

## COASTAL CONSERVANCY

Staff Recommendation  
May 24, 2012

### **MOAT CREEK PUBLIC ACCESS OPERATIONS AND MAINTENANCE PHASE III**

Project No. 08-048-03  
Project Manager: Peter Jaraus

**RECOMMENDED ACTION:** Consideration and possible Conservancy authorization to disburse up to \$10,000 to Moat Creek Managing Agency to operate and maintain public access improvements at Moat Creek Beach and along the Moat Creek segment of the California Coastal Trail in Mendocino County.

**LOCATION:** Moat Creek Beach, 2.5 miles south of Point Arena in Mendocino County

**PROGRAM CATEGORY:** Public Access

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#### **EXHIBITS**

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

Exhibit 2: [Photos of the project](#)

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 31400 *et seq.* of the Public Resources Code

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed ten thousand dollars (\$10,000) to Moat Creek Managing Agency to operate and maintain public access improvements at Moat Creek Beach and along the Moat Creek segment of the California Coastal Trail in Mendocino County, subject to the condition that prior to the disbursement of funds, Moat Creek Managing Agency shall submit for the written approval of the Conservancy’s Executive Officer a work program, budget, names of any contractors it intends to employ for the project, and plans for signs acknowledging Conservancy funding.”

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.

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2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on November 10, 2011.
  3. Moat Creek Managing Agency 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 proposed project serves greater than local needs.”
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**PROJECT SUMMARY:**

Staff recommends the Conservancy authorize the disbursement of funds to Moat Creek Managing Agency (“MCMA”), a nonprofit organization, to operate and maintain public access improvements at Moat Creek Beach and along the Moat Creek segment of the California Coastal Trail in Mendocino County.

The proposed project will support MCMA’s maintenance of the restroom, trails and parking lot at the trail head to Moat Creek Beach and the Moat Creek to Ross Creek loop trail over the next two years. These public access sites are owned by the Conservancy. The access to Moat Creek Beach receives a large influx of visitors during surfing and abalone season. The proposed project will support maintenance of the restroom and operations associated with the trails including contracting for garbage removal, seasonal vegetation clearance, septic pump-out, and repair of facilities. MCMA will continue to provide volunteer labor associated with operation and management of the sites. Volunteers will carpool to the location for all group trail maintenance activities such as brush clearing, cleaning drainage structures, and repairing of the trail surface.

MCMA is a volunteer-run 501 (c)(3) nonprofit organization whose primary purposes include restoring and preserving the Moat Creek watershed and promoting and managing public accessways to coastal areas. MCMA has managed the Moat Creek and Ross Creek sites for approximately twenty years, and has successfully implemented projects with previous grants from the Conservancy to construct the trails and access at Moat Creek. MCMA recently completed the Moat Creek to Point Arena Trail Feasibility Study to explore the potential for creating a link of the California Coastal Trail from Moat Creek to Arena Cove with support from the Conservancy.

**Site Description:** The existing Moat Creek and Ross Creek public access sites consist of approximately 3 acres of coastal property located two and half miles south of the town of Point Arena in Mendocino County (Exhibit 1). The property is owned in fee by the Conservancy and offers visitors a trail to the popular surfing and abalone beach at Moat Creek, a handicap accessible single unit restroom, a 15-space gravel parking lot and a scenic half-mile loop trail along the coastal bluff between Moat and Ross Creeks.

The Point Arena area has a number of visitor drawing features in addition to the historic town including the Point Arena Lighthouse, the Stornetta Ranch property purchased in part with Conservancy funds, and Manchester State Beach. The site provides a section of the California Coastal Trail, which will in the future be linked to other segments.

**Project History:**

The Conservancy acquired the Moat Creek and Ross Creek property in the late 1970s as part of a lot consolidation project involving the purchase of 65 substandard, subdivided lots in the area known as Whiskey Shoals. The Conservancy bought and subsequently resold lots for private development of no more than 13 homes at the Whiskey Shoals site. Through this process, the Conservancy retained several conservation and trail easements in addition to the fee ownership of the Moat Creek Beach and Ross Creek access sites and several lots with significant visual and archeological resources.

In 1989, the Conservancy provided a grant of \$48,500 to the MCMA, with Surfrider Foundation as a fiscal sponsor, to develop, manage and maintain public access at Moat Creek. MCMA became an independent 501(c)(3) nonprofit organization in 1993, with a purpose of restoring and preserving the Moat Creek watershed as a model for scientific and educational studies of similar watersheds and to promote and manage public accessways to the coastal areas and other sites.

In 1993, MCMA conducted field studies in Moat Creek with a \$5,000 grant from the Mendocino County Resource Conservation District to assess the property’s native flora and fauna. MCMA began planning and construction of a half-mile loop trail along the coastal bluff between Ross Creek and Moat Creek with a grant from the Conservancy in 1998. The project was augmented in 2001 to complete the construction of a single unit bathroom adjacent to the existing 15-space gravel parking lot and the Moat Creek Beach access trail. The project was successfully completed in 2002 and the Moat Creek to Ross Creek bluff top trail is now a part of the California Coastal Trail.

In February 2006, June 2008, and again in February 2010 the Conservancy awarded MCMA \$10,000 to maintain the trail and facilities. MCMA successfully completed the trail and access maintenance necessary during those projects including vegetation management, new sign design, garbage removal and restroom repair. The proposed project will support two more years of operations and maintenance.

