

TRINIDAD CITY HALL  
P.O. Box 390  
409 Trinity Street  
Trinidad, CA 95570  
(707) 677-0223

Steve Ladwig, Mayor  
Gabriel Adams, City Clerk



Posted: Thursday, September 17, 2020

## **NOTICE AND CALL OF A SPECIAL MEETING OF THE** **TRINIDAD TRAILS COMMITTEE**

The Trinidad City Council Trails Advisory Committee will meet on  
**MONDAY, SEPTEMBER 21, 2020 at 5:00 PM**  
By Video/Audio Conference, hosted on the Cisco Webex Platform

*In accordance with Executive Order N-29-20 this meeting will be held via videoconference, and will be hosted on the Cisco Webex Platform. Learn more about Webex here: <https://www.webex.com/>*

**PUBLIC COMMENT:** Public comment may be submitted via email in advance of the meeting, or accepted in an orderly process during the conference. If you do not have access to the internet and would like to provide a written statement, please deliver your comment to 409 Trinity Street, Trinidad CA, by 2:00pm, Monday, September 21, 2020. Email to [azetter@trinidad.ca.gov](mailto:azetter@trinidad.ca.gov) Comments will be accepted during the meeting, and included in the public record.

**HOW TO PARTICIPATE:** The meeting link and participant code is located on the calendar page of the City Website: <https://trinidad.ca.gov/calendar> Click on the appropriate date to access all the information.

- I. **CALL TO ORDER/ROLL CALL**
- II. **APPROVAL OF MINUTES** – minutes to be reviewed at the regularly scheduled quarterly meeting
- III. **ITEMS FROM THE FLOOR**
- IV. **STAFF/COUNCIL REPORTS**
- V. **COMMITTEE MEMBER REPORTS**
- VI. **DISCUSSION/ACTION ITEMS**
  1. Discussion/Action: Draft Trails Policy Review.
- VII. **REQUEST FOR FUTURE ITEMS**
- VIII. **ADJOURNMENT**

**Angela Zetter**  
Trinidad Administrative Assistant



## **DISCUSSION AGENDA ITEM 1**

**SUPPORTING DOCUMENTATION ATTACHED**

**22 Pages**

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1. Discussion/Action: Draft Trails Policy Review..

- Draft Trails Policy

# Trinidad Trails Policy

City of Trinidad, California

Draft ~~6/2/2020~~ 8/6/2020



### Trinidad Trail Advisory Committee

The Trails Committee was established as a sub-committee of the Trinidad City Council in spring 2017. The primary function of the committee is to advise the City council and Planning Commission on matters relating to the Trinidad pedestrian trail system.

In August 2018, the Committee drafted the following mission/vision statement:

*“To guide the City of Trinidad in: The prudent preservation and maintenance of the pedestrian trail system in and around Trinidad. To guide the City of Trinidad the further acquisition of land and partnerships to expand and connect the pedestrian trail system throughout the City and its surrounds.”*

The 2020 Committee composition is as follows:

Tom Davies, City Council Representative and Committee Chair; Cheryl Kelly, Planning Commission; Gail Kenny, Citizen Representative; Shirley Laos, Government Affairs Coordinator, Trinidad Rancheria; Zach Brown, Tribal Council Vice Chairman, Trinidad Rancheria; Frankie Myers, Yurok Tribal Council Vice Chairman; Rosie Clayburn, Yurok Tribal THPO/Repatriation & Collections Coordinator; Ben Morehead, Trinidad Coastal Land Trust; Jack West, City Council Representative and Committee Vice-Chair.

With a special note of thanks to the HSU Environmental Science and Management Senior Planning Practicum team (N. Braziel, A. Brown, G. Olin, and A. White) for compiling the draft trails policy for the City of Trinidad in Spring 2019 and to the City of Trinidad Staff for their on-going support.

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## A. INTRODUCTION

### Background

The City of <sup>1</sup>Trinidad's unique location on the coast with panoramic vistas and beautiful beaches makes its trail system a treasured asset for residents and visitors alike. Trails provide <sup>2</sup>access to natural and culturally significant areas for recreation, scientific study, and to better understand our relationship with nature. Trails enhance public health and provide a vital medium for community cohesion. They also serve to bolster the local economy by attracting people to the area. Some trails in the City of Trinidad also provide a means <sup>3</sup>of use for alternative transportation. ~~All trails within the City of Trinidad are within the jurisdiction of~~ must manage trails consistent with the California Coastal Act, which governs public access, recreational opportunities, and marine and land-coastal resources.

The City of Trinidad maintains eight trails that are referred to by their general location on Trinidad Head, State Beach Trails, Harbor Area Trails, and the Old Home Beach Trails. A portion of the California Coastal Trail also runs through Trinidad.

The City shall act in compliance with the California Coastal Act and the City's Local Coastal ~~Program~~ (LCP) to authorize, limit, or otherwise restrict uses and to adopt rules and policies as it deems necessary to protect users, preserve natural and cultural resources associated with the trails system, and uphold the rights of neighboring stakeholders, including private property owners, tribes, and local and state governments.

Any additions, restrictions, or amendments to this public access policy/trails policy will follow the standards and procedures of the ~~California Coastal Act~~ Trinidad Municipal Code and adhere to public input procedures and all substantive public comments may be considered under provisions in the Brown Act (CA Government Code § 54950 – 54963). A formal decision to amend this public access policy or to permanently or periodically close any trail will be consistent with the California Coastal Act and the City's LCP and will follow proper noticing and hearing procedures, posted at City Hall and on the City's public website.

The California Coastal Act places a high priority on maximizing public access to and recreational opportunities along the coast. Implementation of the Trails Policy in the Coastal Zone can go a long way toward realizing these twin goals. Although not a direct component of it, the Trails

<sup>1</sup> "Trinidad" or "the City" are used interchangeably to refer to the City of Trinidad.

