

COASTAL CONSERVANCY

Staff Recommendation

November 9, 2006

CUFFEY'S COVE APPRAISAL AND FEASIBILITY STUDY

File No. 06-086

Project Manager: Deborah Hirst

RECOMMENDED ACTION: Authorization to disburse up to \$30,000 to the Sonoma Land Trust to complete pre-acquisition planning work, including an appraisal and a feasibility study for beach and trail access, for the Cuffey's Cove property north of Elk in Mendocino County.

LOCATION: Cuffey's Cove, Mendocino County

PROGRAM CATEGORY: Public Access

EXHIBITS:

Exhibit 1: Location Map: Mendocino Coastline

Exhibit 2: Aerial Map of Cuffey's Cove Property

Exhibit 3: Cuffey's Cove Sartori Beach

Exhibit 4: Cuffey's Cove Nearshore Rock Formations

Exhibit 5: Cemetery and the "Kenny House" Historical Building

Exhibit 6: Coastal View South to the Town of Elk

Exhibit 7: Section Needing Trail Corridor East of Highway 1

Exhibit 8: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31220 of the Public Resources Code:

"The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed thirty thousand dollars (\$30,000) to the Sonoma Land Trust to complete pre-acquisition planning work for the Cuffey's Cove property north of Elk in Mendocino County (Mendocino County Assessor Parcel Nos. 127-060-07, 127-080-03, 127-080-04,

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127-100-04, 127-100-01, 127-110-08, 127-130-06, 127-130-07, 127-130-07 and 127-140-01), subject to the condition that prior to the disbursement of funds, the Sonoma Land Trust shall submit for the written approval of the Conservancy's Executive Officer a work program, budget, and names of any contractors it intends to employ for the project."

Staff further recommends that the Conservancy adopt the following findings:

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

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Sonoma Land Trust is a private nonprofit organization, existing under the provisions of Section 501 (c)(3) of the U.S. Internal Revenue Service Code whose purposes are consistent with Division 21 of the Public Resources Code."

PROJECT SUMMARY:

Staff recommends the Conservancy authorize the disbursement of up to thirty thousand dollars (\$30,000) to the Sonoma Land Trust to obtain an appraisal, prepare a feasibility study for beach and trail access, prepare trail easement documentation, review title documents, coordinate with other project partners and negotiate with the landowners for acquisition of fee simple interest in or a trail easement over a portion of the Cuffey's Cove property in Mendocino County (Exhibit 1). The appraisal will consider the values of a fee interest of the 125 acres west of Highway One, a trail easement over this section, and a trail easement east of Highway One (Exhibit 2). The feasibility study will consider the potential for developing a section of the California Coastal Trail west of Highway One, a lookout trail up the hill on Cuffey's Point, and an eastern trail corridor into Elk. In addition, the study will also provide assessment for potential public access to one or more of the site's seven cove beaches (Exhibit 3), entry from Highway One, a small parking lot and interpretive signage on the historic town of Cuffey's Cove, the bluff-top cemetery and the landmark "Kenny House".

The proposed project is consistent with the recommendations of the California Coastal Trail report, which identifies this portion of the Mendocino Coast as requiring improvement to reach the goal of connecting the entire coast of California for public access from Mexico to the border of Oregon. The plan specifically recommends improving the Highway One corridor for non-motorized travel. In order to do this, due to the narrow shoulder of the highway along this stretch of coast, the trail would need to be moved onto the adjacent private property. A fantastic opportunity now exists to work with the current landowners, the Roths, who are willing to consider a fee or easement sale

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of the coastal property west of Highway One and a trail corridor into Elk where necessary east of the highway. The project has the potential to create several miles of California Coastal Trail along protected marine terrace with dramatic views up and down the coast line away from the noise and risk of highway traffic (Exhibit 4).

The property also offers a series of seven distinct coves with sandy beaches. The Sonoma Land Trust will examine the feasibility of developing beach access to one or more of these protected beaches to further the Conservancy's goal of increasing public access to the coast. The Roth family's property is also of historical interest as it is the site of a now defunct logging town called Cuffey's Cove. The landmark "Kenny House" as well as a number of community cemeteries dating from the 1800s are still visible from Highway One and would be highlighted in interpretive signage for the proposed project (Exhibit 5).

