

## COASTAL CONSERVANCY

Staff Recommendation  
September 6, 2018

### OLD SMITH RANCH COASTAL TRAIL CONSTRUCTION

Project No. 18-011-01  
Project Manager: Lisa Ames

**RECOMMENDED ACTION:** Authorization to disburse up to \$260,000 to the Mendocino Land Trust for the construction of a new segment of California Coastal Trail, a connecting riverfront trail, a parking lot and a picnic area at Old Smith Ranch adjacent to the Ten Mile River Estuary in Mendocino County.

**LOCATION:** 10 miles north of Fort Bragg, unincorporated Mendocino County

**PROGRAM CATEGORY:** Public Access

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#### **EXHIBITS**

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

Exhibit 2: [Photographs](#)

Exhibit 3: [Project Letters](#)

Exhibit 4: [Negative Declaration](#)

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

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31410 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred sixty-thousand dollars (\$260,000) to the Mendocino Land Trust (MLT) to construct a new segment of California Coastal Trail, a connecting riverfront trail, a parking lot and a picnic area on the Old Smith Ranch adjacent to the Ten Mile River Estuary in Mendocino County subject to the following conditions:

- 1) Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy the following:
  - a. A detailed work program, schedule and budget, and the names and qualifications of any contractors to be employed in carrying out the project.
  - b. A plan for acknowledgement of Conservancy funding.

- c. Evidence that all permits and approvals required to implement the project have been obtained.
  - d. An agreement sufficient to protect the public interest in improvements constructed under this grant consistent with Pub. Res. Code § 31116(c).
- 2) MLT shall ensure the project is consistent with the Conservancy's "Standards and Recommendations for Accessway Location and Development" and with all applicable federal and state statutes, regulations, and guidelines governing access for persons with disabilities.
  - 3) MLT shall install California Coastal Trail emblems provided by the Conservancy at locations to be determined in consultation with the Conservancy."

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 Chapter 9 of Division 21 of the Public Resources Code, regarding a system of public accessways.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Mendocino Land Trust is a nonprofit organization organized 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.
4. The Conservancy has independently reviewed and considered the Negative Declaration for CDP 2016-0054 adopted by the County of Mendocino on April 26, 2018 pursuant to the California Environmental Quality Act ("CEQA") and attached to the accompanying staff recommendation as Exhibit 4. The Conservancy finds that the proposed project as designed does not have the potential for an adverse environmental effect, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment."

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### **PROJECT SUMMARY:**

Staff recommends the Conservancy authorize disbursement of up to two hundred sixty-thousand dollars (\$260,000) to the Mendocino Land Trust (MLT) for the construction of a new segment of the California Coastal Trail, a connecting riverfront trail, a parking lot and a picnic area, totaling up to 2.1 miles of new public access trail, on the Old Smith Ranch adjacent to the Ten Mile River estuary ten miles north of Fort Bragg in Mendocino County. (See Exhibit 1: Project Location and Site Maps) The proposed new public trail will begin at the new small parking lot and picnic area east of Highway 1, run along the south bank of the Ten Mile River adjacent to

river and estuarine habitats and traverse under the highway to connect to the unique coastal dune habitat of MacKerricher State Park west of Highway 1.

MLT acquired through donation from The Conservation Fund, the 49-acre Old Smith Ranch property in 2016 as part of a larger conservation effort to protect the 1,340-acre Smith/Perry Ranch from development at the estuarine mouth of the Ten Mile River. The property's habitats include coniferous forest, riparian woodland shrub, dune shrub, sand dunes and brackish marsh; these natural environments host several sensitive wildlife and plant species including tidewater goby, coho salmon, steelhead trout, Point Reyes horkelia, and Howell's spineflower. Because of its qualifications as a land manager and coastal trail advocate, MLT agreed to take ownership of the Old Smith Ranch property to develop a coastal access trail connecting the estuary to the dunes while protecting the property's sensitive natural resources. The Conservancy funded the planning and permitting for the project through a previous authorization to MLT.