<sup>2</sup> "Accessibility" or "Access" refers to access and use of trails by people with disabilities. Humboldt County is subject to Title II (State and Local Government Programs and Services) of the Americans with Disabilities Act (ADA). The trail system for the City of Trinidad will be developed to provide equal access for people with disabilities when feasible.

<sup>3</sup> "Use" means the purpose for which either land or water or a structure thereon is designed, arranged, or intended, or for which it is, or may be, occupied or maintained. (TMC §17.08.700). [Ord. 166 Appx. A, 1979]

**Comment [TP1]:** Removed footnotes in favor of definitions.

**Comment [CK2]:** Trever Parker (5/29/2020): The use of access here does not meet the definition provided in the footnote.

**Comment [CK3]:** Trever Parker (5/29/2020) : I'm not sure how applicable the Brown Act is here. This is not an ordinance. The City does not have specific provisions for policies, but we don't yet know the final form this document will take.

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Policy has been developed to be consistent with and complementary to the City's certified LCP. Within the Coastal Zone, should any conflict arise between the Trails Policy and certified provisions of the LCP, the provisions of the certified LCP shall prevail.

Any new<sup>4</sup> public access designations will be consistent with historical use, capacity of existing infrastructure, and consideration of cultural and natural resources.

### Purpose

In the City of Trinidad's General Plan and City Goals for 2018-2019, the City Council requested the development of a comprehensive Trinidad Trails Plan. In 2017, the City Council chartered a Trinidad Trails Committee to advise the City Council, City Staff, and the Planning Commission on matters relating to trails within the City's regulatory overview.

The purpose of this trails policy is to provide the City with management principles and access guidelines to maintain safe and enjoyable recreation opportunities and to conserve natural and cultural resources associated with the trail system. While the City of Trinidad's trails are addressed in the Trinidad Municipal Code, a more comprehensive policy is required to fully address the Trinidad General Plan goals for the City's trails.

This policy draws upon many resources and documents (listed in the Appendix) including the current and draft Trinidad General Plan. The policy will be adaptable to meet future general plan revisions.

### Description of Trinidad Trails

#### Trinidad Head Trail:

The trailhead begins at the foot of Trinidad Head from the south side of the beach parking area. The trail goes up steps then continues on a road. The trail follows the road to an overlook point where it turns up towards a gravel road just before a gate. The trail continues up to a granite cross. Just west of the cross is a trail that goes around the south side of the head and loops back down to the first bend in the paved road. Benches are available along this route. The trail, about one mile in length, has an elevation gain of about 300 feet.

#### State Park/ Marine Lab Trail:

The trailhead begins at the paved parking lot adjacent to the Humboldt State University Telonicher Marine Laboratory on Ewing Street. Traveling north there is a paved road for 200 feet. From there the trail proceeds along the paved road north, past the Underwood Avenue Trail, eventually leading to the State Park picnic area. Proceeding south from the Marine Lab the trail follows Edwards Street leading to Trinidad State Beach, Trinidad Head, and the harbor.

<sup>4</sup> "New" means any use established, building or structure constructed, development undertaken, or lot created after the effective date of the ordinance codified in this title (TMC §17.08.490).

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Comment [TP4]: This paragraph was taken from the Carlsbad Trails Master Plan.

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Comment [CK5]: Trever Parker (5/29/2020): This seems like a specific policy that doesn't belong in the background section. Moved to 'expansion and connectivity.'

Comment [TP6]: This section really does not include a purpose statement for this document. I think this is important to develop.

Comment [TP7]: Neither the current or draft GP call for a trails plan (though I think the draft did at one point).

Comment [TP8]: What is this reference to? I see the Trails Committee recommended a trails policy be adopted in November 2018.

Comment [TP9]: Added back from October 2019 draft. Also suggest adding something like 'maximize public access to and recreation along the coast consistent with the Coastal Act.'

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Comment [TP10]: Does this mean the reference section? It would be best to list the trails plan references separately from the citations.

Comment [TP11]: This would be a good place to discuss how this policy fits within the hierarchy of City documents.

Comment [CK12]: Trever Parker (5/29/2020): Should we note where descriptions differ from the approved LCP map? Descriptions are also not necessarily consistent with the draft GP either.

Comment [TP13]: Let's discuss this with the current GP map.

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From various secondary trail access points proceeding west, one can reach the Trinidad State Beach on State Park property within City limits.

*Underwood ~~Avenue Drive~~ Trail:*

The trailhead begins on Underwood ~~Avenue Drive~~ where parking is available on the street. There is a narrow unimproved right-of-way from Underwood ~~Avenue Drive~~ paralleling a fence that proceeds west to the State Park Trail.

*Harbor Trail:*

The trailhead begins near the corner of ~~Trinity Street~~ and Edwards Street, where parking is available along Edward's Street. Traveling west, it veers off Edwards Street at the Historical Marker and traverses down Van Wycke Street ~~to Galindo Street~~. Additional parking is available off Galindo Street. The trail extends south to the bluff's edge and then down a stairway to Launcher Beach, the harbor area, fishing pier, and Trinidad Head.

**Comment [CK14]:** Trever Parker (5/29/2020) : Some recent documents (e.g Van Wycke pedestrian connectivity project) show this trail starting at Ocean and Edwards.

**Comment [CK15]:** Trever Parker (5/29/2020): What about the boardwalk along lower Edwards?

*Axel Lindgren Memorial Trail:*

This trail has been designated the primary access to Old Home Beach. The trailhead begins just west of Trinity Street and Edwards Street where parking is available. This steep trail follows the bluff down to Old Home Beach. Stairs, cable steps, and benches are along the trail. The bottom of the trail is prone to washouts by winter waves. Caution should be used. Secondary trail access to the bluff is available 900 feet to the southeast on the Parker Creek Trail.

