

September 17, 2012

Jesse Robertson
Caltrans District 1P.O. Box 3700
Eureka, CA 95502-3770

and

Janet Orth
Mendocino Council of Governments
367 N. State Street, Suite 206
Ukiah, CA 95482

Re: Pacific Coast Bike Route Engineering Feasibility Study for Mendocino County

Dear Jesse and Janet:

As I commented in the public meeting for this planning effort held in Westport July 18th, the Pacific Coast Bike Route options presented to the public lacked any Class I alternatives. I was not the only one to express a desire to include separated Class I alternatives wherever they are feasible along Route 1. Doing so is entirely consistent with FHWA and Caltrans guidance, which assign numerical primacy to that kind of alternative. Class I paths are not only safer, they are more scenic. They are also more likely to encourage recreational uses that contribute to livable communities. A prior study I authored last year for Caltrans and MCOG with a community based transportation grant included suggestions for separated paths in the 21-mile segment between Ten Mile and Usal Road.

The fact the MacKerricher State Park stretches along the entire coast from Ten Mile River to Fort Bragg presents an unprecedented opportunity for a legacy Class I trail suitable for federal and state transportation funding as a non-motorized transportation route. MCOG and the Mendocino County Board of Supervisors have both sent letters to Caltrans and State Parks encouraging consideration of a Class I bike route along that segment. A meeting was then held in late August among State Assemblyman Wes Chesbro, MCOG, Caltrans, State Parks, Supervisor Kendall Smith, MCOG Chair Dan Gjerde, and others to consider that topic.

I am aware that some reservations exist regarding a bike route through the portion of the park north of Ward Avenue. However, a Class I bike route along that segment should not be casually dismissed. State Parks analyzed the possibility of closing a gap in the haul road north of Ward Avenue with an expensive boardwalk using ISTEPA funds. However, that proposed solution hardly exhausted the reasonable alternatives that can and should be considered. I therefore urge conscientious analysis of other Class I trail concepts between the Ten Mile Bridge and the west end of Ward Avenue for inclusion in the PCBR study that is currently in progress.

The inclusion of a thorough alternatives analysis is not really a discretionary matter. As a retired Caltrans Senior Environmental Planner with 18 years experience, it is my opinion that it will in fact be virtually impossible to plan and construct a bike route from Ten Mile River to Fort Bragg that does not include a robust alternatives analysis. Even a highway shoulder bike lane will

inevitably include some take from the Dune Preserve (triggering 4f consideration), extensive wetland issues (triggering an Army Corps 404 Permit), possible endangered species habitat issues, significant ROW acquisition costs, and safety concerns resulting from so many driveway and road intersections. Thus, reasonable alternatives merit attention from the very outset. The most obvious possibilities along that segment include: 1) reconnecting the haul road; 2) following the highway shoulder with possible modest meanders into the park where it adjoins Route 1; or 3) building a new alignment through the park. I would like to briefly review those options as an interested member of the local community.

The haul road is presently designated in the park's 1995 General Plan for biking and hiking, with maintenance specified in various directives and implementation measures. There is widespread recognition of the funding constraints that have prevented State Parks from keeping it connected. You are aware State Parks has proposed removing 2.7 miles of that northern haul road. However, it is very unlikely the County or Coastal Commission will allow that to occur unless a better alternative for a bike/hike trail through the park is proposed as mitigation. The Coastal Commission went so far as to comment on the proposed Dune Restoration Project while its fate is still under the jurisdiction of Mendocino County as a permit application (CDP 12-2012). A copy of those comments are attached.

The community also expressed strong concern about the destruction of coastal access at a meeting held by State Parks in early August. Many letters from the public and interested agencies were submitted to oppose that loss of coastal access and I can supply a compiled pdf with those concerns if desired. With that said, reconnecting the haul road between Ten Mile and Ward Avenue may not be the best option for a PCBR alignment from the perspective of a public investment. The simple reason is that it will have dubious longevity due to sea level rise and there are many environmental issues associated with stabilizing that extant structure.

The challenges with a highway shoulder option have already been introduced. It suffices to reiterate here that this route will be fairly costly (ROW acquisition; environmental mitigation; etc.), less safe, less scenic, and the associated environmental issues and possible objections from many private landowners along the route create the prospect for a very protracted development scenario. In its favor, this option offers a relatively direct route that will satisfy transportation connectivity requirements and will also be the easiest for Caltrans to maintain.