Specifically, MLT proposes to construct a five-car parking lot including one ADA spot and a picnic/recreation area with three picnic tables within the recreation and access easement on the Smith/Perry Ranch. MLT will fence the parking lot and recreation easement to discourage trespassing on private property. The project's trail components include: 1) approximately 1,000 feet of new trail construction to connect users from the parking lot and recreation area to the existing haul roads on the Old Smith Ranch property along the south bank of the Ten Mile River; and 2) conversion of approximately 8,000 feet of the existing haul roads to a pedestrian-only trail through vegetation clearing. The portion of the trail that will be designated as the California Coastal Trail is approximately 1 mile long and runs from the parking area, under the Highway 1 underpass to MacKerricher State Park. (Exhibit 1: Site Map)

The project also includes construction of a boardwalk in a low-lying wet portion of the trail to minimize user impacts and installation of three interpretive panels along the trail and recreation area describing the sensitive natural resources and history of the area. MLT designed the parking lot, picnic area, new trails and existing road/trail enhancements to avoid the area's sensitive species and maintain the adjacent landowner's privacy.

**Site Description:** The 49-acre Old Smith Ranch property is located approximately ten miles north of Fort Bragg east of Highway 1 on the south side of the Ten Mile River. (See Exhibit 1) MacKerricher State Park lies across Highway 1 from the project site. MLT owns Old Smith Ranch and currently manages it for the protection and conservation of sensitive natural resources along the Ten Mile River and its estuary. The property was formerly part of the 1,340-acre Smith Ranch parcel. The lower road along the river includes a portion of the former Georgia-Pacific Industrial Haul Road and historic Union Lumber Company railroad grade.

The southern portion of the site includes relatively flat coastal terrace that drops sharply to the Ten Mile River Estuary. (See Exhibit 2: Photographs) The Ten Mile River Estuary drains over 74,000 acres of watershed lands. This property hosts North Coast coniferous forests, riparian woodland-shrub, Northern dune shrub, sand dunes and North Coast brackish marsh, all of which are habitat for endangered and threatened wildlife and plant species, including tidewater goby, coho salmon, steelhead trout, Point Reyes horkelia, and Howell's spineflower. The Old Smith Ranch is located about 0.5 miles east of nesting habitat for the federally endangered western snowy plover at the MacKerricher State Park.

**Grantee Qualifications:** The Mendocino Land Trust is well-qualified to undertake this project on its property and has a long history of successful public access and land conservation projects throughout Mendocino County. It has opened more than a dozen coastal access easements that were created as a result of coastal development permit requirements. Most recently, MLT constructed a new coastal trail at Pelican Bluffs near Point Arena and opened a new coastal accessway at Newport north of Fort Bragg. In collaboration with Save the Redwoods League, MLT completed the construction of the Usal-Shady Dell Coastal Trail in northern Mendocino County. In addition, MLT has an excellent working relationship with the California Conservation Corps in trail construction projects.

**Project History:** The Conservancy has been involved in protection of the Ten Mile River watershed since 2009, when staff became involved in efforts with The Conservation Fund to protect the 1,340-acre Ten Mile Ranch at the river mouth. A court-ordered partition divided the ranch into two tracts: the 464-acre Smith tract and the 875-acre Perry tract. The conservation transaction included The Conservation Fund's acquisition of the fee title of the Smith tract with Conservancy funding assistance, followed several years later by a Wildlife Conservation Board-funded acquisition of a conservation easement over the Perry tract. The Smith/Perry family subsequently acquired the fee title of the Smith tract from The Conservation Fund and the Ten Mile Ranch was reassembled with a conservation easement over the entire ranch, held by The Nature Conservancy. As part of the larger conservation transaction with the Smith/Perry family, the 49-acre Old Smith Ranch property was retained by The Conservation Fund and donated to the MLT along with an access easement on adjoining land to accommodate a future parking and picnicking area. MLT has owned and managed the Old Smith Ranch property since July 2016. Additionally, the Conservancy funded the planning and permitting phase of this coastal trail project.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$260,000</b>
Mendocino Land Trust	\$14,000
<b>Project Total</b>	<b>\$274,000</b>

In addition to the land and planning funds previously provided to the project, volunteers will donate their labor toward trail construction and brushing; valued at \$25/hour, 20 hours, 10 people, this in-kind amount will total approximately \$5,000.

