

## COASTAL CONSERVANCY

Staff Recommendation  
June 4, 2009

### **HUMBOLDT BAY NATURAL AREAS ACCESS ENHANCEMENT**

Project No. 08-174-01  
Project Manager: Joel Gerwein

**RECOMMENDED ACTION:** Authorization to disburse up to \$20,000 to the North Coast Resource Center, a nonprofit organization, to conduct cleanups of homeless encampments in natural and public access areas around Humboldt Bay.

**LOCATION:** Humboldt Bay, Humboldt County

**PROGRAM CATEGORY:** Public Access

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#### **EXHIBITS**

Exhibit 1: [Site photographs](#)

Exhibit 2: [Project Location and Site Map](#)

Exhibit 3: [Project Letters](#)

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#### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 and 31400-31409 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of up to \$20,000 (twenty thousand dollars) to the North Coast Resource Center, a nonprofit organization, to conduct cleanups of homeless encampments in natural and public access areas around Humboldt Bay and to simultaneously reduce the long-term homeless encampment problem in these areas by connecting individuals residing in these encampments with available social services. Prior to disbursement of any funds, the Executive Officer of the Conservancy shall approve in writing a work plan, budget and schedule, and any contractors to be employed in these tasks, and the grantee shall provide signed access agreements from the owners of the natural areas where cleanups will occur.”

Staff further recommends that the Conservancy adopt the following findings:

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

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
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2. 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.
  3. The North Coast Resource Center is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”
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**PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to \$20,000 to the North Coast Resource Center, formerly known as the Arcata Endeavor, to conduct cleanups of homeless encampments in natural and public access areas around Humboldt Bay. The project will serve to demonstrate an innovative, cost-effective, long-term approach to reducing the homeless encampment problem in natural and public access areas around Humboldt Bay by cleaning areas and making them more attractive and accessible to the general public, while also providing information to homeless individuals on available services.

Homeless encampments pose an ongoing problem for public access, water quality and wildlife habitat in natural and public access areas around Humboldt Bay. According to the City of Arcata 2007 Homeless Services plan, 74% of 755 homeless individuals surveyed in Humboldt County were camping. Homeless encampments have been cited as a public health and safety hazard. Damage to public property, natural resources, and sensitive habitat has been reported as a result of campfires, garbage, and human feces (Exhibit 1). In addition, homeless encampments frequently discourage the use of natural areas by the general public due to safety and health concerns and aesthetic impacts.

Homeless encampments are frequently present in PALCO Marsh (Eureka Marsh), Arcata Marsh, and the Arcata Community Forest (Exhibit 2), all of which were purchased using Conservancy funding. The Elk River Wildlife Sanctuary and the railroad line south of Arcata, which are both likely locations for portions of the California Coastal Trail, are also common locations for encampments. Currently, homeless encampment cleanups are carried out by the Eureka and Arcata Police Departments and the Arcata Environmental Services Department. Cleaning up encampments drains the resources of the Cities of Arcata and Eureka and diverts city staff from other public safety and land management duties. In addition, cleaning up encampments without connecting homeless individuals to services does not provide a long-term solution to the encampment problem. Typically, individuals will move from one natural area to another as a result of current cleanups.

The North Coast Resource Center, a 32-year-old non-profit group providing homeless services, recently initiated the New Directions program to take an alternative approach to homeless encampments. Through the program, a group of trained case managers and volunteers approach and engage illegal campers, offering resources referrals and education in “good neighbor” conduct. Many of the volunteers in the program are homeless or formerly homeless participants in the North Coast Resource Center’s Back to Basics employment readiness program. The first encampment visit is purely introductory and educational in nature. The New Directions crew of case managers and participants in the Back to Basics employment readiness program approaches the encampment. The inhabitants of the encampment that are present at the time are engaged in discussion and informed of resources available to them locally. Agency contact information is

handed out and future contact encouraged, and inhabitants are told that the New Directions crew will return in 48 hours to clean the camp. If no individuals are present, written material, clean-up date notification and business cards are securely posted at the location. If this is the case, a second attempt to make personal contact is made. After this point, the New Directions crew comes prepared to remove all debris, and all trash and litter is taken away. Personal belongings collected are inventoried and stored for 30 days. Notification of collection and storage is securely posted at the location together with instructions for retrieval of belongings. Maintenance visits keep areas cleared of debris and discourage re-establishment of the encampment(s).

The project will provide funding for homeless encampment cleanups at a number of natural and public access areas around Humboldt Bay, including areas that were purchased with Conservancy funding. Encampment cleanups will be conducted in cooperation with the Cities of Eureka and Arcata, who are the landowners of the areas in question. The program will run for up to two years and will result in the cleanup of approximately 4 large encampments or a larger number of small encampments. It is anticipated that the general public will increase their use of these areas as a result, and that wildlife habitat and water quality will be enhanced.

