



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

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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  
**Westport 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](mailto: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