

COASTAL CONSERVANCY

Staff Recommendation
September 22, 2011

MILHOLLIN AND GETCHELL COVE ACCESS PLANNING

Project No. 11-030-01
Project Manager: Peter Jarausch

RECOMMENDED ACTION: Authorization to disburse up to \$45,560 to the Redwood Coast Land Conservancy to complete design, planning, and permit applications for trails on the Milhollin Parcel and at Getchell Cove in southern Mendocino County.

LOCATION: Mendocino County

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Project Letters](#)

RESOLUTION AND FINDINGS:

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

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed forty-five thousand five hundred sixty dollars (\$45,560) to the Redwood Coast Land Conservancy (‘RCLC’) to complete design, planning, and permit applications for public access trails on the Milhollin Parcel and at Getchell Cove west of Highway 1 in Mendocino County subject to the following condition:

Prior to the disbursement of funds for the project, the RCLC shall submit for the review and written approval of the Executive Officer of the Conservancy:

- a. A work program, including schedule and budget, and
- b. The names and qualifications of any contractors to be employed on 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 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 Redwood Coast Land Conservancy is a private nonprofit organization, existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Service Code and its purposes are consistent with Division 21 of the Public Resources Code.
 4. The project serves greater than local needs.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize the disbursement of up to forty-five thousand five hundred and sixty dollars (\$45,560) to the Redwood Coast Land Conservancy (“RCLC”) to complete design, planning, and permit applications for public access trails on two bluff top sites, the Milhollin Parcel and Getchell Cove, in southern Mendocino County.

The proposed authorization will enable RCLC to design and prepare plans for access public access improvements and a new section of California Coastal Trail just north of the town of Gualala. At Milhollin, a parcel owned by RCLC, designs and plans will be for a short trail that will lead directly from Highway 1 to the bluff top with dramatic views of the Pacific Ocean. At Getchell Cove, RCLC will prepare designs and plans for a half mile long section of the California Coastal trail to be located in a lateral bluff top easement and a short trail from Highway 1 to the bluff top to be located in a vertical access easement . In addition to the trail designs and plans, RCLC will prepare the necessary permit applications (Coastal Development Permit and Caltrans Encroachment permit if needed) as well as any studies needed to comply with the California Environmental Quality Act.

The RCLC works to preserve the natural environment and promote sustainable land use of coastal watersheds from the Navarro to the Russian Rivers, to provide public access to scenic land, and to educate the public regarding the value of the area’s natural heritage for the public and future generations. The largely volunteer-run nonprofit organization has successfully completed Phase I of the Gualala Bluff Top trail and maintains the trail, a section of the California Coastal Trail in the coastal town of Gualala, with support from the Conservancy. RCLC, with assistance from the Conservancy has also acquired and opened a coastal access point at Hearn Gulch and constructed a trail to the very popular Cooks Beach.

Site Description: Both sites are located north of the town of Gualala on the Mendocino Coast. The Getchell Cove easement is a 25-foot-wide bluff top easement that runs along three parcels for approximately a half a mile. The easement also includes a 10 foot wide vertical access easement along the northern property boundary which provides access from Highway 1 to the bluff edge (see Exhibit 1). This site is adjacent to the community of Anchor Bay and within walking distance of a popular campground. There are currently no homes on the parcels that this easement crosses. The area is dominated by three vegetation types: Closed Cone Coniferous Forest, North Coast Coniferous Forest and Northern Coastal Scrub.

The Milhollin Parcel, 35800 Highway 1, is a 2-acre undeveloped bluff top parcel west of Highway 1 (Exhibit 1). There is direct access to the parcel from the highway. The bluff top is a

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mix of native vegetation and European grasses. There is no planned access to the beach because of the steepness of the bluff. Limited Parking is available on the shoulder of Highway 1.

Project History: The public access easement at Getchell Cove was established as the result of conditions of a Coastal Development Permit (“CDP”) issued by the County of Mendocino. The CDP authorized a subdivision of land into three parcels. As a condition of the CDP, the property owner recorded an offer-to-dedicate a public access easement, which was accepted by RCLC in 2010. In early 2011 the RCLC applied for a grant from the Conservancy to help it complete the planning steps necessary to open the easement to the public as a section of the California Coastal Trail.

The Milhollin Parcel was donated to the RCLC in 2009 by Rita Milhollin who wanted the parcel protected in remembrance of her son. RCLC saw the opportunity to honor the wishes of the donor as well as open up additional public access to the coast. The donor has committed stewardship funding for the parcel if a trail is developed and she is currently considering funding the cost of a viewing platform at the site. This section of coastline is divided up into many small parcels, which makes long stretches of public access difficult.

The Conservancy has a long history of helping develop coastal access points in southern Mendocino and has worked with the RCLC on previous projects. Most notably the RCLC has developed and is now stewarding the Gualala Bluff Trail within the town of Gualala, and, with assistance from the Conservancy, the RCLC has also developed coastal access at Hearn Gulch, Cooks Beach, and is actively pursuing new opportunities for coastal access.