MCMA recently completed the Moat Creek to Arena Cove Feasibility Study, funded by the Conservancy, to identify a potential route connecting the existing offers to dedicate north of the Moat Creek with a trail into Arena Cove as a new segment of the California Coastal Trail.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	\$10,000
<b>Total Project Costs</b>	\$10,000

Conservancy funds for this project are expected to derive from the Conservancy’s FY2009/10 appropriation from the Coastal Access Account in the Coastal Conservancy Fund. Pursuant to Public Resources Code section 30620(c)(2), these funds are appropriated to the Conservancy “... for grants to public agencies and nonprofit organizations for the development, maintenance, and operation of new or existing facilities that provide public access to the shoreline of the sea. .

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. “ The proposed project will operate and maintain public access to the beach, ocean and coastal trails at Moat Creek consistent with the purposes of these funds.

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

The Moat Creek Access Operations and Maintenance project will 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.

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 support operations and maintenance of a bluff top trail and beach access trail implemented with funds from the Conservancy consistent with this section.

Pursuant to Section 31400.1, the Conservancy may award grants to any nonprofit organization to operate and manage lands for public access purposes to and along the coast. The proposed authorization will enable MCMA, a nonprofit organization, to operate and maintain trails to the beach and bluffs and improve the existing parking at Moat Creek, and is therefore consistent with this section.

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 MCMA to maintain and improve trails, parking and facilities at Moat Creek to ensure safe access to the beach and bluff top.

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 MCMA to operate and maintain a section of the California Coastal Trail, consistent with this section.

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

The proposed project is consistent with the Conservancy’s 2007 Strategic Plan as it supports the following Goals and Objectives:

**Goal 1 – Objective D:** Develop the Coastal Trail and related recreational opportunities. The project is consistent with Objective 1D, construction of approximately 93 miles of trail in public and private ownership, in that the project will maintain a section of the California Coastal Trail constructed by a volunteer-run nonprofit organization on land owned by the Conservancy.

**Goal 2- Objective C:** Open coastal areas. The project is consistent with objective 2C in that without the operations and maintenance grant, MCMA will be unable to continue operating the accessway for the Conservancy, and the site would be closed to public use.

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

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated by the Conservancy on November 10, 2011 as follows:

**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:** See Letters of Support in Exhibit 2.
4. **Location:** The proposed project is located within the coastal zone, 2.5 miles south of Point Arena on the Mendocino Coast.
5. **Need:** MCMA is a volunteer run nonprofit. The proposed project will further the Conservancy's completion of the California Coastal Trail by supporting MCMA's efforts to operate and maintain public access improvements at Moat Creek.
6. **Greater-than-local interest:** The proposed project will maintain trail and beach access at Moat Creek Beach, which is visited by local residents as well as by the many travelers, both international and regional, who are drawn to the north coast of California, particularly coastal towns such as Point Arena which are within a few hours of San Francisco.
7. **Sea level rise vulnerability** The proposed funding authorization is for operations and maintenance of an existing coastal access point and segment of the California Coastal Trail. During the two years of the project the parking, restroom facility, and segment of the coastal trail is not expected to be impacted by sea level rise as these facilities are above the predicted sea level rise of 55 inches by 2100.

**Additional Criteria**

8. **Urgency:** The high summer use at Moat Creek is making additional operations and maintenance support a pressing need for this volunteer-run nonprofit.
9. **Leverage:** MCMA will leverage Conservancy funding with in-kind contributions of volunteers to complete the proposed project.
10. **Readiness:** MCMA is ready to enhance the operations and maintenance at Moat Creek immediately.
11. **Realization of prior Conservancy goals:** See "Project History" above.
12. **Return to Conservancy:** See the "Project Financing" section above.
13. **Cooperation:** MCMA is working with the Conservancy to operate and maintain public access facilities on property owned by the Conservancy.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The Moat Creek project area is located within coastal zone and is subject to the jurisdiction of the County of Mendocino's Local Coastal Program. The proposed project is consistent with the public access and resource protection policies of the Local Coastal Program as described below.

Consistent with LCP policy 3.1-7, the proposed project will operate and enhance access improvements to avoid impacts to Environmentally Sensitive Habitat Areas (ESHAs). The County defines ESHAs as, "Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (Mendocino County LCP, page 38).

Consistent with LCP policy 3.5, the proposed project will be visually compatible with the character of the surrounding area and subordinate to the natural setting by keeping signs low and doing minimal changes to the trails on the property.

Consistent with LCP policy 3.6-26, MCMA has provided a Moat Creek Management Plan for management of public access at Moat Creek.

Consistent with LCP policy 3.6-6, MCMA is providing shoreline access on the coast to minimize impacts on marine resources at other destinations in Mendocino and to provide options to the public to prevent overcrowding on any single area.

Consistent with LCP policy 3.6 on access standards, MCMA will maintain the accessway, provide appropriate warning signs and provide access where possible for people with disabilities.

**COMPLIANCE WITH CEQA:**

The proposed project consists of operations, maintenance, and repair to existing facilities and will not expand the existing use, thus the project is categorically exempt from the requirement to prepare environmental documents pursuant to 14 California Code of Regulations Section 15301. Upon approval, staff will file a Notice of Exemption for the project.