*Old Wagon Road Trail:*

The trailhead begins at the intersection of Ocean Avenue and Wagner Street. Parking is available on Edwards Street. From Wagner Street the trail can be accessed through a driveway access between the first and second houses on the ocean side. It proceeds easterly until it meets up with the Parker Creek Trail and the Groth Lane Trail, all of which lead to Old Home Beach. Notes: no parking is available on Wagner Street. ~~Per the 1994 Settlement Agreement,~~ ~~this trail is for daylight and pedestrian use only and excludes dogs, which is codified in TMC §12.20.040.~~

*Parker Creek Trail:*

The trailhead begins at the intersection of View Avenue and Parker Creek Drive, which is parallel to Main Street behind Murphy's Market. Parking is available along View Avenue. This trail begins off Parker Creek ~~Read Drive~~ down a gravel roadway between fenced properties. At the end of this roadway, the trail enters a vegetated area, then turns left and descends a series of steps to join the Groth Lane Trail at their base. This trail provides access to Old Home Beach. No parking is available on Parker Creek ~~Drive Road~~.

*Groth Lane Trail:*

The trailhead begins on the west side of Scenic Drive just north of the Lanford Road intersection. No designated parking is available adjacent to the trailhead or on Scenic Drive. The trail is a gravel road that proceeds downhill where it meets up with the Parker Creek Trail after it crosses Parker Creek. This trail provides another way to get to Old Home Beach.

## B. PUBLIC ACCESS

The City recognizes the importance of maintaining public access to the Trinidad trails system, in accordance with the California Coastal Act, within City limits and along the coastline. The City seeks to:

Maximize public access to and along the coastline consistent with protecting public safety, property rights and the environment.

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Encourage trail usage for education, exercise, travel and enjoyment.

Provide opportunities for a broad range of trail users to connect with nature, experience wilderness, and observe natural beaches.

Promote safe and lawful trail use, recognize potential hazards, reduce impacts to natural resources, and minimize disturbance to neighbors.

Comment [TP16]: This is probably covered by the first line now.

## Trail Use

Right-of-way and rules of use are established for the safety of trail users and to protect, preserve, and enhance the environment near trails and neighboring landowner's property.

*Allowable uses, rules for access and right of way, and conventional trail etiquette:*

- Public access is granted to all pedestrians.<sup>5</sup>
- Disabled trail users, pursuant to the Americans with Disabilities Act (42 U.S. Code § 12101), will be accommodated to the extent that existing infrastructure, landscape qualities, and budgetary constraints allow.
- Trail users must stay on system trails. Off-trail use, including the use of non-system trails (sometimes referred to as "social trails")<sup>6</sup> ~~by pedestrians~~ is prohibited.
- Trail users are subject to TMC 12.20, Trails. Trinidad Head hikers are also subject to the Trinidad Municipal Code Chapter 12.12, Trinidad Head. Old Wagon Road Trail also has special restrictions as outlined in TMC §12.20.040 and §6.06.010.

<sup>5</sup> "Pedestrian", for all intents and purposes, means any person on foot.

<sup>6</sup> "Social trails": A social trail is an informal, non-designated trail between two locations. Social trails often result in trampling stresses to sensitive vegetation types.

- Trails on City property are considered public grounds and therefore subject to Trinidad Municipal Code Chapter 12.18, Public Grounds.
- Dogs and their owners are subject to the Trinidad Municipal Code Title 6, Animals, ~~Pets other than dogs are not permitted on trails.~~ Dogs must be in the custody and control of their owner or other responsible party at all times per TMC § 06.04.050. on leashes no longer than 6 feet in length. Owners must remove their dog's droppings.
- Camping in and around the Trinidad Trails System on public grounds is prohibited per TMC §12.18.010.
- ~~Trail permitted uses are subject to zoning as outlined in the Trinidad Municipal Code Title 17, Zoning “Principle permitted uses” and “Uses permitted with a use permit”.~~
- ~~The use of bicycles on pedestrian trails is prohibited.~~
- Activities not specifically mentioned in this trail policy may be prohibited.
- No trails are currently ADA accessible, but portions may be.

**Comment [TP17]:** This is primarily the licensing law, most of which would not apply to visitors/trail users, so this reference would be confusing. None of this is codified. The only general reference to leashes is in regards to a definition of “at large” dogs (§6.04.020) and a prohibition of at larger dogs (§6.04.050). There are no references to waste clean-up in that ordinance.

**Comment [TP18]:** None of this is codified. The only general reference to leashes is in regards to a definition of “at large” dogs (§6.04.020) and a prohibition of at larger dogs (§6.04.050)

**Comment [CK19]:** Trever Parker (5/29/2020): This is unclear. It is an incomplete reference, and those uses don't describe allowable uses on trails as I think is suggested. These sections govern in what zones trails and recreation are allowed.

**Comment [TP20]:** Which are the pedestrian trails?

**Comment [CK21]:** Trever Parker (5/29/2020): This is not codified. Consider included a section on recommended rules in addition to existing ones. Also, keep in mind that some trails include streets, where bikes would be allowed.

**Comment [TP22]:** Could reference Title 9 for this one (Public Peace, Morals and Welfare). But I don't generally recommend such broad references.

## Safety

Trinidad recognizes visitor safety as a priority when designating and managing the trail system. Trail uses that compromise the safety of trail visitors are prohibited. The City shall consider visitor safety when designing, designating, maintaining, and managing any trail.

### Trail user safety:

- The City of Trinidad may temporarily close or re-route trails for biological, geological, or social management consistent with the policies and procedures of the Trinidad LCP purposes following the California Coastal Act guidelines.
- Hazardous substances, as defined in the Trinidad Municipal Code, (58.08.020) Title 8: Health and Safety, are not allowed on trails.
- Trails are subject to the Trinidad Municipal Code Title 9, Public Peace, Morals, and Welfare. This section includes an outline of expectations for public decency, alcohol, weapons, and so forth.
- Any part of a trail that is also deemed a street is subject to the Trinidad Municipal Code Title 10, Vehicles and Traffic.
- The City should establish a list of trail-use rules to ensure safety as well as promote compliance, enhance user enjoyment, and protect natural and cultural resources. Trail rules will be disseminated to homeowners, published on the City's website, and/or posted at informational kiosks.

