



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

STEVE DUNNICLIFF, DIRECTOR
TELEPHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@co.mendocino.ca.us
www.co.mendocino.ca.us/planning

February 19, 2016

Planning - FB/MHRB
Department of Transportation
Environmental Health - Ukiah/Fort Bragg
Building Inspection - Ukiah/Fort Bragg
Emergency Services
Assessor
Farm Advisor
Agriculture Commissioner
Forestry Advisor
Air Quality Management
Fish and Game Advisory
County Water Agency- PBS
Archaeological Commission-Dusty Duley
Sonoma State University
Russian River Flood Control

Resource Lands Protection Committee- John Speka
Trails Advisory Committee
Native Plant Society
ALUC- Fred Tarr
Caltrans
Department of Forestry/ CalFire
Department of Fish and Wildlife
Division of Mines & Geology
Coastal Commission
RWQCB
Department of Health Services
Department of Conservation
Department of Parks & Recreation
State Clearinghouse

US Fish & Wildlife Service
Army Corps of Engineers
Soil Conservation Service
LAFCO
Wesport Municipal Advisory Council
Mendocino Transit Authority
County Addresser- Russ Ford
* Sewer District
* Water District
* Fire District
* Community Services
* City Planning
* School District

CASE#: CDP_2014-0039

DATE FILED: 11/3/2014

OWNER: JACKSON GRUBE FAMILY INC

APPLICANT: MENDOCINO LAND TRUST

AGENT: NA

PROJECT COORDINATOR: BILL M. KINSER

REQUEST: The project is for a Coastal Development Permit for the second phase of the Newport Coastal Trail (an existing 1.3 mile length of the California Coastal Trail on the Newport Ranch property). The proposed project will include (1) a 4-car parking lot encompassing approximately 6,970 square feet; (2) an approximately two-foot wide trail within a ten-foot wide easement area, approximately 1,200 feet in length, connecting the existing trail to an observation platform area; and, (3) construction of an approximately 256 square foot observation platform within the observation easement area. The project will also include management signs and fencing to separate cattle from hikers on the trail.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

LOCATION: In the Coastal Zone lying on the west of Highway 1, 5+/- miles south of Westport. Located at 31502 North Highway 1, Westport; APN 015-380-02.

RESPONSE DUE DATE:

Attached to this form is information describing the above noted project(s). The County Planning and Building Services Department is soliciting your input, which will be used in staff analysis, and will be forwarded to the appropriate public hearing.

You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@co.mendocino.ca.us. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

- No comment at this time.
- Recommend conditional approval (attached).
- Neutral with suggestions for conditions (see attached comments)
- Recommend denial (Attach reasons for recommending denial).
- Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).

Other comments (attach as necessary).

Eight members of the local community presented comments to the WMAC on this item at a March 1, 2016 hearing. Several expressed disagreement with the Coastal Act principle that forces land owners to grant public access easements in exchange for approval of development projects. It was explained to them that the easement was already legally granted to MLT by an instrument recorded against the title to the property. Others supported the project as proposed.

Conditions might be considered to address some of the concerns raised by those offering comments:

- 1) A ban on pets might be considered because they could disturb cattle pastured on the adjacent private lands. One opponent told us that rancher Mike McGuire who leases the land for cattle pasture has said he will exercise his right to shoot dogs that harass his cattle.
- 2) Concern was expressed that people using the vertical access would trespass west of the viewing platform onto private lands and could also harm the environment. It is unclear from the provided drawings if fencing and signage will be installed to deter that trespass and ensure sensitive resources are protected. Although the shore in this area is a marine protected area, this access may promote abalone poaching because the access would be unsupervised. Perhaps surveillance and enforcement provisions could be considered.
- 3) Concerns were raised about the visual impact of the proposed development and a request was made for drawings clarifying fencing and signage details.

Those attending were encouraged to attend the CPA hearing.

REVIEWED BY:

Signature Thad M. Van Ameren
Department Westport Municipal Advisory Council
Date March 2, 2016