

COASTAL CONSERVANCY

Staff Recommendation
October 18, 2012

USAL-SHADY DELL CREEK CALIFORNIA COASTAL TRAIL PLANNING

Project No. 10-030-02
Project Manager: Karyn Gear

RECOMMENDED ACTION: Consideration and possible Conservancy authorization to disburse up to \$78,750 to Save the Redwoods League to complete planning, design and permit applications for a new 2 mile section of the California Coastal Trail on the Usal-Shady Dell Creek Property, northern Mendocino County.

LOCATION: Adjacent to and south of Usal Beach, Northern Mendocino County

PROGRAM CATEGORY: Public Access

EXHIBITS

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

Exhibit 2: [Photographs](#)

Exhibit 3: [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 up to seventy-eight thousand seven hundred fifty dollars (\$78,750.00) to Save the Redwoods League (SRL) for the planning and design of, including permit applications for, an approximately 2 mile segment of the California Coastal Trail on the Usal-Shady Dell Creek property in northern Mendocino County. Prior to the disbursement of any funds for the project, SRL shall submit for the review and approval of the Executive Officer a work program, schedule, budget and the names and qualifications of any subcontractors.”

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, updated by the Conservancy on November 10, 2011.

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.
 3. SRL is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code and its purposes are consistent with Division 21 of the Public Resources Code.”
-

PROJECT SUMMARY:

Staff is recommending the Conservancy authorize the disbursement of up to \$78,750 dollars to Save the Redwoods League (SRL) to complete planning, design and permitting work for a new 2-mile segment of the California Coastal Trail on the 957-acre Usal-Shady Dell Creek property in northern Mendocino County (See Exhibit 1: Project Location). When constructed, the Shady Dell segment of the California Coastal Trail (CCT) will extend the “Lost Coast” section of the CCT 2 miles southward into varied habitats, including the Trees of Mystery (a spectacular grove of stunted, old growth “candelabra” redwood trees), along Shady Dell Creek, and then west of the existing county road, providing inspiring views of the rugged northern Mendocino Coast (Exhibit 2: Photographs). When constructed, this trail will be named the “Peter Douglas Coastal Trail” in honor of the former director of the Coastal Commission.

SRL acquired the property in October 2011 with funding assistance from the Conservancy and private donors. A primary goal of the acquisition was developing new coastal trail that would connect on the northern edge of the property to existing CCT in the Sinkyone Wilderness State Park. The proposed project is an important, necessary step in accomplishing that goal.

Pursuant to the Conservancy’s proposed authorization, SRL will work in partnership with the Mendocino Land Trust to plan and design the trail alignment, and obtain the permits to construct the trail. SRL will undertake the necessary archaeology, botanical, wetland and wildlife surveys to inform the design of the project and provide the basis to analyze project impacts pursuant to the California Environmental Quality Act. SRL will also develop engineered designs for a bridge over Shady Dell creek, and for viewing platforms and stairs along the trail. It is anticipated that when the design and permitting is complete, SRL will approach the Conservancy for implementation funding.

SRL’s history of conservation work in the area dates back to 1922 with acquisitions on the eastern edge of the Usal Forest Conservation Project. The Conservancy has worked with SRL on a number of north coast acquisition projects over the last decade, including the 25,000 acre Mill Creek acquisition in Del Norte County, and smaller acquisitions at Humboldt Lagoons State Park and Montgomery Woods State Park in the upper Big River watershed. More recently, SRL stepped in to provide interim funding for the Jenner Headlands acquisition in Sonoma County when the State funding was frozen. SRL has proven its capabilities as a strong participant in conserving the coast.

Site Description:

The Shady Dell Creek property is adjacent to the 7,800-acre Sinkyone Wilderness State Park to the north and the 49,500 acre Redwood Forest Foundation property to the east, which is conserved by a working forest easement. Also to the north is the Sinkyone Intertribal Wilderness

USAL-SHADY- DELL CREEK CALIFORNIA COASTAL TRAIL PLANNING

Council land, which connects to the 60,000-acre King Range National Conservation Area, managed by the Bureau of Land management. To the south are lands managed by Soper-Wheeler, a private timber company.

