The North and South parkland is owned by the City of Fort Bragg. The Glass Beach Headlands are owned by State Parks.
SVW-4	The remaining dioxin contaminated soils on the Mill Site are located within Pond 8 and wetland Ditch J; as such they are waterlogged and not prone to being blown by the wind.
SVW-5	Please see comment SVW-2. The trail was designed with input from the Fort Bragg community at over 15 community meetings and with direction from City Council.
SVW-6	Comment noted.
SVW-7	The North trail's southernmost terminal overlooks the Mill Pond complex. This area is known to be contaminated with Dioxin, TSP, arsenic, lead and other contaminants. The Coastal Trail property will be fenced and signed with "no trespassing" signs in order to limit access to this area. The trail will also be policed and trespassing tickets will be provided for individuals that ignore the law. No mitigation measures are required.
SVW-8	There are no Fort Bragg sewer ponds.
SVW-9	The project does not include a "bridge" to the graveyard overlooking the Noyo Harbor.
SVW-10	Please see TR/mm-1 which addresses this comment.
SVW-11	Comment noted.
SVW-12	The project includes handicapped accessible walkways. Please see response to comment SVW-5.

Comment No.	Response
SVW-13	The project includes benches. Please see response to comment SVW-5.
SVW-14	Comment noted.
SVW-15	This area is not part of the proposed project. No specific improvements are proposed at the Dog Beach at the Noyo Beach area. During peak times, the Dog Beach may be at or over capacity under existing conditions and may contribute to traffic in that neighborhood. Lack of adequate parking, while a potential nuisance is not necessarily a physical impact on the environment that requires mitigation. The connection between these two facilities consists of a proposed set of cable stairs to the beach. It is anticipated that only a very small number of local users will access the Fort Bragg Coastal Trail from the cable steps, as they scale an 80 foot high bluff and will not be visible from the parking area. They will not add traffic to the Noyo Harbor area. There is no significant impact to this area.
SVW-16	Comment noted.
SVW-17	Please see response to SVW-2
SVW-18	Please see response to SVW-2 and SVW -7
SVW-19	Comment noted.
SVW-20	Comment noted.
SVW-21	Comment noted.
SVW-22	Comment noted.
SVW-23	Comment noted.
SVW-24	Comment noted.
SVW-25	Comment noted.
SVW-26	No plant removal is proposed for riparian areas.

Comment No.	Response
SVW-27	No plant removal is proposed for riparian areas.
SVW-28	Comment noted.
SVW-29	Comment noted.

REC'D JUN 10 2011
cc: Linda
Cindy
Marie

David & Gail Daly
PO Box 670
Mendocino, CA 95460
707 937-0963 gdaly@mcn.org

June 8, 2011

To the Fort Bragg City Council

Dear Council members,

Your construction project on the Glass Beach Headlands has come to my attention and I would like to take a moment of your time to make a few points about this endeavor. **DGD-1**

The most important, in today's financial climate, is the cost of making a 51 foot long bridge and a wide walk way along the bluff where a dirt trail has always sufficed. You could upgrade it to gravel but not extend it over 3 feet in width which would not only cost a great deal less but protect many indigenous species that would be destroyed with the much larger construction contemplated. I believe there is an alternative called Alternative 5.3.2 which does eliminate the construction above . **DGD-2**

The spraying of herbicides should be strictly forbidden in a public park, indeed, anywhere there are plants such as the indigenous and rare plants we are so fortunate to have here on this bluff. I have lived in Mendocino long enough to remember arguments with State Parks about their ideas of walkways, etc. which failed and consequently we have quite walkable paths that do not impinge on native plants. Of course we have few of those as our Headlands was the first place to be populated and used for logging, railway, etc. so there is precious little indigenous anything left. **DGD-3**

That is why I see it as so important for you to beware of major construction on your Headlands and urge you to make a concerted effort to keep encroachment to a minimum, to forbid any use of herbicides, encourage the hand pulling of iceplant by any one who will do it and to protect your indigenous species and pollinators as the precious resource they are. **DGD-4**

Respectfully,

Gail E. Daly

RECEIVED
JUN 10 2011
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

Response to Letter from David and Gail Daly, dated June 8, 2011

Comment No.	Response
DGD-1	Comment noted.
DGD-2	Comment noted.
DGD-3	Please see revised mitigation measure BR/mm-18.
DGD-4	Please see revised mitigation measure BR/mm-18 and BR/mm-20