The North Coast Resource Center staff is highly qualified to implement this project, having worked with the poor and homeless in the area for over 32 years. The North Coast Resource Center initiated the New Directions project in 2008, and has already succeeded in reducing problems associated with several small encampments.

**Site Description:** As California's second largest natural bay and the largest estuary on the Pacific coast between San Francisco Bay and Coos Bay, Oregon, Humboldt Bay (Exhibit 2) is a complex ecosystem and valuable resource for California and the nation because of its natural and environmental resources, its aesthetic appeal and recreational opportunities, its ecological services, economic benefits, and its vital transportation links. Visitors and Humboldt County residents alike value Humboldt Bay for its natural and man-made attributes. Natural areas around Humboldt Bay where homeless encampments frequently are found include the Eureka Marsh complex, the Arcata Marsh, and the Arcata Community Forest.

The Eureka Marsh complex, owned by the City of Eureka, is located on the eastern shoreline of Humboldt Bay, at the southern edge of Eureka (Exhibit 2). The complex consists of approximately 120 acres of tidal flats, salt, brackish, and freshwater marshes, willow scrub, and upland habitats, consisting of PALCO Marsh, Maurer Marsh, Restoration Areas A and B, and Parcel 4. With its variety of habitats, the Eureka Marsh complex is one of the area's premier bird-watching spots. Numerous species of shorebirds, waterfowl, and raptors are found there, such as egrets, herons, common snipes, marsh wrens, Northern harriers, and Coopers' hawks. The Northwest Pacific Railroad tracks bisect the property in a North-South direction. A trail crosses PALCO Marsh, but, as noted above, the popularity of the site for passive recreation is limited by safety and health concerns.

The Arcata Marsh is a 154-acre refuge of wetlands and riparian habitat owned by the City of Arcata. Located a few blocks from the center of Arcata, it is a popular spot for bicycling, walking, jogging, and bird watching. Bird blinds and 4.5 miles of trails provide visitors with easy access while minimizing human impact on plant and animal life. The Arcata Marsh lies along the Pacific Flyway, a major migrating route for thousands of birds that breed in the far north and winter in California, Mexico, and Central and South America. These wetlands provide homes and migratory resting places for over 250 species of birds. The Conservancy funded the first Arcata Marsh wetland restoration project in 1979, and provided additional funding for the

Butcher Slough Restoration Project in 1986, expanding the Marsh to its current size, as well as planning funds for the McDaniel Slough restoration project, now underway.

The Arcata Community Forest, established in 1955 and owned by the City of Arcata, comprises 803 acres of 100-120 year old second growth redwood forest and associated riparian areas. The forest supports a diverse biota, including the federally threatened northern spotted owl and coastal cutthroat trout, a California Species of Special Concern. The forest is managed for a number of goals, including providing habitat for species associated with late-successional forest habitat in second growth redwood forests, generating revenue to fund forest operations and open space and parkland acquisitions, and providing recreational and research opportunities. A network of trails in the forest is very popular for hiking and bicycling. The Conservancy provided funding in 2006 for the purchase of the 175 acre Sunnybrae Forest parcel to bring the forest to its current size.

**Project History:** The project was initiated due to ongoing concerns regarding homeless encampments in natural and public access areas around Humboldt Bay that were protected with Conservancy funding. Media reports focused on homeless encampments in PALCO Marsh (Eureka Times-Standard, 10/20/2008) and in the Arcata Community Forest (Times-Standard, 10/13/2008) highlighted the need for a constructive approach to the encampment problem. The Conservancy and the North Coast Resource Center began developing the project jointly in November 2008.

#### **PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$20,000</b>
<b>Total Project Costs</b>	<b>\$20,000</b>

Conservancy funding for the project would be derived from the California Beach and Coastal Enhancement Account of the California Environmental License Plate Fund. Conservancy funds from the California Beach and Coastal Enhancement Account are to be expended “for coastal natural resource restoration and enhancement projects and for other projects consistent with the provisions of Division 21 (commencing with Section 31000) of the Public Resources Code.” (California Vehicle Code, Section 5067(c)(1). The project would contribute to the restoration of coastal resources degraded by the encampments and is consistent with the provisions of Division 21 of the Public Resources Code, as discussed below in “Consistency with Conservancy’s Enabling Legislation.”

#### **CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed project would be undertaken pursuant to and is 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.

Section 31400 of the Public Resources Code declares the state policy that the right of the public to access and enjoyment of coastal resources should be effectively guaranteed, and states the

Legislature's intent that the Conservancy have a principal role in implementing a system of public accessways to and along the state's coastline. In the proposed project, the Conservancy will fund activities to protect coastal resources and enhance public access to coastal areas. The proposed funding authorization thus furthers the purposes of §31400.

Section 31400.1 authorizes the Conservancy to award grants to nonprofit organizations to develop, operate or manage lands for public access purposes to and along the coast. Consistent with the requirement that accessways serve more than local public needs, Humboldt Bay is a statewide and national visitor destination. The area also provides valuable links in the California Coastal Trail.

