

COASTAL CONSERVANCY

Staff Recommendation
June 5, 2008

POMO BLUFFS PARK IMPROVEMENTS CONSTRUCTION REVISION

File No. 04-082
Project Manager: Matthew Gerhart

RECOMMENDED ACTION: Modification of the Conservancy's December 2, 2004 authorization to restore native vegetation and construct access improvements at Pomo Bluffs Park by authorizing an additional disbursement of up to \$31,200 to the City of Fort Bragg to extend trail, fencing and signage improvements along three public access easements to Pomo Bluffs Park.

LOCATION: Pomo Bluffs Parks, South of Noyo Harbor, City of Fort Bragg, Mendocino County.

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location and Site Maps](#)
 - Exhibit 2: [December 2, 2004 Staff Recommendation](#)
 - Exhibit 3: [Public Improvement Diagrams](#)
 - Exhibit 4: [City of Fort Bragg Initial Study and Negative Declaration](#)
 - Exhibit 5: [Letters of Support](#)
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RESOLUTION AND FINDINGS:

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

“The State Coastal Conservancy hereby modifies its December 2, 2004 authorization to restore native vegetation and construct access improvements at Pomo Bluffs Park by authorizing an additional disbursement of up to thirty-one thousand two hundred dollars (\$31,200) to the City of Fort Bragg to allow the extension of trail, fencing and signage improvements along three public access easements to Pomo Bluffs Park. This authorization is subject to the same conditions as the December 2, 2004 authorization and to the following additional conditions:

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1. Prior to disbursement of any funds, the Executive Officer of the Conservancy shall approve in writing an addendum to the Pomo Bluffs Park Management Plan to reflect the trail extension.
2. On request of the Conservancy, the City shall permit alignment of a segment of the California Coastal Trail on the City's new access easements, and shall install and maintain sign(s) identifying the property as a segment of the California Coastal Trail, the design, number and placement of which has been approved by the Conservancy's Executive Officer."

Staff further recommends that the Conservancy adopt the following findings:

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

1. The proposed project, as modified, remains consistent with the Conservancy's December 2, 2004 findings regarding the project's purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, for the implementation of a system of public accessways to and along the state's coastline.
2. The proposed project, as modified, remains consistent with the Conservancy's December 2, 2004 findings under Project Selection Criteria and Guidelines, and as updated by the Conservancy on September 20, 2007.
3. The proposed project, as modified, continues to serve greater than local needs.
4. The Conservancy has independently reviewed and considered the City of Fort Bragg's Negative Declaration, attached to the accompanying staff recommendation as Exhibit 4, and finds that the project will not have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382."

PROJECT SUMMARY:

Staff recommends that the Conservancy revise its authorization of December 2, 2004 to disburse up to an additional \$31,200 to the City of Fort Bragg to extend trail, fencing and signage improvements along three public access easements to Pomo Bluffs Park.

In 2001, the Conservancy and Caltrans provided funding for the City to acquire the approximately 20-acre Pomo Bluffs Park property (formerly called "South Noyo Bluffs") for open space preservation, public access, and recreation purposes. Also in 2001, the City purchased a 50-foot wide bluff-top public access easement extending eastward from the park along the bluff edge, and acquired an option to purchase a connecting easement that would allow access directly from Highway 1 to the park. These acquisitions allowed for the protection of scenic views of the Noyo Harbor as well as the potential to provide public access to the coastal bluffs overlooking the harbor, river mouth, and ocean through a 2,500 foot extension of the California Coastal Trail.

Subsequent to the first easement purchase, but before exercising its option to purchase the connector, the City secured additional grant funding from the Conservancy in 2003 and 2004 to plan for access improvements at the park and design, engineer and construct those

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improvements. Those improvements were constructed through the Conservancy's December 2, 2004 authorization for this project (Exhibit 2) and were completed on schedule in 2007.