Jones, Marie

From: ronandmarnie@comcast.net
Sent: Tuesday, June 28, 2011 7:11 PM
To: Jones, Marie
Cc: White, Ron and Marnie
Subject: Letter Commenting on Coastal Trail DEIR

June 28, 2011
<!--[if !supportEmptyParas]--> <!--[endif]-->
To: Marie Jones, Community Development Director
City of Fort Bragg

From: Ron White
906 Glass Beach Dr.
Fort Bragg, CA 95437
Phone: 707-961-0750
<!--[if !supportEmptyParas]--> <!--[endif]-->
Re: Comments Regarding Coastal Trail Draft Environmental Impact Report
Due July 5, 2011
<!--[if !supportEmptyParas]--> <!--[endif]-->

Alternatives Analysis/Reduced Restoration Alternatives

<!--[if !supportEmptyParas]--> <!--[endif]-->
5.3.31
Need to keep the existing volunteer loop trail that leads from the existing north end of the parking area at the Glass Beach Drive/Elm St. intersection. This trail creates a short loop trail to Glass Beach and avoids sensitive wetlands and rare plant communities. A boardwalk should be created at the western end of the trail through sensitive plant areas to avoid adverse impact and multiple bogus trails at a trail junction. Trail signage would be needed. RMW-**1**
<!--[if !supportEmptyParas]--> <!--[endif]-->
Hand abatement should be done around sensitive plant areas. A trained botanist needs to mark out native plant areas and observe hand removal. Chemical spraying could be done on outlying areas. Spraying should be done 6" with Roundup on each side of chain link fence and on each asphalt trail border. RMW-**2**
<!--[if !supportEmptyParas]--> <!--[endif]-->
Wherever possible, create an ADA accessible access to the beach. (Keep option open) RMW-**3**
<!--[if !supportEmptyParas]--> <!--[endif]-->
A centerline should be installed each 10th of a mile for traffic flow, and marked for mileage on the side. Sensitive areas along the trail should be roped off. Small sensitive areas need to be hand abated and the rest, weed abated by mowing. RMW-**4**
<!--[if !supportEmptyParas]--> <!--[endif]-->
5.3.2.3 Elm Street Extension and Parking Area
Parking should be closer to Glass Beach (some visitors cannot walk long distances.) I propose that some parking spaces be marked handicapped and others marked short term near RMW-**5**

the restroom/interpretive signage area. Long-term parking should be diagonal along the existing fence line to the Elm Street entrance.
<!--[if !supportEmptyParas]--> <!--[endif]-->
I agree with the interior trail alternative for the Glass Beach Headlands as displayed in figure 5-1 Reduced Trail Alternative Site Plan. You can still have a western coastal trail along the western side to continue and connect with the northern parking lot at the Pudding Creek trestle. RMW-**6**
<!--[if !supportEmptyParas]--> <!--[endif]-->
As previously stated, I do not agree with the proposed alternative parking lot near Elm Street on figure 5-1. I like the Elm Street extension parking lot on figure 5-2 with additional parking along the chain link fencing. RMW-**7**
<!--[if !supportEmptyParas]--> <!--[endif]-->

Removal of Monterey Cypress Tree

As proposed by State Parks for Glass Beach, I disagree with removal of the Monterey cypress tree in order to install a trail retaining wall. I also disagree with building a 40 ft. bridge near by the cypress tree. I would use an oval culvert in the drainage area for trail crossing. I would also install an ADA beach accessible pathway at this location. RMW-**8**

Response to e-mail from Ron and Marnie White, dated June 28, 2011

Comment No.	Response
RMW-1	The project includes closure of volunteer trails over time and the establishment of sanctioned trail in the location noted. This closure is intended to reduce impacts to sensitive species over the long-term
RMW -2	Please see revised mitigation measure BR/mm-18 and BR/mm-20.
RMW -3	A handicapped accessible trail to the beach is not currently included in the project description.
RMW -4	The project description already includes a centerline and 0.1 mile markers as well as fencing to protect Environmentally Sensitive Habitat Areas. Please see revised mitigation measure BR/mm-18.
RMW -5	Please see revised mitigation measure AR/mm-4, which would relocate the parking area to the east in order to reduce its vulnerability to bluff erosion and impacts to cultural resources.
RMW -6	Comment noted.
RMW -7	Please see response to RMW-5 above.
RMW-8	Comment noted.