Established in 1976, the mission of the Sonoma Land Trust is to protect the varied scenic, natural, agricultural and open landscapes of Sonoma County for the benefit of present and future generations. In addition, the 501 (c)(3) nonprofit organization has also invested in opportunities to protect resources in neighboring Mendocino County. The Conservancy has supported a number of previous projects with the Sonoma Land Trust including acquisition of the 910-acre Red Hill property on the Sonoma Coast.

Site Description:

Owned by the Roth family, the Cuffey's Cove property offers 4 miles of impressive coastline with spectacular views of the ocean and nearshore rock formations to the west, and wide hillsides of protected forest to the north and east. The property lies just north of the town of Elk (Exhibit 6) and is bisected by Highway 1 for approximately 1.5 miles. The property is home to resident sea lion colonies, marine birds, coastal terrace vegetation and wildlife. The site has a total of seven coves and potential for access to a number of protected sand beaches with rock islands just off shore. The focus of this planning grant will be the 125 coastal acres west of Highway One, and a potential trail corridor along the south eastern portion of the property leading safely to Elk. The views of the forested hills east of Highway One will continue to be protected by an existing conservation easement covering the full 1068 acres of the Cuffey's Cove property.

During the late 1800's the town of Cuffey's Cove was home to roughly 500 people with an economy based largely on logging. The historic "Kenny House" which still stands on the Roth property was the center of town and is a landmark visible from Highway 1. A series of small cemeteries on and near the Cuffey's Cove property offer the opportunity for interpretive signage on the history of the areas natural resource use by immigrant and Native American communities. From the property's highest ocean-side hill, Cuffey's Point, future visitors would be able to view the town of Elk and the dramatic shoreline.

The property has the potential to provide a link in the Coastal Trail along the bluff to the west and into the town of Elk to the east, bypassing a narrow stretch of Highway 1 where insufficient land for a trail exists west of the highway (Exhibit 7). Once in Elk, trail users

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would be able to continue on the existing State Park trail along the bluffs down to Greenwood State Beach.

Project History:

Property owners William and Joan Roth donated a conservation easement over the entire 1,068-acre Cuffey's Cove property to The Sonoma Land Trust in December of 1990. The conservation easement prohibits any type of logging on the property and restricts future development to the east side of Highway One. The easement restricts activities including excavation, removal of vegetation, dumping and harming of wildlife. Agricultural use of the property is allowed east of Highway One in specified areas and the family retains rights to improve and construct limited buildings for continued residence and agricultural production. As it exists, the conservation easement has no provision for public access or for any improvements west of Highway 1. However, the property is now being transitioned to the next generation of Roth family members, who are willing to consider public access on the 125 acres west of the Highway. The family is also willing to consider a corridor east of the Highway across the southern edge of the property where there is not sufficient space on the Highway or west of the Highway to walk safely into Elk. SLT staff have been in discussion with the Roth family over the past year to explore the potential for creating a link in the California Coastal Trail and opening the property to public access west of Highway One. SLT has coordinated site visits with the owners, Conservancy staff and Coastwalk to discuss potential for a California Coastal Trail alignment and other coastal access opportunities.

The proposed planning project will enable the Sonoma Land Trust to obtain an appraisal, prepare a feasibility study for trail and beach access, coordinate with potential project partners, prepare trail easement documentation as needed and conduct negotiations with the property owners and other project partners.

PROJECT FINANCING:

Coastal Conservancy	\$30,000
Sonoma Land Trust (in-kind)	<u>\$ 15,000</u>
Total Project Cost	\$45,000

Conservancy funds for this project are expected to derive from the Conservancy's FY05/06 appropriation from Proposition 12 (the "Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000") for public access projects north of the Gualala River. Proposition 12 authorizes the Conservancy's use of bond funds for the acquisition of real property interests in coastal areas and for the development of public use facilities in accordance with Division 21 of the Public Resources Code (Public Resources Code Section 5096.352). The proposed project will provide planning for an acquisition leading to public access and a link of the Coastal Trail.

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CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The Cuffey's Cove project would be undertaken pursuant to Chapter 9 (Section 31400 et seq.) of the Conservancy's enabling legislation, Division 21 of the Public Resources Code, regarding the implementation of a system of public access ways to and along the state's coastline.