**Comment [TP23]:** This just refers to CA Health and Safety Code §25316.

**Comment [TP24]:** The reference is way too broad. Almost none of Title 8 would be applicable. Even Chapter 8.08 deals with facilities that handle hazardous substances. So, prohibiting such materials on trails (which could include household and garden chemicals) is not currently codified.

**Comment [CK25]:** Chapter 8.30 prohibits fires and fireworks on beaches (not not trails).

**Comment [CK26]:** TP (5/29/2020) : Referenes to Titles and sometimes whole Chapters are too broad. The public won't be able to easily find what is applicable. Some of these provisions apply to trails, but some don't appear to. Also see comment above regarding specificity of references.

**Comment [TP27]:** Same comment as above.

**Comment [TP28]:** How is this different than what is presented in this document? Rules likely require an ordinance to be enforceable. Depending on the rules, they may require a CDP and or LCP amendment. We need to have a general discussion about how to deal with existing and suggested rules.

**Comment [TP29]:** Or should all recommendations be in one place?

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### User Safety Recommendations

- Trails shall be maintained in a manner which ensures emergency personnel (police, fire, the Coast Guard) have access to the trail. Emergency access **and response** for safety, security, or maintenance purposes is based on an established protocol between the parks, fire, and police departments. The initial responding party will notify the other emergency departments as soon as possible, as needed.
- Trail names and corresponding GPS coordinates are effective in assisting fire and safety personnel in locating trail users who may need assistance in emergencies. Trail identifications are also useful for City staff and Public Works to locate specific trail maintenance/improvement areas that have the potential to impact safety.
- Trail Identification Signs<sup>4</sup> at each trailhead may be mapped by the City's GIS staff to correspond with GPS coordinates. These integrated points can then be shared with appropriate first responders (i.e., CalFire, Humboldt County Sheriff Department, US Coast Guard).

**Comment [TP30]:** Should this be in the safety or maintenance section?

**Comment [CK31]:** TP (5/29/2020): Is this specified in the EOP? Check for this and other applicable policies.

**Comment [CK32]:** TP (5/29/2020) : Does all of this belong in one policy; consider sub-policies? Suggest including more specificity regarding responding agencies.

**Comment [TP33]:** Yes, they are. This should be a directive of some kind.

**Comment [TP34]:** The footnote referenced the very generic sign definition from the zoning ordinance. Maybe this document should define different types of trail signs.

**Comment [CK35]:** TP (5/29/2020) : We do have mapping and numbering of the trail markers, not all of which have been installed.

**Comment [TP36]:** Should this be a recommendation/policy for future action?

**Comment [TP37]:** If these policies are going to be included, they should have more specificity. E.g. what does "work to preserve" mean? And how does that fit with the CA and LCP?

### Expansion and Connectivity

These policies refer to expanding the existing trail system or connecting to trails managed by other entities. In doing so, conserving existing natural and cultural resources is a priority.

- The City will work to preserve existing trail routes designated for public use on the Trinidad Trails System maps and expand the public trail network for all user groups where appropriate.
- Trinidad will seek to coordinate trail expansion with local and regional trail systems (California Coastal Trail and State Parks) where possible.
- **Any new public access designations will be consistent with historical use, capacity of existing infrastructure, and consideration of cultural and natural resources.**

**Comment [TP38]:** I would suggest adding specific connections so that they can be identified as priorities in future grant applications (though the general plan should also do this). E.g. CA Coastal Trail, Hammond Trail connection.

**Comment [TP39]:** Moved from the background section.

### Relationships with Private Landowners

Current and future easements and access agreements shall respect the rights of the landowner while also maintaining safety and public access consistent with the Coastal Act.

- Trinidad shall strive to coordinate trail design and maintenance with the owners and managers of adjoining lands including but not limited to private landowners, Trinidad Rancheria, California [State Park Service](#) [Dept. of Parks and Recreation](#), [the Trinidad Coastal Land Trust \(TCLT\)](#), and the Bureau of Land Management (BLM).

<sup>4</sup> "Sign" means any message, word, symbol, design, picture or visual medium which is intended to draw attention to a product, service, business, person, institution, or location and is placed or painted on the ground, or on any tree, wall, fence, rock, structure or thing whatsoever and placed thereon whether indoor or outdoor, so as to be visible from off premises, exclusive of legal notices, safety and directional signs posted by public agencies. [Ord. 166 Appx. A, 1979]

- The City shall require access easements as a condition of development approvals as needed to maintain public access along existing and planned trails.
- Management decisions and restoration/maintenance actions specific to the Wagner Street Trail shall respect the Mutual Settlement Agreement and Release by and between John Frame, the City of Trinidad, the California Coastal Commission, and the California Coastal Conservancy.
- The trails are also shared by local entities such as the Trinidad Coastal Land Trust (TCLT), CA State Parks, and private landowner easements.

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**Comment [CK40]:** TP (5/29/2020) : Covered by the first bullet

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### C. MAINTENANCE AND OPERATIONS

As trail stewards, the City is responsible for ensuring public access and the viability of trails long into the future. Trails in the City of Trinidad require maintenance to protect and enhance natural and cultural resources and to keep trails in a safe and accessible condition. The following policies establish a monitoring and maintenance schedule and designate the personnel and resources necessary to perform routine inspections and maintenance activities. The preferred outcome will be to proactively detect and resolve trail infrastructure issues and to protect environmental and cultural resources.

The responsibility for trail maintenance should be clearly delineated when the trail is created or adopted. Project maintenance should be done by professionals, including City Public Works staff, or skilled trail workers.