RECEIVED
JUL 1 2011
CITY OF FORT BRAGG
COMMUNITY DEVELOPMENT DEPT.

RECD JUL 01 2011
cc: cindy
linda

06-21-11

Ms. Jones:

Happy Summer 2011!

First & foremost I would like to thanks for the opportunity to voice my opinion on the (E.I.R) Coastal Trail Project.

What the future holds for the new project currently in works for the City of Fort Bragg is somewhat exciting yet a bit disappointed...

My Name Is Harry Manuel Mila & I'm from Fort Bragg But Originated Out Of the Bay Area. I love our town but it's so frustrating knowing theres so much potentials & opportunities well wasted. I have high hopes for our city but it sucks with the fact it's "boring"! Some Says "Stop local" is better but what do we have thats interesting. Everybody goes out of town to the big stores, malls, hang out spots, casinos, etc... taking my consideration over hundred others is highly unlikely but I promise Fort Bragg would be better if they use up all the empty spaces for more job opportunities... Put in more restaurants, more bigger well known stores, & so forth... I have written the Fort Bragg News Advocate & the Mayor Dave Turner to voice what I feel what should be done or at least be put into consider. I think what Mr. Thomas Langfeder Said about "something needs to be shown more in their obligations than just a thing where people can walk on"... Please bring this up just because so many people of our city don't comment about it doesn't mean

Well said! (Native American Representative)

HMM-1

they don't care... We need to expand our community beyond our limits and what would be perfect than more places to hang out to have fun, more restaurants for instant, fast-food places that are well known & places to shop... Why don't we have Wal-mart or Target? Or Jack In the Box or KFC? Come On, that's why it sucks there... We need more job opportunities, place to help out our youth help out the ex-felons and what not...

HMM-2

Just A Simple Parking lot with so less or the side to be built in the future site is beyond disappointment. I remember as I recall, when the Mill Site was shut down around the early 2000, I just hope they built some malls, Costco shopping center, two or 3 story buildings as a image of our little town's Sky Scraper just to boost up our city, be more exciting and interesting... Well, thats what I envision, I hope it'll work out... You know theres a lot of empty spaces where more things can be built out like the little area by the church at South Harold St or the space available by Two Gas Stations at the Southern end of town Main St goin to Mendocino area. Across from Party Works Place, Main Street & the road going to Summers Lane, Mitchell Creek, also Cypney Lane Way. Well, if so that don't work out for the Coastal trail project then please built more opportunities for us, for a better & bigger Fort Bragg.

"Thank You"

x Harry M Mila

HMM-3

HMM-4

Response to letter from Harry Manuel Mila, dated June 29, 2011

Comment No.	Response
HMM-1	Comment noted.
HMM -2	Comment noted.
HMM -3	Comment noted.
HMM -4	The remainder of the Mill Site is currently undergoing a specific plan process, which if approved would rezone the site to accommodate a variety of housing, retail, visitor serving and job generating businesses.

BRISCOE IVESTER & BAZEL LLP
155 Sansome Street
Seventh Floor
San Francisco California 94104
MAIN (415) 402-2700
FAX (415) 398-5630

July 5, 2011

Ms. Marie Jones, Community Development Director
Fort Bragg Community Development Department
416 North Franklin Street
Fort Bragg, CA 95437

Re: Fort Bragg Coastal Restoration and Trail Project (SCH #2009112071)

Dear Marie:

Thank you for the opportunity to offer our comments regarding the Draft Environmental Impact Report for the Fort Bragg Coastal Restoration and Trail Project (SCH # 2009112071) ("Draft EIR"). On behalf of Georgia Pacific LLC (Georgia Pacific), I wish to compliment the City of Fort Bragg ("City") and its consultants on the preparation of the environmental document for this important project. The City has conducted a thorough analysis of the project, and we commend the City for the information and analysis contained in the document. **AG-1**

To assist you in your deliberations regarding the EIR, we offer the following comments to clarify and amplify the analysis contained in the Draft EIR with respect to the relationship between the Coastal Restoration and Trail Project ("Project") and the Mill Site Specific Plan.

Summary

Please update the summary, as necessary to reflect any adjustments to the environmental topic sections that are revised in response to our comments regarding the project description below.