Pursuant to Section 31400.1, the Conservancy is authorized to award grants to a nonprofit organization to acquire, develop and manage lands for public access to and along the coast. The appraisal and feasibility study are the first necessary steps in acquiring the Cuffey's Cove property for public access.

Pursuant to Section 31400.3, the Conservancy may provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public access ways, and related functions necessary to meet coastal access objectives. The proposed project will meet these goals by providing the nonprofit Sonoma Land Trust with funding to complete project planning for future public access over the Cuffey's Cove coastal bluffs and into the town of Elk safely off of Highway 1.

Pursuant to Section 31408, the Conservancy, in consultation with the Department of Parks and Recreation, and the California Coastal Commission, coordinate the development of the California Coastal Trail. The proposed project will meet this goal by providing The Sonoma Land Trust with funding to complete a feasibility study for developing a section of the California Coastal Trail on the Cuffey's Cove property.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOALS & OBJECTIVES:

The proposed project is consistent with the Conservancy's Strategic Plan as it supports the following Goals and Objectives:

Goal 1 – Objective D: by acquiring a new right-of-way for the California Coastal Trail to provide safe access off the Highway One corridor;

Goal 2 - Objective A: by funding acquisition planning and supporting development of a project to open for public access an area currently inaccessible to the public by working with a private property owner;

Goal 4 –Objective A: by providing an appraisal for the acquisition of fee title or a trail easement over a significant coastal resource property with scenic vistas and open space values.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

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

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Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** Coastwalk, a nonprofit volunteer based organization supporting completion of the California Coastal Trail, has been involved with discussions and a site visit to Cuffey's Cove and is enthusiastic about the potential trail link in the pre-planning stage (For letters of support, see Exhibit 8).
4. **Location:** The proposed project is located within the Coastal Zone north of the town of Elk in the Mendocino Coastal watershed.
5. **Need:** Conservancy funding is necessary to provide initial planning work for the proposed public access project. The proposed project will support the Conservancy's mandate to work toward the completion of the California Coastal Trail and will provide a plan for public access on Cuffey's Cove.
6. **Greater-than-local interest:** The proposed project will provide planning leading to public access south of the popular tourist destination, the town of Mendocino, and just north of the historic town of Elk. Travelers, both international and regional, are drawn to the entire north coast of California, particularly those areas within a few hours drive of San Francisco.

Additional Criteria

7. **Urgency:** The proposed project will assist acquisition planning for a future safe, non-vehicular route from north of Cuffey's Cove along the coast into the town of Elk through private property currently restricted for public access, at a time when the property owners are willing to consider sale or a fee interest or public access easement. The project would not go forward without this support from the Conservancy.
8. **Resolution of more than one issue:** The proposed Planning Grant's resulting plan will design a stretch of the California Coastal Trail along Cuffey's Cove west of Highway 1 and has the potential to provide an alternative route to avoid a narrow section of the Cal Trans' right-of-way for trail access into the town of Elk.
9. **Leverage:** Sonoma Land Trust will be able to use the Conservancy's support for pre-acquisition planning to leverage private and public funds for the implementation of the proposed Cuffey's Cove public access. The SLT is providing a 33% match of Conservancy funds through allocation of senior staff time to the project.

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10. **Readiness:** Sonoma Land Trust has been working closely with multiple generations of the family owning the property over the past year and is prepared to move forward with the next step leading to a coastal acquisition for the property.
11. **Realization of prior Conservancy goals:** See “Project History” above.
12. **Cooperation:** Sonoma Land Trust is a regional conservation partner with a solid record of collaboration with the Conservancy, State Parks, Sonoma Agricultural Preservation and Open Space District, private property owners and conservation organizations and regular participation in the Conservancy led West County/Coastal Collaborative Acquisition Working Group.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The planning project is located in the Coastal Zone and is consistent with the County of Mendocino’s Local Coastal Program. The Mendocino Coast Plan includes a call for a contiguous coastal trail through the County in addition to public beach access along the coast. Scenic and visual resources along the coast are also priorities for protection in the Mendocino Plan.

COMPLIANCE WITH CEQA:

The Cuffey’s Cove Planning project involves only feasibility or planning studies for actions the Conservancy has not yet approved, adopted or funded, and is therefore statutorily exempt from CEQA review pursuant to 14 CCR Section 15262.