**Comment [TP41]:** Suggest adding this to policies for future trails.

#### Annual Baseline Inventory, Maintenance Reporting, and Monitoring Schedule

- The City will establish baseline trail conditions using the Trinidad Trail Monitoring Report to prioritize maintenance, leverage resources and staff, account for areas of increased risk/liability, and determine if improvements from previous maintenance work was effective. Maintenance requirements for the year will be identified. The report will also determine the activities which require permits, specifically for construction projects.
- A routine maintenance schedule detailing necessary modifications/improvements on trails and trailheads should be adopted to minimize degradation from use, erosion, natural disturbances, and vegetation growth. The tasks outlined in the schedule should be achievable over the course of one calendar year and work around staff and budgetary limitations.

**Comment [CK42]:** TP (5/29/2020): What is this? It needs a definition or explanation. Also, consider creating a template and attaching as an appendix.

**Comment [CK43]:** TP (5/29/2020) : Permits may also be required for repairs and even maintenance.

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**Comment [TP44]:** Should this be maintenance or improvements?

**Comment [CK45]:** TP (5/29/2020) : Could use 5 or 10 year CDP for each trail or group of trails like was done for Trinidad Head trail maintenance.

**Comment [CK46]:** TP (5/29/2020) : Has Public Works been consulted or reviewed this section?  
CK (6/11/2020): Sent to Public Works subsequent to Trever's question.

#### Maintenance and Operations Activities

Trinidad trails include multiple Environmentally Sensitive Habitat Areas (ESHA) and should be maintained and operated according to the existing policies and regulations management plans set forth in the California Coastal Act, Trinidad Local Coastal Program, Trinidad Head Management Plan, and the Tsurai Area Management Plan and other applicable laws and regulations.

**Comment [TP47]:** And did they respond?

Maintenance encompasses a range of routine and remedial tasks, including:

- Trail surface maintenance. Periodic maintenance includes filling and grading depressions in the **trail tread**, **removing edge berms**, and re-reconditioning drainage features such as drainage dips. Maintaining the surface of accessible trails will be a priority.
- Erosion control. Work will be needed to manage **hillslope-stormwater** runoff coming on to the trail system and to implement various **erosion control and** slope stabilization measures.
- Vegetation management. Clearing fallen branches, limbs, and trees is important, especially after storms. **Taking measures to remove invasive species is a priority to protect native habitats and species.** Trail brushing should be performed as needed throughout the year. **The majority of is work should be performed between September 1 and March 31 to avoid nesting birds and flowering periods of rare plants. Supplemental trimming may occur as needed at other times, during the months of May and June, except where sensitive species or habitats indicate otherwise. Springtime is when birds begin nesting and this will need to be taken into account by the City before creating disturbances.**
- Remedial maintenance. Responding to vandalism (ex: graffiti), litter clean-up, **repairing short cuts**, sign repair/replacement, and **decommissioning informal/social trails.**
- Operations. Opening and closing gates, waste disposal, and implementing temporary warnings and/or closures.

**Comment [TP48]:** Needs a definition

**Comment [TP49]:** What is this?

**Comment [TP50]:** We may want specific guidance for this, such as which specific species are a priority. There have been issues of people removing native species thinking they were invasive.

**Comment [TP51]:** What does this refer to, is this the same as social trails?

**Comment [TP52]:** This may need its own description. Depending the type of work, a permit could be needed.

### Maintenance Frequency and Scheduling

Maintenance Schedule	
Maintenance Activity	Estimated Frequency
Trail surface maintenance and erosion control	Annually
Routine vegetation inspection and management (incl weed control, pruning, etc)	Monthly (Apr-Oct), Bi-monthly (Nov-Mar)
Routine trail clean-up and maintenance (trash, graffiti, refill dog waste bags, etc)	Weekly

Remedial maintenance (remove fallen trees, sign repair, pothole filling, fence/step repair, etc)	As Needed
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New trail infrastructure additions and other management or restoration projects, are subject to the [City's LCP](#), California Environmental Quality Act (CEQA) [and other applicable regulations](#), [and National Environmental Policy Act \(NEPA\)](#) and may be subject to the Coastal Zone Management Act. ~~Any project located within the Coastal Zone must address Design Review and View Protection findings of the Trinidad Zoning Ordinance and the California Coastal Act.~~

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**Comment [CK53]:** TP (5/29/2020) : These are federal laws and would not apply unless a project involves federal land or funding. All trails are in the Coastal Zone, and approvals are not limited to DR.

### Maintenance Crew Safety

Maintenance will be performed by the City Department of Public Works and in special circumstances when authorized by the City, by volunteer groups and organizations. To augment maintenance duties, the City may collaborate with volunteer groups and agencies. The City will, for example, consider having a [Trail Stewards Program](#) with regularly scheduled meetings and events. Prior to beginning any ~~trail construction or~~ maintenance project, employees shall be provided training covering proper construction and/or maintenance techniques.

**Comment [TP54]:** Any policies or recommendations for this?

Staff should:

- Wear appropriate PPE (Personal Protection Equipment): proper headgear, gloves, boots, eye protection, and/or knee guards.
- Protect against noxious plants and animals by wearing gloves, long sleeves, long pants, boots and a face shield if necessary.
- Avoid accidents by using tools safely, being alert to hazardous footing, and staying focused on the task.
- Not work during inclement weather: strong winds, heavy rain or lightning.
- Know accident reporting procedures.

### D. SIGNAGE AND KIOSKS

Trail signage provides the information necessary to enhance trail user safety and enjoyment, promote the use of trails, provide cultural and historical background, and to protect the surrounding environment.” Signage is intended to provide necessary information without diminishing the aesthetics of the natural setting. Signs should be clear, consistent, and attractive, and developed to reach a range of audiences including first-time users, repeat users, and special users. Special ~~users-needs~~ include people with decreased visual abilities, children, and people with accessibility needs.

**Comment [TP55]:** Wouldn't this be part of "Infrastructure"?

Guidelines for sign design, placement, and maintenance can be found in the following City documents and can be accessed at City Hall:

- Sign Inventory and Assessment (Carson Welte, n.d.): locations and maintenance priorities.
- California Coastal Trail Signage Project (2010): description, geographic coordinates, photos, comments, placement, insignia size, fastener type.
- Primary and Secondary Trails to Old Home Beach (referenced as Indian Beach in 2009 Staff Report): staff recommendations and conditions of approval.
- Draft Sign Concept Document: design elements & preferred materials.