Draft EIR Figures

Several figures in the Draft EIR show that the Northern Parkland location is within the Northern District of the Mill Site (e.g., Figure 2-2, Site Map, Figure 4.1-1, Key Viewing Areas, etc.). Figure 2-3 identifies the Northern Parkland components and illustrates the biological study area. This figure, however, which is intended to describe the North Parkland components does not actually reference the North Parkland. Consequently, we recommend that the EIR be revised to clearly depict the location of the North Parkland and South Parkland in order to avoid any **AG-2**

#60545

confusion regarding the Project's relationship to the Northern and Southern Districts of the Specific Plan.

Project Description

The Draft EIR uses varying acreages to describe the Mill Site and varying acreages to describe the Coastal Restoration and Trail Project. For example, **AG-3**

- Page ES-1, the Draft EIR states, "Two of the parcels are located on the approximately 400-acre (ac) former Georgia-Pacific lumber mill (Mill Site)."
- Page 3-1, the Draft EIR states in Section 3.1.2 that the North Parkland is a 25-acre site located on the Mill Site immediately south of the Glass Beach Headlands. On page 4-186, however, Section 4.11.2.3 states that the coastal trail property is located down gradient from, and within the 80-acre northern portion of the Mill Site.
- Page 3-28, Section 3.3.2, Cumulative Development Scenario states that "Because the Mill Site is immediately adjacent to the proposed project, covers an approximately 360-acre area, and is the location where the majority of new development would potentially occur within the City of Fort Bragg over the next 30 years, it represents the most appropriate cumulative development scenario which could be for this EIR."
- Page 3-29, Table 3-2, Buildout Projections indicates that the Specific Plan land area equals 403.0 acres.
- Page 4-15, Section 4.1.5, Cumulative Impacts states, "The Draft Specific Plan for that 425-acre Mill Site (which includes the proposed project site) would allow for redevelopment of much of the Mill Site with commercial, residential, institutional, and visitor-serving uses over a number of years."
- Page 4-38, Table 4.3-1, Summary of Habitats in the BSA indicates that the overall habitat acreage for the biological study area (defined on page 4-25 as "the area (land and water) that may be directly and indirectly, temporarily, or permanently impacted by construction and construction-related activities") equals 184.24 acres. Because this area is substantially less than the area comprising the entire Mill Site, we assume that the 184.24 acres defines the area impacted by the Coastal Restoration and Trail Project as shown in Figures 2-3 and 2-4.

Ms. Marie Jones
July 5, 2011
Page 3

As indicated above, in some cases, the Draft EIR suggests that the Coastal Restoration and Trail Project is part of the Mill Site Specific Plan acreage, while in other sections of the Draft EIR, the Coastal Restoration and Trail Project does not appear to be included in the Specific Plan acreages. Although the Draft EIR indicates that the proposed project would include restoration and construction of an approximately 4.5-mile trail (23,100 linear feet) (see e.g., page 2-7), we request that the City clarify the acreages further in the EIR and present an overall acreage for the Coastal Restoration and Trail Project and for the Mill Site Specific Plan.

Pages 3-28 – 31; Cumulative Analysis. Several figures in the Draft EIR refer to the "Northern Mill Site" or "North Mill Site." We note that the Mill Site Specific Plan, currently under preparation, refers to the northern portion of the Mill Site as the Northern District as discussed on page 3-28 of the Draft EIR. Similarly, the central portion of the Mill Site is referred to as the "Central District" and the southern portion as the "Southern District. For consistency with the Specific Plan, we could recommend that the City use consistent terms to describe the northern, central and southern areas of the Mill Site. **AG-4**

Page 3-31, Figure 3-2, Mill Site Land Use Plan. We appreciate the City's consideration of the cumulative impacts associated with the proposed buildout of the Mill Site in accordance with the pending Mill Site Specific Plan. The Draft EIR, however, appears to based the analysis on the 2009 version of the Mill Site Specific Plan Land Use Plan. Although the proposed buildout of the Mill Site Specific Plan has not changed significantly, in order to minimize future confusion, we recommend that the City update the Mill Site Specific Plan Land Use Plan included in the EIR to reflect the December 22, 2010 version of the Land Use Plan. The December 22, 2010 version of the Land Use Plan reflects more recent discussions with the City Council and Planning Commission concerning the Specific Plan. Of course, as the Mill Site Specific Plan is under preparation and further revisions are expected during the City and public review process, we recommend that the Draft EIR also clarify that the conceptual Land Use Plan for the Mill Site, as shown in Figure 3-2, is a preliminary version subject to future review and comment through that separate planning process. **AG-5**