The third option is a route through the park that follows an alignment inland from the haul road. I've attached for your consideration and that of other interested parties copied on this letter a preliminary concept for a route that I believe minimizes environmental impacts, provides a reasonably direct bike transportation route, and may be less costly, safer, and more scenic than the other coastal bike/hike trail options. This concept involves routing the Class I path along the east edge of the vegetation in the first inland swale in the Dune Preserve. The rationale for that alignment is to avoid most plants, cross the two streams at narrow spots to minimize wetlands impacts, and avoid most (or perhaps all) archaeological sites, which is my specific area of expertise. This route specifically avoids endangered plants plotted in the IS/MND for the proposed Dune Restoration Project, as well as archaeological sites recorded as of June 2012. It is also routed farther away from the strand than the haul road in order to separate people from the critical habitat available for the endangered snowy plover.

I feel this inland alternative through the dunes is not only feasible, but possibly the best and least costly alternative. The reasons are: 1) it will be the most stable location for a trail within the dunes from an engineering standpoint (less sand movement in the swale because it is protected from wind scouring and sand is sequestered by the neighboring vegetation); 2) it will address longevity issues due to sea level rise because it is set back from the shore; 3) it will minimize environmental impacts through avoidance (careful choice of alignment); 4) it can be designed and built at lower cost than other alternatives if consideration is given to inexpensive permeable open-cell tread materials; and 5) it will be more scenic and safe than a highway shoulder route.

Rather than a hard paved surface or boardwalk, the engineering challenge for this trail option could be met using some thinking that goes outside of the box. There are many proven products such as fine mesh open-grid interlocking hexagonal cell plastic mats that could essentially float on the dune surface and sequester sand within the tread while they remain permeable to rainfall. That type of design is already in widespread use along many trails, and may cost as little as \$125k per mile according to local Engineer David Paoli who suggested this concept. Other designs can and should be considered. Two stream crossings on modest structures would be required. Signage could be used to good advantage to encourage people to stay on the trail and to interpret the sensitive environment. Like any bike route, maintenance would be required. The spring would be the best time to perform it, following winter storms.

I believe the local community would strongly support of this kind of solution. It would also meet the objectives of the park's 1995 General Plan to balance coastal access with the preservation of the natural environment, as well as Coastal Act mandates to maximize coastal access. It could be accomplished in a manner that is sensitive to the environment and encourages public appreciation, respect, and stewardship of the land. An engaged community could keep an eye on problems and may be willing to assist with maintenance and guided walks or biking tours. It could meet FHWA and Caltrans objectives for bikeways, while contributing to livable community goals and context-sensitive solutions that are an increasing emphasis for projects funded with transportation dollars. A trail of this caliber would also foster ecotourism, bolstering the local economy that is still heavily impacted by the latest recession.

This could be a win-win scenario for all involved, and I strongly urge you to give it serious consideration. Through interagency cooperation and community engagement, the concept could be fine tuned to ensure it meets the needs of all stakeholders. It is no secret that projects with widespread support often move more rapidly from planning to construction. Thank you for considering my views and please contact me if I can clarify any matters discussed here.

Sincerely,



Thad M. Van Bueren
P.O. Box 326, Westport CA 95488
(707) 964-7272
thadvanbueren@directv.net

Attachments: 1) Coastal Commission comments on Dune Rehabilitation Project, 8-31-2012
2) Map of Possible Class I Bike/Hike Route through northern MacKerricher State Park

cc: Rex Jackman, Caltrans District 1
Cheryl Willis, Caltrans District 1
Loren Rex, Superintendent, Department of Parks & Recreation
Renee Pasquinelli, Department of Parks & Recreation
Bob Merrill, North Coast Director, California Coastal Commission
Tamara Gedik, California Coastal Commission
Linda Locklin, California Coastal Commission
Kendall Smith, Mendocino County 4th District Supervisor
Dan Gjerde, MCOG Chairman
Phil Dow, Executive Director, MCOG
Steve Dunicliff, Director, Mendocino County Planning & Building Services
Abbey Stockwell, Mendocino County Planning & Building Services
Westport Municipal Advisory Council
Marie Jones, Community Development Director, City of Fort Bragg