PROJECT FINANCING

Coastal Conservancy	45,560.00
Total Project Costs	45,560.00

The expected source of Conservancy funds for this project is the FY 09/10 appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (“Proposition 84”). Public Resources Code section 75001 et seq. Proposition 84 authorizes the use of funds for projects that promote access to and enjoyment of the coastal resources of the state and that are consistent with the Conservancy’s enabling legislation. Public Resources Code section 75060(b). The proposed project is a necessary first step in the development of access improvements that will enable RCLC to open the Milhollin and Getchell Cove accessways to the public. Thus, the proposed project will promote public access to and enjoyment of coastal resources. In addition, funding the proposed project is consistent with the Conservancy’s enabling legislation, as discussed below.

RCLC will provide staff time managing the project as a match. In addition, the Milhollin parcel was donated to RCLC. The estimated value of the land donation is \$510,000.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project will be undertaken pursuant to Chapter 9 (Section 31400) of the Conservancy's enabling legislation, Division 21 of the Public Resources Code, regarding the implementation of a system of public accessways to and along the state's coastline.

Under Section 31400, the Legislature has charged the Conservancy with a principal role in the implementation of a system of accessways to and along the state's coastline. The proposed project will result in designs, plans and permit applications for two bluff top trails consistent with this section.

Pursuant to Section 31400.1, the Conservancy may award grants to any nonprofit organization to develop lands for public access purposes to and along the coast. The proposed authorization will enable RCLC to improve trails to and along the coastal bluffs of Mendocino, and is thus consistent with this section.

Section 31400.2 requires that the amount of funding provided by the Conservancy for initial development of public accessways be determined by assessing the total amount of funding available for coastal public accessway projects, the fiscal resources of the applicant, the urgency of the project relative to other eligible projects, and the application of other factors prescribed by the Conservancy. Consistent with this section, the amount of the Conservancy funding for this project was determined based on the availability of other funds, the urgency and importance of this project, and the project's eligibility and priority as determined by application of the Conservancy's "Project Selection Criteria & Guidelines," as discussed below.

Pursuant to Section 31400.3, the Conservancy may provide such assistance as is required to aid nonprofit organizations in establishing a system of public coastal accessways. The proposed authorization will enable RCLC to create designs and plans for public access improvements to ensure safe access to the coast, while protecting sensitive habitat areas.

Section 31408 charges the Conservancy, in consultation with the Department of Parks and Recreation, and the California Coastal Commission, with coordination of the development of the Coastal Trail. The proposed authorization will enable RCLC to design a section of the California Coastal Trail, consistent with this section.

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

Consistent with **Goal 2, Objective D** of the Conservancy's 2007 Strategic Plan, the proposed project will result in the plans and designs necessary to develop an easement created by an offer to dedicate. It is also consistent with **Goal 2, Objective C**, as it will complete designs, plans and permit applications necessary to open a coastal area which is currently closed to the public.

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 June 4, 2009, 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:** The proposed project has support of the public. Please see letters of support in Exhibit 2.
4. **Location:** The proposed project would be located within the coastal zone of Mendocino County.
5. **Need:** The Redwood Coast Land Conservancy does not have the resources to do the design and permitting work to open these coastal accessways without support from the Conservancy.
6. **Greater-than-local interest:** Both coastal access points will become part of the California Coastal Trail a statewide effort to complete a system of coastal accessways from Oregon to the border with Mexico.
7. **Sea level rise vulnerability:** Both trails are on bluffs that are significantly above any projected sea level rise scenario. At Getchell Cove, a geotechnical investigation completed for the CDP application concluded that the bluff in this area erodes on average 2.5 inches per year and thus would erode approximately 15.6 feet in 75 years. The lateral easement is 25 feet wide along the bluff edge, and therefore, the trail should last, although possibly shrink in width, for at least 75 years. With increases in storm intensity the trail may be impacted sooner but even with an increase in the rate of bluff erosion, the trail should be in place for at least 20 years. At Milhollin, the trail will not be significantly impacted by coastal erosion as the trail will be perpendicular to the coastline. Eventually it will shorten in length due to bluff erosion but it will not have to be closed. Instead, the trail can move landward with the bluff edge.

Additional Criteria

8. **Readiness:** RCLC is ready to start working on this project as soon as funding is approved. They have committed the staff time necessary to complete the work.
9. **Minimization of greenhouse gas emissions:** Project design will include measures to minimize greenhouse gas emissions during construction to the extent feasible.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is located within the coastal zone and is subject to the jurisdiction of the County of Mendocino's Local Coastal Program. The LCP specifically encourages the development of public access points (Policy 3.6-9) as well the California Coastal Trail (Policy 3.6-21).

The Getchell Cove easement is mentioned specifically in the County's Land Use Plan Map. It is further supported by Chapter 4 of the Coastal Element which identifies the need for a bluff top trail in this location. The easement became available because the County of Mendocino LCP required access as a condition of approval of the Coastal Development Permit.

COMPLIANCE WITH CEQA:

The proposed project consists solely of preparation of designs, plans, studies and permit applications. Therefore, the project is statutorily exempt from the California Environmental Quality Act (“CEQA”) pursuant to 14 California Code of Regulations Section 15262, which exempts project that involve only planning and feasibility analyses for possible future actions that have not yet been authorized or approved by the Conservancy or another agency. Planning carried out as part of the project will, however, consider environmental factors, as required by Section 15262. In addition, to the extent that data collection and resource evaluation activities are conducted for this project, they are categorically exempt from CEQA pursuant to 14 California Code of Regulations Section 15306. This categorical exemption applies to activities that consist of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

Staff will file a Notice of Exemption upon Conservancy approval.