The 957-acre property contains a variety of highly valuable habitats, including one mile of coastline with sandy beach and steep coastal bluffs, as well as riparian and forested habitat types. The coastal bluff scrub provides habitat for as many as five sensitive plant species, including Mendocino Coast Indian Paintbrush. Records from the California Natural Diversity Database indicate several occurrences of an old forest lichen named “Methuselah’s beard lichen” (*Usnea Longissima*) on the parcel, suggesting complex forest structure. The property also offers habitat for the Northern Spotted Owl. Early to mid-successional redwood and Douglas fir forest surrounds Shady Dell Creek, a tributary of Usal Creek, which supports habitat for Chinook salmon, coho salmon and steelhead trout.

Project History:

SRL was awarded \$3,000,000 by the Conservancy in January 2011 to assist with the purchase of the Shady Dell Creek property, and provided \$2,500,000 in private matching funds. The acquisition, completed in October 2011, was part of the 50,000-acre Usal Forest Conservation Project, a cooperative project of the Redwood Forest Foundation Inc (RFFI), The Conservation Fund, SRL, the Coastal Conservancy, and the Wildlife Conservation Board. The majority of RFFI’s property was conserved through a working forest conservation easement. The portion of the property deemed most suitable for public acquisition and access was the Shady Dell Creek property, and thus it was acquired in fee.

It was originally hoped that the California Department of Parks and Recreation (DPR) would be able to take on ownership, and manage the property in conjunction with the Sinkyone Wilderness State Park, but due to budgetary limitations, DPR was unable to take on ownership at the time the property was acquired, and SRL agreed to own and manage the property for natural resource protection and public access until a public entity is able to take over management responsibilities. One of the primary purposes of the acquisition was the development of additional coastal trail. SRL is now seeking to move that goal forward with the development of the trail plan.

The Conservancy has a long history of developing and implementing projects in the vicinity. In addition to the Usal-Shady Dell Creek acquisition, the Conservancy provided funding for the Sinkyone State Park acquisitions in the late 1980s, and sold land to the Intertribal Sinkyone Wilderness Council (ITSWC) for creation of their wilderness park in the 1990s. Subsequently, the Conservancy awarded a grant to ITWSC to plan for the development of trails on that property, and has also worked with the ITSWC on implementation of anadromous fish habitat improvement projects. At the October 18, 2012 Conservancy Board meeting, the board will also consider funding for construction of two trails crossing the ITSWC property connecting to the Sinkyone State Park.

PROJECT FINANCING

Coastal Conservancy	78,750
Save the Redwoods League	<u>19,670</u>
Total Project Costs	98,420

The expected source for the Conservancy funds for this authorization is an 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.* Subsection 75060(b) of the Public Resources Code authorizes the use of these 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, Division 21 of the Public Resources Code. The proposed project serves to promote access to coastal resources by completing planning, design and permitting for a new segment of CCT, and is consistent with Chapter 9 of Division 21 as explained below. Therefore, it is appropriate to use Proposition 84 funds for the proposed project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*).

Section 31400 states that it is the intent of the Legislature that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state's coastline.

Pursuant to section 31400.1 the Conservancy may award grants to nonprofit organizations to develop lands for public access to and along the coast. SRL is a 501 (c)(3) nonprofit organization. The proposed project will lead to the development of new coastal trail and access facilities.

Pursuant to section 31400.2, the Conservancy may provide up to the total cost of the initial development of public accessways by a nonprofit organization. Consistent with this section, the amount of funding provided by the Conservancy has been determined by 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 the Conservancy's Project Selection Criteria and Guidelines, as described 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 Conservancy's funding will enable SRL to proceed with the design and permitting of public access on the Shady Dell property.

Pursuant to section 31400.8, the Conservancy shall coordinate the development of the California Coastal Trail. The proposed project will lead to the development of 2 miles of new coastal trail.