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET • SUITE 200
EUREKA, CA 95501-1865
VOICE (707) 445-7833
FACSIMILE (707) 445-7877



August 31, 2012

Renee Pasquinelli
CA State Parks, Mendocino District
12301 North Highway 1- Box 1
Mendocino, CA 95460

SUBJECT: Review of the MacKerricher State Park Dune Rehabilitation Project proposal to restore ecosystem processes in the Inglenook Fen-Ten Mile Dunes Natural Preserve (Preserve) by: (1) removing up to 2.7 miles (4.3 km) of asphalt road and portions of the underlying rock base in foredune habitat; (2) removing two culverts and restoring the stream channels at Inglenook and Fen Creeks; (3) treating approximately 60 acres (24.3 hectares) of European beachgrass and other nonnative weeds; and (4) implementation of mitigation measures for impacts to wetland and rare plant ESHAs resulting from restoration activities.

Dear Renee:

Thank you for the opportunity to review the recirculated Initial Study and Mitigated Negative Declaration (IS/ MND) proposal you submitted for the above-described project, and for your flexibility in accepting our comments today. We additionally appreciate the opportunity you provided us last year on March 14, 2011 to walk the project area with you from Ten Mile River overlook south to Ward Avenue, at which time we also discussed with you our feedback and project concerns.

Prior to submitting comments, our staff reviewed related background documents prepared by your agency, including the 1977 document "Inglenook Fen: A Study and Plan" and the MacKerricher State Park General Plan that was approved by the State Parks and Recreation Commission in June 1995. While the MND also references a June 2005 General Plan document (page 35), we are unaware of a more recent General Plan document and believe this may be a typographical error. Additionally, we have not reviewed the 2007 document prepared by CA State Parks (CSP) entitled "Natural Resource Management Plan Inglenook Fen- Ten Mile Dunes Natural Preserve MacKerricher State Park Mendocino District," because following conversation with you and receipt of the document, we understand it remains in draft form and has not been formally reviewed or adopted at this time.

As we have discussed with you previously, our primary concerns with the project as proposed relate to direct, unmitigated impacts to public access. We additionally offer comments regarding the mitigation measures proposed for direct impacts to rare plant and wetland ESHA. The following comments are presented for your consideration:

ACCESS ISSUES

The Haul Road is a public access feature situated amongst open dune lands located east of the ocean and west of Highway One in MacKerricher State Park, and draws many visitors throughout the year. Because the project site is located between the first public road and the sea, new development at the site is subject to the Mendocino County LCP (certified in 1992) and the coastal access and recreation policies of the Coastal Act.

The Mendocino County certified LCP identifies several policies specific to the Haul Road within MacKerricher State Park. Land Use Plan (LUP) Policy 4.2-19 directs the Department of Parks and Recreation in part to “prepare a General Plan for MacKerricher State Park that provides access to Ten Mile River and Inglenook Fen at designated locations and subject to conditions necessary for preservation of the natural environment of the park.” While CSP has prepared a General Plan document for MacKerricher State Beach (June 1995), the document has never been submitted to Mendocino County for adoption as an amendment to the Recreation Element of the Coastal Plan (LCP), and thus has not been subject to review or certification by the Coastal Commission. Therefore, the General Plan document may provide guidance however the Mendocino County certified LCP and the public access policies of the Coastal Act serve as the standard of review for any development subject to coastal development permit requirements.

Mendocino County LUP Policy 4.2.21 states the following:

The Georgia-Pacific Corporation haul road, under a special management agreement with the California Department of Parks and Recreation, presently provides weekend and holiday vehicular access to the long stretch of public beaches which extend from Fort Bragg north to Ten Mile River. This private roadway, which travels through the entire length of the MacKerricher State Park, should be acquired by DPR and incorporated into its management plan for the park, if at any time during the life of the local Coastal Plan the property owner decides to sell, trade or surrender this property. (Emphasis added)

The Coastal Act places high priority on the protection and maximization of recreation, and access to and along the coast is a key mandate of the Coastal Act. California Coastal Act, Section 30001.5 states in part as follows:

The legislature further finds and declares that the basic goals of the state for the coastal zone are to: . . .

(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.

Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, with limited exceptions. Section 30210 states that maximum access and recreational opportunities shall be provided consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Section 30211 states that development shall not interfere with the

public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Section 30212 states that public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, adequate access exists nearby, or agriculture would be adversely affected.

The CSP declaration of purpose for MacKerricher State Park is stated as follows:

The purpose of MacKerricher State Park is to make available to the people for their inspiration, enlightenment, and enjoyment, in an essentially natural condition, the outstanding scenic features and natural values, including the coastline embracing offshore environs; the stretches of sandy and rocky beach; the headland bluffs; the Ten Mile Dunes; the marine terraces; the wetland habitats including Lake Cleone and the unique Inglenook Fen; the geology and plant and animal life; the significant archaeological and historical resources; and the scientific values therein. (Emphasis added)

The purpose of the MacKerricher State Park in this way shares a common vision with the Mendocino County certified LCP and the public access policies of Coastal Act. The June 1995 General Plan, which is referred to for general guidance, further endorses this shared vision on page 213 where it states “The environmentally-preferred alternative would have been the natural and cultural resource protection priority alternative (2). However, that alternative did not fully meet the goal of providing for the public use identified in project’s statement of purpose. Therefore, the project proposed in the general plan is a combination of the natural and cultural resource protection priority and public use priority alternatives.”

However, the current proposal to remove the northern portion of the Haul Road is inconsistent with these policies. Anecdotal information suggests the Haul Road is widely used by the public, and stream crossings at Inglenook and Fen Creeks presently afford the public a safe alternate access to and along the coast during the winter time when high storm events make shoreline access more dangerous for recreationists. The paved portions provide access to bicyclists and people with strollers. The current proposal to remove the road base and surface of the Haul Road in those areas described in the MND, and the removal of culverts at Inglenook and Fen Creeks interferes with the current intensity of use of the project area by recreationists, and will effectively reduce public access to this area once completed. While the MND indicates on pages 116 and 117 that the proposed project would not increase or expand recreational facilities, the MND does not document how the project will affect public access as it relates to the removal of the haul road and stream crossings that currently afford the public winter access. The MND does not provide mitigation measures to replace this public access feature with alternate public access that is commensurate with the paved access and stream crossing features proposed for removal.

While we recognize the delicate balance of protecting sensitive coastal resources, the proposed project must also balance the requirements to protect and maintain existing (or

provide equivalent) public access, consistent with both the Mendocino County certified LCP policies that include but are not limited to LUP Section 3.6 and LUP Policies 4.2-19 through 4.2-21, and the public access policies of the Coastal Act, including Sections 30210, 30211, and 30212.

BIOLOGICAL RESOURCES

The MND indicates that the east side of a culvert at Fen Creek is overgrown with willow, and includes a proposal to remove a rusted culvert from Fen Creek and restore natural stream flow at Fen Creek and Inglenook Creek through the removal of culverts. The June 1977 Inglenook Fen Study indicates that “Inglenook Fen...was formed by the blockage of Fen Creek by coastal sand dunes. The fen is undergoing primary or geologic succession towards a fen-carr.” In addition to addressing the impacts to public access resulting from removal of the stream crossing as described above, please clarify how exposing Fen Creek to stream flow as proposed will maintain the integrity of the established fen/fen-carr system.

We appreciate the efforts to improve habitat for sensitive biological resources and the efforts to address mitigation for impacts to sensitive resources that may occur during proposed restoration activities. The mitigation proposal includes in part a proposal to remove weeds for a 5-year period. The time-certain maintenance period does not address site-specific variables that could affect the success of weed management at the site. While the mitigation plan does discuss adaptive management as a component of the project objectives, the mitigation plan does not clearly document whether supplemental years of weed removal (or rare plant/ wetland ESHA establishment, for that matter) will occur if success is not achieved within the specified time. Mitigation and monitoring should therefore specify how mitigation will continue until the success criteria have been satisfied, rather than the termination of mitigation measures upon a particular date.

Thank you for the opportunity to provide comments on this document. Should you have any questions, please call me at (707) 445-7833.

Sincerely,

SIGNATURE ON FILE

TAMARA L. GEDIK
Coastal Program Analyst

cc: Linda Locklin, Statewide Coastal Access Program Manager
Abbey Stockwell, Mendocino County Planning and Building Services, Fort Bragg



— Haul Road
— Alternative Bike/Hike Route