Since the previous project authorization, the City has been able to move forward on its option to purchase an additional public access easement connection that will allow for a new trail alignment to connect pedestrians and cyclists to Pomo Bluffs Park. The alignment will allow the public to leave the Noyo Bridge approach along Highway One via an existing ADA-accessible ramp, cross the parking area in front of the Cliff House restaurant and connect via the City's existing 50-foot wide bluff-edge public access easement to the existing trails on Pomo Bluffs Park (See Exhibit 3).

Given the potential for a new trail connection, the City proposes to extend its existing Pomo Bluffs Park improvements to provide pedestrian and bicycle access along the easements. The improvements would consist of:

- Extension of split rail fencing from the existing park border along the edge of the new easements and striping of the crossing at the restaurant parking area to delineate the public right of way,
- Construction of an approximately 500 foot extension of the 10 foot wide, concrete asphalt trail (with compacted aggregate base) along the length of the alignment,
- Installation of traffic bollards to prohibit unauthorized motorized vehicle access onto the easements, and
- Installation of signs providing directions, park rules and funding acknowledgment at the new access point from Highway One.

Site Description: Pomo Bluffs Park consists of approximately 20 acres on the northwestern portion of the Todd Point Subdivision. The park is a long, narrow strip of blufftop land. The public access easements extend along the bluff edge to the east of the park through a HVC-zoned (Highway/Visitor-Serving/Commercial) parcel, turn southward to run along the eastern boundary of the parcel, and run across the parking area of The Cliff House restaurant to an ADA-accessible ramp onto Highway 1 and the Noyo Bridge. To the south is an RV Park and the Todd Point subdivision. To the north is the Noyo Harbor and to the west is the Pacific Ocean. (See Exhibit 1: site map)

Project History: In its March 12, 1999 approval of Caltrans' request to retrofit the Noyo River Bridge, the Coastal Commission identified the Noyo Bluffs properties as desirable for acquisition and development as a public viewing area. Caltrans provided the Conservancy with \$1,000,000 of mitigation funds that, under conditions of its coastal development permit, must be used for acquisition and improvement of public recreational lands in Fort Bragg or Mendocino County. In 2001, the Conservancy and Caltrans (via a different funding source) provided funding for the City to acquire the Pomo Bluffs property, including the 50 foot blufftop easement and an option on the additional connecting access easement, and the Conservancy provided additional funding for the City to prepare a management plan. In 2003, the Conservancy authorized disbursement of a portion of the Caltrans mitigation funds to the City for access improvement engineering and design. In December 2004, the Conservancy authorized disbursement of additional mitigation funds for the construction of the Pomo Bluffs Park improvements, and the City opened the site to the public in 2006. Since early 2007, the City has worked to purchase the additional public access easements

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PROJECT FINANCING:

This Authorization:

Coastal Conservancy	\$31,200
City of Fort Bragg (additional in-kind services)	6,000

Previous Authorization:

Coastal Conservancy	\$600,000
City of Fort Bragg (in-kind contribution for CEQA review, permitting, and construction mgmt)	<u>14,000</u>

Total Project Cost **\$651,200**

The additional funds for the project under this authorization are expected to come from a Caltrans mitigation fund for its retrofit of the Noyo River Bridge that is held in a Conservancy Coastal Trust Fund Account. Pursuant to a special condition of Caltrans' coastal development permit for the bridge retrofit, and as subsequently memorialized in an MOA between the Coastal Commission, the Conservancy, and Caltrans, the Noyo River Bridge Mitigation fund must "only be used to acquire and improve...land in the Fort Bragg or Mendocino County area as a public recreational area offering views of the Pacific Ocean." The use of these funds to improve the Pomo Bluffs Park for public access is consistent with funding source requirements. After this authorization, approximately \$21,000 would remain in the special deposit account for use on additional Mendocino County coastal access projects.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

For the same reasons as detailed at length in the December 2, 2004 staff recommendation (Exhibit 2), the project, as revised by the proposed authorization, remains consistent with the Conservancy's enabling legislation, Division 21 of the Public Resources Code, specifically Chapter 9 (Sections 31400-31409) pertaining to public access to and along the coast.