#### Types of Trail Signs:

- Obvious but unobtrusive signage should be used to (1) describe regulations for use and traffic control, (2) warn of hazards, and (3) provide navigational and interpretive information. Signs should be constructed of highly durable materials that will require minimal maintenance in the expected conditions of sun, temperature, and precipitation. Signs should be located outside of the tread width.

Regulatory Signs at each trailhead and major access points will describe (at a minimum): (1) Allowable uses; (2) Right-of-way rules and trail etiquette (e.g. no camping, hours of operation) (3) Legal jurisdiction and enforcement authority.

Warning: Signs warning of general hazards (weather, lack of services, emergency contacts, etc.) will be placed at each trailhead. Signs warning of unusual hazards along the trail will be placed at a height of 4' or greater and will be easily readable.

Information: Each major trailhead may have informational signage including a trail map, trail distances, and level of difficulty. There may also be more extensive signs or displays describing the natural and other features likely to be encountered. Trail junctions may have signs indicating the destinations and mileage in each direction. Mile markers and interpretive signs along the trail will be unobtrusive and placed outside the cleared path area. Signage will be sufficient that users can navigate the trail without a map

Interpretive: Interpretive signs enhance the trail experience by providing information about the history and culture of the area. Such exhibits may discuss local ecology, people, environmental issues and other educational information.

Educational-Interpretive signage may be placed at scenic view areas or in relation to specific elements being interpreted. They may take on many forms including textual messages, plaques, markers, panels, and demonstrations.

**Comment [TP56]:** This only applies to the CCT, and the 3" circular plaques have already been installed.

**Comment [TP57]:** Is this a reference to the staff report? That project was never approved.

**Comment [CK58]:** TP (5/29/2020) : Why aren't all of these in the reference list?

**Comment [TP59]:** Signs have been very controversial, and this section should be approached with caution. This section should be specifically discussed.

**Comment [CK60]:** TP (5/30/2020) : Needs a definition

**Comment [TP61]:** How feasible is this? Most trails have the same or similar rules. Maybe a brochure and/or centralized kiosk is better.

**Comment [CK62]:** TP (5/30/2020) : Is this the same as "tread width"?

Kiosks provide visitors with information to orient themselves, learn about trail conditions and opportunities, trail regulations, hours of operation, local events such as activities programmed for the City. Kiosks should be readily identifiable by trail users as informational contact stations and provide elements such as bulletin boards, regional trail maps, rules and regulations and accessibility advisories. Kiosk(s) should be centrally located and readily accessible to the public.

**Comment [CK63]:** TP (5/30/2020): Kiosks should be its own category. Kiosks are structures/buildings, not signs. Suggest describing kiosks and specifying that they would be centrally located rather than at trail heads (where views and sensitive habitats are likely to limit structural development).

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The Trinidad Municipal Code can be used to make the necessary finding to approve signage projects, Sections 17.60.040-050 and 17.72.040. Signs must be consistent with and approved according to the City's LCP.

## E. INFRASTRUCTURE POLICIES

### Trail Maps

Maps and trail guides should be made available to the public to increase awareness of existing public trails.

### Fences, Railings, and Trail Stabilization

- Fences or railings, bollards and other obstructions will be constructed only if required (1) for safety, such as at steep drop-offs, (2) by landowner stipulation, (3) for restraining people from leaving the trail to protect fragile resource or private property, or (4) for keeping motor vehicles off the trail. Fences or other obstructions will not impede or prevent pedestrian passage on the trail.
- Railings for trails will be used only where a drop-off occurs that needs safety protection or to control access.
- Trail Stabilization: When a trail is built in steep terrain or on a steep cross slope<sup>9</sup>, wood log retaining walls, rock or log trail buttresses or wood trail steps will be installed as necessary to maintain trail stability and prevent erosion.
- Trails are subject to Trinidad Municipal Code Chapter 15.16, Grading (City of Trinidad, 2012).

**Comment [TP64]:** What does this mean? If this is referring to a Frame lawsuit agreement/settlement, then this would be a court stipulation. Landowners would need to go through normal approval procedures.

**Comment [CK65]:** TP (5/30/2020): Railings can be used for most of the purposes listed for fences and are generally more desirable.

**Comment [CK66]:** TP (5/30/2020) : I think this description should either be more specific or more general and just refer to applicable regulations.

**Comment [CK67]:** TP (5/30/2020): Trails are not, though work on trails is.

### Parking and Staging Areas

- Signage may direct visitors to accessible parking.
- Park hours are dawn to dusk – year-around.
- No overnight parking allowed.

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**Comment [CK68]:** TP (5/30/2020) : What park? Should this be trail use?

**Comment [CK69]:** TP (5/30/2020) This would need to be adopted by ordinance and may require a CDP.

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**Comment [CK70]:** TP (5/30/2020) Where is this referring to? Most trail parking is on streets, where overnight parking is allowed.

<sup>9</sup> "Cross slope" means the slope of the trail tread from edge to edge perpendicular to the direction of travel

- Motorized vehicles are prohibited except in roadways, parking areas designated for motorized vehicles, as needed for public safety purposes, or by permit.
- No vehicle may be parked on City property between 10:00 pm and 5:00 am
- Staging areas, as appropriate, will be provided at major trail system access points. Staging areas may include the following: shade trees or shade structures, seating areas, bicycle racks, water fountains, interpretive and directional signage, trash receptacles, pet waste stations, and restrooms.

### Trash Receptacles and Pet Waste Stations

Where feasible and appropriate the city will install Trash Receptacles and Pet Waste Stations.