Ms. Marie Jones
July 5, 2011
Page 4

We appreciate the City's consideration of our comments regarding the Mill Site Specific Plan in its preparation of the Coastal Restoration and Trail Project EIR, and look forward to completion of the Final EIR. Please feel free to contact us if you have any questions or need further information regarding our comments on the Draft EIR. **AG-6**

Sincerely yours,

Alicia Guerra

cc: Diana Knigge
Michael Davis
Julie Raming
Tim Murphy

Response to letter from Alicia Guerra, dated July 5, 2011

Comment No.	Response
AG-1	Comment noted.
AG -2	Comment noted.
AG -3	All of the references regarding acreage are approximate. The Coastal Trail project has been included in the Specific Plan "Study Area" but excluded from the "Plan Area" of the Specific Plan. Additionally the property acquired by the City of Fort Bragg for the proposed project includes the areas between the top of bluff and the mean high tide, which is sometimes included in the total acreage and sometimes excluded from the total acreage for both the Mill Site Specific Plan and proposed project. Finally the Mill Site includes the Native American parcel and the Johnson Property, both of which are excluded from the acreage for the Specific Plan Area, Specific Plan Study Area and proposed project areas. All of the sited references are correct except for those of Table 3-2 and Page 4-15. Table 3-2 includes the Coastal Trail project site in the Specific Plan build out numbers as it totals all acreage in the "study Area". Removal of the coastal trail project from this figure would result in a total of approximately 360 acres for the Specific Plan "Plan Area". Page 4-15. The reference to the 425-acre Mill Site, includes the entire Coastal Trail, the Native American homes, and the Specific Plan "Plan Area" which totals approximately 425 acres and is the appropriate standard for a cumulative analysis of visual impacts. The sentence is appropriate as written because it includes the entire Mill Site, not just that portion that is undergoing a Specific Plan process.
AG -4	Comment noted. The City prefers to use the language as written in the EIR, as the district language has not been used with the Coastal Trail or EIR audience and would introduce confusion between the Coastal Trail EIR and the Specific Plan.
AG-5	Please see the Errata Sheet #3 at the end of this document, which addresses this concern.
AG-6	Comment noted.

July 2011

Marie. Snail mail from Shelley Landon... landscape designer of 30 yrs. plus - 10 yrs. on the coast.

In Response to the meeting at Town Hall about the planting along the mill site bluffs. My concern is about proper, long term maintenance after the planting. The site is extreme. It will take newly placed plants a long time to establish - I think 3 years. Most of the plants suited to the site will be low. An area is cleared, low plants put in, and everything that wants to invade will invade. I know there is a big support system of native plants, which is great. The pallet is small. I think its worth taking a look at Australian plants, as well. Many grow on the coast. And it would broaden the plant pallet, without invasion from them. And may help the native plants establish more quickly. I also recommend planting in stages, making sure each phase is successful before committing further. I've seen many planting projects funded, installed and abandoned. I urge for a winning planting project. Shelley Landon

SL-1

SL-2

SL-3

SL-4

SL-5

Response to letter from Shelley Landon, dated July 5, 2011

Comment No.	Response
SL-1	Comment noted.
SL -2	The restoration plan for the site calls for a four year effort that includes adaptive management in sequential planting years. Initially the site will be seeded with terminal barley and a coastal native plant mix. Some young trees will be planted on the site as well. Please see the project description which addresses the planned approach to restoration on the North and South Parkland parcels for a complete description of the restoration strategy (please see pages 2-10 through 2-20 of the Draft EIR.
SL -3	The City's Coastal Land Use and Development Code (CLUDC) do not permit the planting of non-native species within 100 feet of environmentally sensitive habitat areas. Australian plants are not permitted by the City's CLUDC. Planting non-native Australian plants is also not advisable as one of the goals of the project is to restore native habitats.
SL -4	The restoration plan includes a four year planting process that uses adaptive management techniques as recommended by this comment.
SL-5	Comment noted.

Exhibit 3: Final Environmental Impact Report

ERRATA SHEET

This Errata sheet contains the minor changes to the EIR to incorporate changes identified in the response to comments from agencies and the public. Deletions are shown as strikeout and additions in bold italics.