The anticipated source for the Conservancy funds is a FY 2016 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, Public Resources Code Section 75001 et seq. (Proposition 84). Proposition 84 authorizes the Conservancy's use of these funds to promote access to and enjoyment of coastal resources through projects undertaken pursuant to the Conservancy's enabling legislation (Division 21 of the Public Resources Code). The proposed project will promote access to and enjoyment of the Mendocino County coast by development of a new section of the California Coastal Trail along with a small parking lot and a picnic area. The project is consistent with

Division 21 of the Public Resources Code, as described below. Accordingly, the proposed project is an appropriate use of Proposition 84 funds.

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

The proposed project will be undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 et seq.) relating to the provision of public access to the coast. Section 31400 states that the Conservancy shall have a principal role in the implementation of a system of public accessways to and along the state's coastline.

In particular, the proposed authorization is consistent with Public Resources Code Section 31400.1, which authorizes the Conservancy to provide grants to nonprofit organizations to develop lands for public access purposes to and along the coast; and 31400.3, which authorizes the Conservancy to provide such assistance as is required to aid nonprofit organizations in establishing a system of public accessways and related functions. The proposed authorization will enable MLT, a nonprofit organization, to develop an additional segment of the California Coastal Trail and to provide trail amenities in the form of parking and a picnic area.

Consistent with Section 31400.2, the amount of funding provided by the Conservancy for this project is based upon the amount of funding available for coastal public accessway projects, the fiscal resources of MLT, the urgency of this project and the Conservancy’s Project Selection Criteria and Guidelines, as described below.

The proposed project is consistent with the Mendocino County Local Coastal Program as described in the Consistency with Local Coastal Program Policies below.

**CONSISTENCY WITH CONSERVANCY’S ACCESS PROGRAM STANDARDS:**

**Standard No. 1, Protect Public and Coastal Resources:** Through careful trail design and planning the project minimizes the alteration of natural landforms, protects the public, and protects environmentally sensitive habitats.

**Standard No. 4, Privacy:** The parking lot and picnic area will be fenced to discourage trespass on private property.

**Standard No. 5, Environmentally Sensitive Areas:** The trail, parking, and picnic areas avoid environmentally sensitive areas to the extent feasible.

**Standard No. 13, Barrier-Free Access:** To improve access for all visitors, the five car parking area will include one ADA space and the proposed trail will be comprised of 768 feet of compacted gravel and 8,024 feet of existing paved road.

**CONSISTENCY WITH CONSERVANCY’S 2018-2022 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 1, Objective D** of the Conservancy’s 2018-2022 Strategic Plan, the proposed project will construct 1 mile of the California Coastal Trail.

Consistent with **Goal 1, Objective F** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will sign 1 mile of the California Coastal Trail.

Consistent with **Goal 2, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will expand opportunities for access for people with disabilities to and along the coast and coastal trails.

Consistent with **Goal 2, Objective B** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will open a coastal area currently closed to public use.

Consistent with **Goal 2, Objective D** of the Conservancy's 2018-2022 Strategic Plan, the proposed project will construct new access amenities including parking and picnic facilities.

Consistent with **Goal 2, Objective F** of the Conservancy's 2018-2022 Strategic Plan the proposed project will construct 1.1 miles of regional trails along the Ten Mile River.

### **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 October 2, 2014, 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. **Promotion and implementation of state plans and policies:**

*Coastal Act (1976), Public Resources Code Section 30210* on public access and recreation calls for "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," and **Section 30214** calls for public access and recreation "takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case..."

*Completing the California Coastal Trail 2003.* The project constructs new sections of California Coastal Trail.

*California @50 Million: Environmental Goals and Policy Report* provides a strategy which outlines five key areas that work together to reach the State's development goals for 2050. Key area #3 in the Report is "Steward and protect natural and working landscapes." This supports one of the Five Pillars outlined in the document to support sustainable growth in California, "Stewarding natural resources, including forests, working lands, and wetlands, to ensure that they store carbon, are resilient, and enhance other environmental benefits." This project will allow MLT to continue to steward and protect the natural resources on the property and allow public access for people to enjoy these resources.

4. **Support of the public:** See Exhibit 3: Project letters.