### Natural Resources Conservation Policies

- The City will design, build, and manage trails in a sustainable manner by incorporating design measures that protect vegetation, preserve habitats, and minimize erosion.
- The City will prohibit trail uses that compromise the protection of natural resources and strive to protect and enhance the habitats of native plants and animals.
- Trail maintenance and repair activities shall be performed in accordance with best practice and following restrictions requirements set forth by the California Coastal Commission Act, the City's LCP, the Tsurai Management Plan, and applicable court rulings.
- Trails will be located adequate distance from streams to protect riparian and aquatic habitat and wildlife corridors. Trails may occasionally diverge close to the top of the bank to provide visual access and opportunities for interpretive displays on the environmental sensitivity of creek habitats.
- Riparian Zones<sup>40</sup>. Riparian vegetation within 100 feet of major coastal streams will be protected. The major coastal streams in the City are Mill Creek, McConnahas Creek, and Parker Creek. Structures and activities will be sited outside the riparian protection zone whenever possible. If not possible, areas that must be disturbed will be kept to a minimum and be replanted with appropriate vegetation.
- The City will partner with public agencies, non-governmental organizations, and landowners in regional and countywide efforts to inventory special status species (endangered, threatened) and to develop regional habitat conservation management plans that protect special status species, wildlife corridors, ecosystems, and biodiversity.
- The presence of rare plants ESHA will be considered in the development of any trails.

**Comment [CK71]:** TP (5/30/2020) Again, this is not codified, and should be a recommendation if it is desired. What property is this referring to?

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**Comment [CK72]:** TP (5/30/2020) I don't think this is necessary or appropriate for Trinidad.

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**Comment [CK73]:** TP (5/30/2020) Much of this is pretty unrealistic for most trail heads.

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**Comment [CK74]:** TP (5/30/2020) This seems redundant with the above language, unless it means on trails themselves. Could use more explanation.

**Comment [TP75]:** Is there a document that could be referenced?

**Comment [CK76]:** TP (5/30/2020) Trail maintenance is not set by the CCC.

**Comment [CK77]:** TP (5/30/2020) Not if the disturbance is permanent.

**Comment [CK78]:** TP (5/30/2020): HCPs are not realistic or applicable to Trinidad. And is this specific to trails?

**Comment [CK79]:** TP (5/30/2020): Should refer to applicable regulations – rare plants are not a "consideration," they are legally protected.

<sup>40</sup> "Zone" means a portion of the territory of the City within which certain uniform regulations and requirements or combinations thereof apply under the provisions of these regulations. (TMC §17.08.770). [Ord. 166 Appx. A, 1979]

## Cultural Resources Conservation Policies

- Areas of high-value cultural and historic resources and/or Environmentally Sensitive Habitat Areas will be protected from disturbance and adverse impact and considered in the development of new trails.
- Projects must consider "historical resources" as an aspect of the environment in accordance with California Environmental Quality Act (CEQA) Guidelines section 15064.5. These cultural features can include Native American graves and artifacts; traditional cultural landscapes; natural resources used for food, ceremonies or traditional crafts; and places that have special significance because of the spiritual power associated with them. When projects are proposed in areas where Native American cultural features are likely to be affected, a Certified Cultural Monitor must be present during ground disturbing activities to ensure the protection of cultural resources. Any trails projects must coordinate with the Cultural Monitoring protocols of the City of Trinidad and local Tribal Historic Preservation Officers.
- Where possible, new trails will be routed away from high-value cultural and historic resources whenever possible and feasible. Trinidad may permanently decommission a trail to protect high-value cultural and historic resources and will follow prescriptive rights laws as per California Coastal Commission.
- Trinidad shall accommodate remnants of non-native species (such as orchards) when they contribute to an understanding of historic and cultural landscapes.
- Review under Public Resources Code 5024 is required to identify any significant cultural resources within the area of potential effect for a proposed project. If avoidance of a cultural resource is not practicable, mitigation measures to decrease the effects of a conversion project to less than significant shall be proposed. Construction and cultural monitoring shall take place to decrease the potential for effects to cultural resources in areas of moderate to high sensitivity during construction.

The City will consult ~~the Tsurai Management Plan~~ with the Tsurai Ancestral Society, Yurok Tribe and Trinidad Rancheria when conducting maintenance in or near the 12-acre ~~Tsurai Study Area (TSA)~~ Tsurai Management Area (TMA)

## E. PUBLIC OUTREACH

The City will promote collaboration among Trinidad citizens, tribal entities, public land management agencies, nongovernmental organizations, and private landowners to implement the Trinidad Trails System and regional trail systems.

The City Council will hold a public hearing, once per year, to report upon the state of trails and to establish goals for future maintenance and special projects.

**Comment [TP80]:** There may be a broader, more appropriate reference.

**Comment [TP81]:** Prescriptive rights and the Coastal Act are two different legal doctrines. The CCC does not manage or implement prescriptive rights. While they may condition projects on maintaining prescriptive rights, only a court can determine if they exist. Also, prescriptive rights are not particular to cultural resources.

**Comment [CK82]:** TP (5/30/2020) This is not the correct reference.

**Comment [CK83]:** TP (5/30/2020) Consulting the plan won't help. Consult with Rancheria, Yurok and TAS.

**Comment [TP84]:** ?? Or PC, or Trails Committee?

## F. FUNDING

The City will keep a line item in the annual budget for trail maintenance. The City shall develop a long-term funding plan in order to supply materials, tools, equipment, signs, waste disposal, and staff time to perform -maintenance and coordinate volunteers. Additional funding (i.e. grants, private donations, etc.) will be sought to support trail system functions such as trail repair, maintenance and development.

**Comment [TP85]:** How binding is the language in this document? May want some qualifying language like "as feasible" or change to "should." (Applied to entire document.)

The City shall keep trail maintenance records in order to accurately determine the cost of annual maintenance. The Trails Committee, in cooperation with Public Works, will assess the necessary amount of funding for annual repair and maintenance of trails for recommendation to the City Council.