In addition, Public Resources Code section 31111 allows the Conservancy to undertake plans and feasibility studies to carry out the purposes of Division 21 of the Public Resources Code.

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

Consistent with **Goal 1, Objective C** of the Conservancy's 2007 Strategic Plan, the proposed project will design an approximately 2 mile segment of new coastal trail within land held by SRL.

**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 November 10, 2011, 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 proposed project is supported by Assemblyman Wes Chesbro, Senator Noreen Evans, the Counties of Mendocino and Humboldt, the City of Fort Bragg, Coastwalk, and others. Letters of support are included in Exhibit 3.
4. **Location:** The proposed project would be located within the coastal zone of Mendocino County.
5. **Need:** Few funding sources are available for trail design. SLT has committed some of its private funds to this effort, but the project will not move forward absent Conservancy participation. The trail will provide a new amenity for visitors to the Usal Beach campground, and hikers on the Lost Coast. Without the development of a formal trail, it is likely that visitors will develop volunteer trails across the property, which might impact sensitive natural resources.
6. **Greater-than-local interest:** Completion of a contiguous CCT has been a goal of Californians for decades. In 1972, California voters passed Proposition 20 which, among other things, provides that "a hiking, bicycle, and equestrian trails system shall be established along or near the Coast", and the CCT was subsequently designated California's Millennium Legacy Trail in 1999. California's Lost Coast has become a destination for local, regional, and international visitors seeking inspiring, undeveloped coastal views, rigorous hiking, and solitude. The proposed project will lead to the addition of 2 miles to the Lost Coast trail system.
7. **Sea level rise vulnerability:** Vulnerability to sea level rise is minimal on the Shady Dell property. The southern portion of the property contains steep coastal bluffs that provide stunning views, but no access to the shoreline. The northern portion, where the shoreline is accessible from the Sinkyone Wilderness State Park, could become less accessible with anticipated sea level rise over the next 50-100 years. However, it is anticipated that the proposed coastal trail will occur on the blufftop, and thus access to the property would be maintained. The remainder of the Shady Dell property would not be impacted by anticipated

sea level rise, and in fact, could provide alternative locations for public access improvements currently located in potentially vulnerable areas on the existing state park.

Additional Criteria

8. **Resolution of more than one issue:** Trail design will balance the need for improved public access facilities with protection of sensitive habitats and rare species.
9. **Leverage:** See the “Project Financing” section above.
10. **Readiness:** SRL has developed a scope of work, budget and timeline, and is prepared to proceed upon Conservancy approval. The project is expected to be planned, designed and permitted within two years.
11. **Realization of prior Conservancy goals:** See “Project History” above.
12. **Cooperation:** SRL will coordinate with State Parks, the Conservancy and coastal trail advocates in the development of the trail plan.
13. **Minimization of greenhouse gas emissions:** Aside from minimal car trips to the site to complete the trail design process, this planning design and permitting project should not contribute to greenhouse gas emissions and climate change.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the Mendocino County Local Coastal Plan. Specifically, Policy 4.1-2 states “a hiking trail should be developed...It should extend from the Humboldt County line southward beyond the southern limits of the (Sinkyone Wilderness) State Park and along the Usal Road to State Highway 1.”

Policy 4.1-3 states “The Board of Supervisors or appropriate entity should continue to negotiate for a trail from Humboldt County line southward to connect with other trails within the Coastal Zone.”

Policy 4.1-10 states “coastal trails shall be established for hiking and equestrian use...along the Briceland Road and Usal Creek, and aligned with other trail segments to the south.”

COMPLIANCE WITH CEQA:

The proposed project involves only feasibility or planning studies and it may include basic data collection and research (neither of which will impact any environmental resource(s)), undertaken as part of a study leading to an action which has not yet been approved, authorized, adopted, or funded by the Conservancy or another agency and is thus statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code of Regulations sections 15262 and 15306. Planning carried out as part of this project will, however, consider environmental factors as required by section 15262. Staff will file a Notice of Exemption upon approval of this project.