



Westport Municipal Advisory Council

P. O. Box 307, Westport, CA 95488
www.westportmac.org

August 17, 2013

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

Re: Appeal of Mendocino County CDP #12-2012 (MacKerricher Dune Rehabilitation Project)

Dear Supervisors:

We have appealed this poorly designed project because it will cause significant impacts to the environment and public access in northern MacKerricher State Park. This project is the culmination of a 15-year campaign by the California Department of Parks and Recreation to extinguish coastal access, contrary to the Local Coastal Program and a General Plan for the park adopted in 1995. Instead of balancing the mandates of preservation and access, the haul road trail has been demolished by neglect and purposeful burial by sand over the past dozen years as a result of invasive plant removal with no permit or erosion control.

Suggesting the haul road is no longer a coastal trail does not make it true. The northern 2.5 mile segment remains a valuable piece of public infrastructure that should not be squandered. An EDAW (2000:5-7) study said "measurements and analysis of historic aerial photographs suggest there is no immediate threat of beach erosion removing the haul road north of Fen Creek." It was acquired expressly for coastal access, yet CDPR has ignored its own park General Plan policies that mandate maintenance and repair of the haul road trail. The trail was quite functional until beachgrass removal began around 2000, and it should be returned to that condition.

We respectfully disagree that it is appropriate to exclude people from the northern portion of MacKerricher State Park. Destroying the haul road will substantially impair access in a very discriminatory manner. Less able individuals and bicyclists will be denied access. In contrast, retaining and maintaining that existing coastal trail can aid preservation by keeping people out of sensitive areas like the beach where western snowy plover nest (pursuant to LCP Policy 3.1-15). A trail will also result in improved public surveillance that can help achieve preservation objectives and deter predators with a program similar to Abalone Watch. If a trail is not provided, impacts to species from uncontrolled access and other causes will remain problematic.

We question whether inducing massive wind erosion and exposing hazardous materials sequestered under the haul road is beneficial. Who benefits? Certainly not the plants, wetlands, and lands of neighbors that will be buried. If you read the detailed 15 page analysis we provided, you will see our facts are based on excellent science. We refer to many studies CDPR and the U.S. Fish and Wildlife Service have produced. By comparing aerial photographs, we have also shown how irresponsible removal of invasive plants over the past dozen years has buried vast areas containing endangered and special status plants, wetlands, and lands of neighbors. There is no guarantee the plants and wetlands will recover without human intervention.

We feel it is a sham to suggest the CDPR project is restoration. It can be reasonably predicted to have many significant direct and indirect adverse impacts on special status species. Simply letting nature take its course is hardly a proactive preservation strategy. If restoration is truly the goal, then more native species should be planted, the fore dunes should be stabilized as a buffer against sea level rise, and measures should be taken to protect western snowy plover nesting sites. Instead, the CDPR "plan" is to encourage deflation of the fore dunes, shore line retreat, loss of habitat, and exclusion of most visitors. That is not effective planning; it is negligence.

The WMAC believes this project is inconsistent with the LCP and has not mitigated many significant adverse environmental impacts. If the County accepts CDPR's inadequate environmental impact analysis, it will assume partial liability for impacts that are not mitigated. A permit required from the U.S. Army Corps of Engineers for the culvert removal implies additional requirements may later be imposed during the federal environmental review process. We do not accept the CDPR assessment that there will be no net decrease in wetland habitat. Instead, our comparative analysis of aerial photographs suggests a significant net loss of wetlands has already occurred due to non-permitted CDPR actions and that trend is likely to be further exacerbated by this project.

We submitted several suggested Special Conditions to address these concerns. We ask that you deny permission to remove the northern 2.5 mile segment of the haul road and the two culverts. Those actions are not only reasonable to maintain the existing coastal trail; they are essential to ensure consistency with the LCP and reduce many adverse impacts below significant levels.

Please review carefully the Coastal Commission staff's letter of August 31, 2013 included in the package we submitted for your consideration at the appeal hearing. It expresses strong concerns about the Project's failure to balance access with preservation. The letter also points out the MacKerricher State Park General Plan and the land use change involved in the preserve designation were never reviewed or approved by Mendocino County or Coastal Commission as they should have been. I'm sure the implication will be obvious to you.

This project will be appealed to the Coastal Commission if you do not act at the local level to resolve the legitimate concerns we have raised in behalf of many concerned local citizens. You have an opportunity to ensure the project is approved in a manner that balances preservation with the restoration of a continuous coastal trail from the Ten Mile bridge to Ward Avenue. The benefit will be a regional asset that facilitates preservation of the Ten Mile Dunes while stimulating enduring regional economic benefits from ecotourism. It is a win-win scenario.

Sincerely,



Thad M. Van Bueren, Chairperson

cc: Major General Anthony L. Jackson, Director, California Department of Parks & Recreation
Andy Gustavson, Mendocino County Planning & Building Services Department
Bob Merrill, California Coastal Commission
State Senator Noreen Evans
State Assemblyman Wesley Chesbro