## G. PERMITTING AND LIABILITY

The City of Trinidad will inventory hazards; assessing environmental and construction mitigation to minimize risks to trail users. Prior to any change to the trails system (ie. closing, development, etc.) the City will follow the Coastal Development Permit process. Changes to principally permitted uses are appealable through the Coastal Commission Permit Appeal Process.

**Comment [CK86]:** TP (5/30/2020) I don't see any permitting information or references in this section.

### Insurance and Indemnity Policies

#### Liability

All trails are "Use at Own Risk." Postings and trail information signs will clearly state that users use the trail at their own risk. Under the California Recreational Use Statute, Appendix II, landowners and trail owners are immune from liability for injuries arising from trail use.

Scheduled periodic trail inspection and maintenance is conducted, to discover and correct any problem areas.

#### ~~Government code and minimization of liability.~~

~~"GOVERNMENT CODE—GOV, TITLE 1. GENERAL [100—7914], DIVISION 3.6. CLAIMS AND ACTIONS AGAINST PUBLIC ENTITIES AND PUBLIC EMPLOYEES [810—998.3], PART 2. LIABILITY OF PUBLIC ENTITIES AND PUBLIC EMPLOYEES [814—895.8], CHAPTER 2. Dangerous Conditions of Public Property [830—840.6], ARTICLE 1. General [830—831.8], 831.4.~~

**Comment [CK87]:** TP (5/30/2020): I don't see the purpose of posting this entire code section here, when others are just referenced in the document.

~~"A public entity, public employee, or a grantor of a public easement to a public entity for any of the following purposes, is not liable for an injury caused by a condition of:~~

~~(a) Any unpaved road which provides access to fishing, hunting, camping, hiking, riding, including animal and all types of vehicular riding, water sports, recreational or scenic areas and which is not a (1) City street or highway or (2) county, state or federal highway or (3) public street or highway of a joint~~

~~highway district, boulevard district, bridge and highway district or similar district formed for the improvement or building of public streets or highways.~~

~~(b) Any trail used for the above purposes.~~

~~(c) Any paved trail, walkway, path, or sidewalk on an easement of way which has been granted to a public entity, which easement provides access to any unimproved property, so long as such public entity shall reasonably attempt to provide adequate warnings of the existence of any condition of the paved trail, walkway, path, or sidewalk which constitutes a hazard to health or safety. Warnings required by this subdivision shall only be required where pathways are paved, and such requirement shall not be construed to be a standard of care for any unpaved pathways or roads. (Amended by Stats. 1979, Ch. 1010.)"~~

### **Address Permitting, Liability, Restrictions, and Oversight**

To minimize liability, it is critical to adhere to established standards in trail design, signage, and maintenance. [Government Code § 831.4](#) provides that public entities are not responsible for [injuries caused by a condition of any unpaved road or any trail which provides access to fishing, hunting, camping, hiking, riding \(animal and vehicular\), watersports, recreational or scenic areas.](#) ~~California State Statute 831.4~~ This provides for substantial immunity to public agencies that construct and operate trails in accordance with widely accepted standards or guidelines, such as the California State Parks Trail Design and Maintenance Guidelines. Measures listed to minimize liability include:

- Post trail regulations and provide enforcement.
- Post warning signs for known hazards that are not easily identified
- Keep accurate routine maintenance records.
- Inspect the trail regularly for hazards.
- Evaluate and address hazards and maintenance problems reported by trail users with appropriate measures as soon as possible.
- Ensure that there are adequate emergency access points to the trail along its entire corridor.

### **Liability for Volunteers**

To address liability for maintenance activities performed by individual volunteers or volunteer groups and organizations, the City will establish a liability release form protocol.

Collaborating with the Humboldt Trails Council is the most effective means of providing the City with indemnity from loss or other financial burden. Otherwise, the City will produce and

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distribute liability release forms prior to any maintenance activities. Maintenance or restoration activities performed without informing appropriate City staff is prohibited.

## APPENDIX

### DEFINITIONS

The following words or phrases, whenever used in this document shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases. Definitions shall be as set forth in TMC Chapter 17.08 unless otherwise indicated.

Useful definitions for trail planning and design include the following:

“Cross slope” means the slope of the trail tread from edge to edge perpendicular to the direction of travel

“Pedestrian”, for all intents and purposes, means any person afoot.

“Social trails”: A social trail is an informal, non-designated trail between two locations. Social trails often result in trampling stresses to sensitive vegetation types.

“Tread width”

“Trinidad” or “the City” are used interchangeably to refer to the City of Trinidad.

“Bluff” means a scarp or steep face of rock, decomposed rock, sediment, or soil resulting from erosion, faulting, folding, or excavation of the land mass. The bluff may be simple planar or curved surface or it may be step-like in sections. For the purposes of this title, “bluff” is limited to those features having vertical relief of 10 feet or more. “Bluff edge” is the upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a step-like feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to the bluff edge (TMC §17.08.050). [Ord. 166 Appx. A, 1979]

“Emergency” means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services. (TMC §17.08.260). [Ord. 84 180 § 6, 1984]

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. (TMC §17.08.280). [Ord. 166 Appx. A, 1979]

**Comment [CK88]:** TP (5/30/2020): Are these all used in the document? Are any new definitions needed (e.g. tread width)

**Comment [CK89]:** TP (5/30/2020): Just refer to Chapter 17.08 (definitions in the zoning ordinance).

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~~“General plan” means the Trinidad General Plan, as amended, including the seismic safety, public safety, noise and scenic highway elements adopted in 1975 and the following elements adopted in 1976: land use (including sections on existing land use, commercial development, and visitor accommodations), circulation, housing, open space and conservation (including sections on unstable slopes, soil characteristics, water resources, and biological resources), recreation, public services and community design. (TMC §17.08.320). [Ord. 166 Appx. A, 1979]~~

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### Comment [CK90]: TP (5/30/2020):

I don't think any of these are actually cited in the document. If some of these were used in the development of the document, list them that way. The text refers to an appendix.

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