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

Consistent with **Goal 1, Objective C and D** of the Conservancy's 2007 Strategic Plan, the proposed revision to the project would allow for the design and construction of an additional 500 feet of eventual Coastal Trail on public access easements on privately-held lands adjacent to Pomo Bluffs Park.

Consistent with **Goal 2, Objective C** of the Strategic Plan, the proposed revision to the project will provide for the opening of a new accessway to Pomo Bluffs Park and the Fort Bragg coastline.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project remains consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on September 20, 2007, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The management planning process provided several forums for public input, including a special public meeting, two City Council meetings, and a written survey. Development of public accessways was strongly supported. Additionally the property owners have shown support for the proposed accessway improvements and increased public traffic to the restaurant and park. Additional support letters are included in Exhibit 5.
4. **Location:** The proposed project would be located within the coastal zone of the City of Fort Bragg.
5. **Need:** The City of Fort Bragg has a limited amount of funding remaining from its current authorization, but the remaining amount is inadequate to construct the proposed extension of the trail. Without the proposed augmentation to the authorization, the City would only be able to delineate the boundaries of the easements and mow a path to delineate the trail, having to seek future funding to complete the access improvements.
6. **Greater-than-local interest:** The Mendocino coast is a statewide, national, and international visitor destination, and achieving a continuous California Coastal Trail is a statewide priority.

Additional Criteria

9. **Leverage:** See the "Project Financing" section above. The incremental cost of completing all park improvements at this time, compared to the future costs of pursuing only a portion of the project now and additional improvements later, indicate a significant savings to the City and Conservancy.
12. **Readiness:** The grantee has prepared all necessary plans and environmental documentation for the project in order to obtain the permits necessary to implement construction. The City will obtain a coastal development permit as part of implementing the project.
13. **Realization of prior Conservancy goals:** The proposed revision to the project would realize the Conservancy's previous vision of a connector trail from the Noyo Bridge/Highway One corridor to Pomo Bluffs Park.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

As detailed in the December 2, 2004 staff recommendation, the proposed project, as revised, remains consistent with the relevant portions of the City of Fort Bragg's Local Coastal Program ("LCP") (certified February 26, 1988).

COMPLIANCE WITH CEQA:

The City of Fort Bragg, as lead agency for the additional improvements to the Pomo Bluffs Park project under the California Environmental Quality Act (CEQA), prepared an Initial Study and Notice of Intent to Adopt a Negative Declaration (attached as Exhibit 4). The Initial Study identified only less than significant impacts as follows: air quality (temporary and minor dust emissions related to construction), geology and soils (the proposed project is located where small earthquakes can be expected to occur; the proposed project will be constructed to meet current standards relative to earthquake readiness and safety), noise (temporary and minor noise impacts during construction would comply with the City's noise ordinance), and public services (any increase in police and fire response to guard against vandalism of the park improvements or provide cliff rescue would be within the capabilities of the City's departments).

The Initial Study and Notice of Intent to Adopt a Negative Declaration were circulated during a 30-day public review period commencing April 11th, 2008. One comment was received from the Native American Heritage Commission regarding the need to follow standard archaeological review procedures in preparing environmental documentation. However, no corrections, additions or deletions were required in response to the comments received, as all concerns had already been addressed during the project archaeological study. On May 14, 2008, the City's Planning Commission adopted the Negative Declaration.

Staff has reviewed the Negative Declaration prepared and adopted by the City and concurs that there is no substantial evidence that the project as proposed will have a significant effect on the environment. Staff therefore recommends that the Conservancy approve the Negative Declaration, and find that the project does not have the potential for an adverse effect on the environment as defined in 14 Cal. Code of Regulations, Section 15382. Staff will file a Notice of Determination upon approval of the project.