1. The following changes to the mitigation measures shall be made to the Biological Resources section and the Mitigation Monitoring plan:

BR/mm-18 ***To avoid potential impacts from herbicide use, herbicide shall not be applied on Glass Beach Headlands in order to avoid impacts to Environmentally Sensitive Habitat Areas and sensitive species.***

Revised Mitigation Measure BR/mm-18 will be imposed to reduce or avoid the following impacts: BR Impact 3

BR/mm-19 ***To limit use of nonnative materials onsite, use of non-native materials, such as jute webbing, shall be minimized during restoration, to the degree feasible. Native material, such as straw and small woody material, is preferred for erosion control measures.***

Revised Mitigation Measure BR/mm-19 will be imposed to reduce or avoid the following impacts: BR Impact 3

BR/mm-20 ***To avoid potential impacts from herbicide use, non-native plants shall be controlled through hand weeding and mechanical removal as feasible in Environmentally Sensitive Habitat Areas (ESHA). All ESHA areas and rare plants will be flagged during hand and mechanical weeding activities. A biological monitor shall be on site during all hand removal and mechanical weeding activities to ensure that tools, equipment and workers minimize impacts to rare plants and ESHAs. Additionally, hand weeding and mechanical removal shall occur during dormant and/or post seeding periods for rare plants if feasible.***

Revised Mitigation Measure BR/mm-20 will be imposed to reduce or avoid the following impacts: BR Impact 3

~~BR/mm-19 As part of the restoration effort at the Glass Beach Headlands, a USACE and Environmental Protection Agency (EPA)-approved glyphosate-based herbicide safe for use near water (e.g., Rodeo® or Rodeo® with the addition of an approved low-toxicity surfactant) shall be used periodically to help eradicate iceplant. A non-toxic dye shall be mixed in to the herbicide spray solution of prevent double spraying at the project site and to identify treatments gaps. The herbicide applicator shall carry, at any one time, only the amount of herbicide required for the day's application and use a cloth to wipe up any drips.~~

~~BR/mm-20~~ ~~Unless approved by USACE and other involved regulatory agencies, no herbicide application shall occur within the willow riparian or willow scrub wetland areas at the Glass Beach Headlands.~~

~~BR/mm-21~~ ~~Herbicide drift to non-target areas shall be reduced by using low-drift equipment and careful spot spraying procedures. Herbicides shall only be applied during calm weather conditions, with wind blowing less than 5 miles per hour.~~

~~BR/mm-22~~ ~~When not in use, herbicides and any other project-related hazardous materials shall be stored off-site. On days when herbicides are being applied, such materials shall either be in the possession of the registered applicator or in a designated location on an impermeable liner for accidental spill containment. All accidental project-related spills of hazardous materials shall be cleaned up immediately.~~

BR/mm-24 The following measures shall be implemented to avoid/and or minimize impacts to Howell's spineflower and Menzies' wallflower:

d. During construction~~, where there is a risk of herbicide being accidentally applied to rare plants,~~ non-native plants/weeds will be pulled by hand ~~or sprayed with a low-emitting spray nozzle used in conjunction with cardboard shields against the rare plants~~. Care will be given to ensure that root systems of rare plants are not dislodged.

Revised Mitigation Measure BR/mm-24 will be imposed to reduce or avoid the following impacts: BR Impact 3

~~BR/mm-29~~ ~~During herbicide application, a 15-ft buffer zone shall be established around areas with special-status plant species. No herbicide application shall occur within the buffer zone. Invasive plants within the buffer area shall be removed by hand.~~

~~BR/mm-30~~ ~~During herbicide application, special-status plant species shall be covered with appropriate shielding, such as plastic sheeting, 5-gallon buckets, or 20-gallon plastic tubs (depending on size of plants) to protect them during herbicide applications occurring in their vicinity. Plants shall be covered for no more than two hours.~~

BR/mm-25a ***To reduce potential temporary and permanent impacts to sensitive habitat and species within the Glass Beach Headlands, the following proposed trail improvements shall be eliminated from the State Parks project on Glass Beach Headlands:***

- ***Installation of the 51 foot long foot bridge;***
- ***90 feet of cable steps;***
- ***Rock causeway of 120 feet in length, five feet in width and 6 inch in height;***
- ***Wooden crib wall on the south side of the trail near the drainage swale south of the proposed bridge; and***

- ***The grading and surfacing of the 1,400 foot long trail with gravel and Road Oyl.***

The proposed trail will be retained in its current configuration as a single track foot path, to provide for non-handicapped public access of this area.