5. **Location:** The proposed project would be located within the coastal zone of Mendocino County.
6. **Need:** Currently, there is no public access to the Ten Mile River Estuary upstream of the Highway 1 bridge. Without Conservancy participation, MLT will be unable to open this access to increase the coastal access experience for visitors to the MacKerricher State Park area.
7. **Greater-than-local interest:** The project constructs sections of the California Coastal Trail, a statewide goal. This project will connect to MacKerricher State Park's Ten Mile Dunes Natural Preserve and extend public access to the Ten Mile River estuary, which is mostly privately owned, and where there is currently limited access. The Ten Mile River estuary and ranch are designated as a "Highly Scenic Resource" in the Mendocino County Local Coastal Plan and the river is one of the most important anadromous fish streams in Mendocino County. The Ten Mile River estuary and surrounding area is host to several state- and federally-listed species including coho, steelhead trout, Chinook salmon, tidewater goby, Menzie's wallflower, and Howell's spineflower.
8. **Sea level rise vulnerability:** A portion of the project is along the Ten Mile River estuary, a low lying area that could be vulnerable to flooding in the next 100 years. There will be few improvements in this area since the trail will follow an existing road. Within the project footprint, there is space to retreat and the trail can be relocated as sea levels rise.

#### **Additional Criteria**

9. **Readiness:** MLT has obtained the required coastal development permit for the project and is prepared to construct the project when funded.
10. **Realization of prior Conservancy goals:** The Conservancy has funded the acquisition of the property and planning for the trail and it realizes the larger goal of constructing the Coastal Trail.
11. **Cooperation:** The Conservation Fund and MLT have cooperated to accomplish the public access goals of the larger conservation efforts along the Ten Mile River.
12. **Minimization of greenhouse gas emissions:** Aside from using vehicles to commute to the site for construction, and use of chainsaws to brush the trail corridor, this project should not contribute appreciably to greenhouse gas emissions and climate change. Once trail construction is completed, the public will have a new opportunity to get out and hike a beautiful new section of trail, an activity with no carbon footprint.

#### **CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The project is consistent with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the Mendocino County General Plan. Access is regulated under Mendocino County Code Section 20.528, which provides minimum access standards and policies related to management of public access trails and promotion of public access to the shoreline.

The trail development at Old Smith Ranch was reviewed by the County of Mendocino and found to be in conformity with accomplishing the goals and policies of the certified Local Coastal Program. Coastal Access is ranked as the highest priority use in the Coastal Zone and the proposed use was found to be consistent with the intent of the zoning district and to meet the standards for public access. As a condition of approval of the coastal development permit, the County of Mendocino required MLT to submit to the County an Accessway Management Plan for the trail and associated improvements on the parcel. (Old Smith Ranch Trail: Coastal Development Permit (CDP) 2016-0054.)

**CEQA COMPLIANCE:**

In preparation for development of the Coastal Development Permit (CDP), the County developed an initial checklist under the California Environmental Quality Act (CEQA), (Public Res. Code § 2100 Public Resources Code 21000–21189. To assist in the environmental review, MLT submitted a *Botanical Survey and Wetland Delineation* (Survey) for the proposed project. The Survey identified several resources meeting the definition of Environmentally Sensitive Habitat Areas (ESHAs) within the project area and recommended buffers to avoid these areas.

California Department of Fish and Wildlife commented on the project on February 15, 2018 and concurred with the buffer recommendations of 50 feet and 15 feet from the Point Reyes horkelia population, provided that adequate avoidance measures and conditions are included. Recommended avoidance measures include fencing and signage around the Point Reyes horkelia population, monitoring of user impacts of where users are deviating from the trail into identified ESHAs, use of boardwalks in areas of the trail that are wet, and pruning of vegetation outside of the bird breeding season or after a nesting bird survey has been performed. These recommended avoidance measures are included as a condition of approval of the CDP.

MLT also submitted an Archaeological Survey for the project site. The Mendocino County Archaeological Commission reviewed the survey. Several sites were identified that meet the criteria of a historical resource. Permit conditions were added based on the recommendations of the Archaeological Survey and the Mendocino County Archaeological Commission and the County's Archaeological Ordinance (MCC Chapter 22.12) in the event that archaeological or cultural materials are unearthed during site preparation or construction activities. The County and Conservancy consulted affected tribes per PRC § 21080.3.1. No comments were received.

Staff has independently evaluated the Initial Study/Negative Declaration adopted by the County of Mendocino on April 26, 2018 (Exhibit 4) and concurs that there is no substantial evidence that the proposed project will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the project does not have the potential for an adverse environmental effect and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by 14 Cal. Code Regs. §15382. Upon approval of the project, Conservancy staff will file a Notice of Determination.