Section 31400.3 enables the Conservancy to provide such assistance as is required to aid nonprofit organizations in establishing a system of public coastal accessways, and related functions necessary to meet the objectives of Division 21.

The proposed project also incorporates the protection of natural resources, consistent with the objectives of Chapter 6 of Division 21 (Sections 31251-31270) pertaining to coastal resource enhancement. Under Section 31251, the Conservancy may award grants for the purpose of enhancement of coastal resources that, because of natural or human-induced events, have suffered loss of natural and scenic values. The proposed project is intended to improve natural habitats that have been degraded by homeless encampments and associated dumping.

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

Consistent with **Goal 2, Objective B** of the Conservancy's 2007 Strategic Plan, the proposed project will enhance waterfront and watershed parks by cleaning up encampments.

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

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on 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 project is broadly supported by the public (Exhibit 3). Supporters include the City of Eureka, the City of Arcata, the Redwood Community Action Agency, the Redwood Regional Audubon Society, State Senator Patricia Wiggins, and Assemblymember Wes Chesbro.

4. **Location:** The proposed project would be located within the coastal zone of the Cities of Eureka and Arcata and Humboldt County.
5. **Need:** Conservancy funding is needed to allow this project to go forward because, as a demonstration project, it is a promising but unproven approach. The jurisdictions that may in the future support such a program as an alternative to using their own staff for maintenance first need to see additional evidence that this approach can be effective.
6. **Greater-than-local interest:** The proposed project will enhance public access to Humboldt Bay, plant and wildlife habitat of regional and statewide importance for resident and migratory species.

**Additional Criteria**

7. **Urgency:** The problem of homeless encampments is likely to worsen in the current economic situation, further degrading natural areas and discouraging access by the general public, unless action is taken quickly.
8. **Resolution of more than one issue:** The project enhances public access and natural resources, while simultaneously providing outreach to homeless individuals in need of services.
9. **Leverage:** While the project does not leverage other funding, it is anticipated that the project's success will encourage local governments to provide funding for similar projects as a cost-effective alternative to the current use of local government staff.
10. **Innovation:** The project takes an innovative approach to a longstanding problem by utilizing trained social service providers and homeless or formerly homeless volunteers to conduct simultaneous cleanup and outreach activity in a cost effective manner.
11. **Readiness:** The North Coast Resource Center has already implemented an initial small scale pilot project, and is prepared to move forward with the project expeditiously.
12. **Realization of prior Conservancy goals:** The project furthers the Conservancy's goals of providing public access to the coast, particularly in natural areas it has helped to purchase where access has been discouraged due to encampments.
13. **Cooperation:** The North Coast Resource Center has arranged for the free delivery and use of dumpsters from a local waste management company for the project.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The Local Coastal Programs (LCPs) of the City of Arcata, the City of Eureka, and Humboldt County cite following California Coastal Act policy that is consistent with the proposed project: "In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse." (Public Resources Code Section 30210).

The proposed project is also consistent with resource protection policies in the City of Arcata's certified LCP, the City of Eureka's certified LCP, and Humboldt County's LCP. Section D of the City of Arcata's LCP, regarding wetlands and riparian resources, provides for the establishment

of Wetland Buffer Areas to protect sensitive wetlands and states that the City will seek funding for restoration of degraded natural resources. The City of Eureka's 1997 General Plan Policy Document (GPPD), which was certified by the Coastal Commission as an update to the City of Eureka's LCP in 1999, contains several policies consistent with the project. The GPPD designates wetlands as environmentally sensitive habitat areas (GPPD Section 6.A.6, pg. B-15) and states that the City of Eureka "shall ensure that environmentally sensitive habitat areas are protected against any significant disruption of habitat values, and that only uses dependent on such resources shall be allowed within such areas" (GPPD Section 6.A.7, pg. B-15). The GPPD also states that the City of Eureka "shall maintain and, where feasible, restore biological productivity and the quality of coastal waters, streams, wetlands, and estuaries..." (GPPD Section 6.A.1, pg. B-14). The Humboldt Bay Area Plan (HBAP) of the Humboldt County LCP, certified by the California Coastal Commission in 1982, defines environmentally sensitive habitats as including "wetlands and estuaries, including Humboldt Bay and the mouth of the Mad River" (HBAP Section 3.30(B), p. 42). The HBAP cites Section 30240(a) of the California Coastal Act, stating that "environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values" (HBAP Section 3.30, p. 38).

**COMPLIANCE WITH CEQA:**

The proposed project involves only actions to maintain existing public topographical features, involving negligible or no expansion of use beyond that existing at this time and is thus statutorily exempt from the requirement to prepare an Environmental Impact Report or Negative Declaration under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15301. The project involves the maintenance of existing native growth, which is specifically provided as an example of activities that are categorically exempt under Section 15301.

Staff will file a Notice of Exemption upon Conservancy approval.