New Mitigation Measure BR/mm-25a will be imposed to reduce or avoid the following impacts: BR Impact 1, BR Impact 2, BR Impact 3, BR Impact 4, BR Impact 5, BR Impact 6, BR Impact 7 and BR Impact 9.

With implementation of the above mitigation measures, long-term impacts resulting from this project to ESHA and sensitive species would be less than significant. No additional mitigation is required. These revisions to biological resources mitigation measures will not result in new or substantially more severe significant impacts not already analyzed and mitigated in the DEIR.

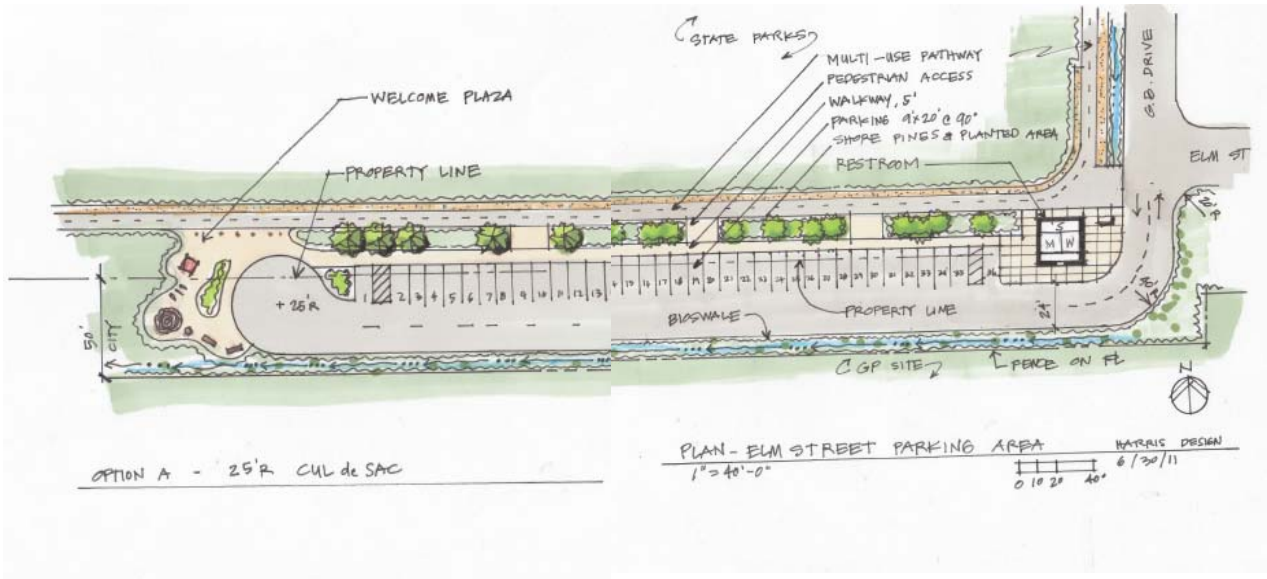
2. The following changes shall be made to the mitigation measures for Cultural Resources.

AR/mm-4 To minimize disturbance of archaeological resources within the District, the City shall implement the Historic Property Treatment Plan and undertake the following key mitigation measures:

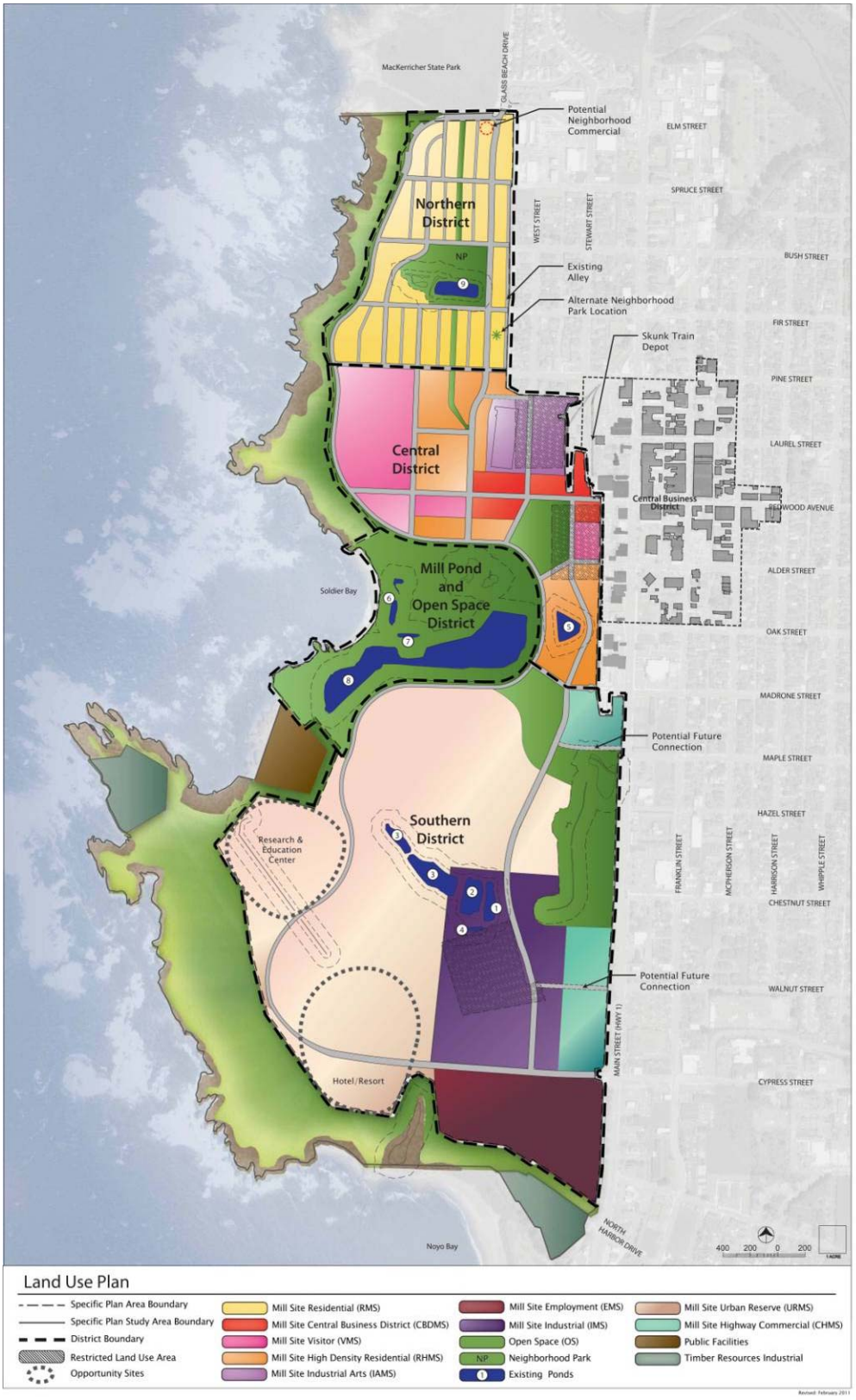
- ***Realign the Elm Street parking lot, restroom, and all utilities to a location further east of the proposed location, as detailed in Figure AR-1 below.***
- Use fence and sign supports that minimize the depth and breadth of disturbance. Where feasible, eliminate “habitat protective” fencing, shown 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.
- Restoration efforts to include no scarification of gravel in P-23-4292.
- Minimize depth of disturbance to three inches for restoration activities to avoid subsurface cultural resources.

Revised Mitigation Measure AR/mm-4 will be imposed to reduce or avoid the following impacts: AR Impact 2.

Figure AR-1



AR/mm-6 Prior to construction of project components located within the District, the City of Fort Bragg shall implement the Phase III program. ***In consultation with the archaeologist in charge of the Phase III program and local tribes, the City shall ensure that, if requested, a Native American monitor is involved with the implementation of the Phase III program.***

Revised Mitigation Measure AR/mm-6 will be imposed to reduce or avoid the following impacts: AR Impact 2. With implementation of the above mitigation measures, long-term impacts resulting from this project to cultural resources would be less than significant. No additional mitigation is required. These revisions to cultural resources mitigation measures will not result in new or substantially more severe significant impacts not already analyzed and mitigated in the DEIR.

3. The following figure replaces Figure 3-2 on Page 3-31.