

Filed: September 20, 2011
Staff: Trever Parker
Staff Report: October 6, 2011
Commission Hearing Date: October 19, 2011
Continued Hearing Date: February 21, 2012
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2011-06a
APPLICANT (S): City of Trinidad
AGENT: N/A
PROJECT LOCATION: Trinidad Head Trails
PROJECT DESCRIPTION: Design Review, Coastal Development Permit and Conditional Use Permit to conduct regular vegetation maintenance activities on Trinidad Head roads and trails.
ASSESSOR'S PARCEL NUMBER: 042-121-05
ZONING: OS – Open Space
GENERAL PLAN DESIGNATION: OS – Open Space
ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15301 of the CEQA Guidelines exempting maintenance of existing facilities, including pedestrian trails, and 15304 exempting minor alterations to land and vegetation.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project X is ~~is not~~ appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act and the City's certified LCP.

SITE CHARACTERISTICS:

Trinidad Head is a roughly 61-acre, 358-foot elevation headland that comprises the southwestern quarter of the City of Trinidad, and together with the recurving rocky coastline to the east, form Trinidad Bay. The City of Trinidad owns the majority of Trinidad Head. However, the southern portion of the Head is owned by the U.S. Coast Guard, and an area at the summit is also owned by the federal government and contains communication and scientific study equipment along with NOAA weather monitoring facilities. The City also leases a small area as a telecommunication facility containing cellular equipment. The project site is situated within the coastal zone and lies within the incorporated boundaries of the City of Trinidad and within the City's certified permitting area. The entire Trinidad Head is designated in the City's Land Use Plan as "Open Space" (OS), implemented through an "Open Space" (OS) zoning designation.

A paved and gravel roadway provides access to both the Coast Guard property and the NOAA weather monitoring facility at the summit; this roadway also provides pedestrian access to the Trinidad Head trail system. A recreational loop trail traverses around Trinidad Head, and includes various spur trails. The trail system also includes benches, vista points, trail markers and railings to keep people away from steep cliffs. From various points along the trail, views are afforded of the Trinidad townsite, Trinidad Bay, Trinidad State Beach, Pewetole Island, Elk Head, the Trinidad pier and harbor moorages, as well as both nearshore and distant blue-water vistas. On clear days, the ocean and coastline vistas encompasses the area between Point Saint George to Cape Mendocino, nearly fifty miles to the north and south, respectively.

Plant cover on the Head is dominated by a thick shrub layer comprised of coyotebrush (*Bacharis pilularis*), cascara (*Rhamnus purshiana*), California blackberry (*Rubus ursinus*), evergreen huckleberry (*Vaccinium ovatum*), salal, (*Gautheria shalon*), swordfern (*Polystichum munitum*), bracken fern (*Pteridium aquilinum*), coast silk-tassel (*Garrya elliptica*), with scattered tree layer cover by salt and wind-stunted Douglas-fir (*Psuedotsuga menziesii*). Several immature incense cedar trees (*Calocedrus decurrens*) have also been planted, apparently for screening the telecommunications complex, along the southside of its fenced enclosure.

STAFF COMMENTS:

At the last meeting regarding this project it became clear that a more detailed project description was necessary. Since that meeting, I worked with Bryan Buckman, the City's Public Works Director, to document the regular maintenance activities occurring on various sections of roads and trails on Trinidad Head. That write-up was then amended by the Trinidad Head Committee in conjunction with Bryan and Councilmember Dwight Miller to create the final project description, or 'Trinidad Head Vegetation Management Guidelines' (attached). It seems that the parties involved have generally agreed upon this description as what constitutes regular vegetation maintenance on Trinidad Head. Any work that is not consistent with the Guidelines will require a separate review process.

The City has been managing and maintaining roads and trails on Trinidad Head since it was transferred to the City and incorporated into City limits in 1985. The City works in cooperation with the federal agencies that also own land on Trinidad Head, and these agencies retain certain rights and easements over areas of Trinidad Head that are owned by the City (roads and utilities). However, City staff is unclear as to the exact provisions of these easements. The roadways must be maintained for access to the facilities on Trinidad Head and for emergency vehicles. The trails also must be maintained to preserve pedestrian access from encroachment of vegetation. The City typically trims vegetation consistent with historic dimensions twice per year with minor trimming and mowing once per month.

In March of 2011, the City received a letter from Coastal Commission staff that there had been a complaint regarding recent maintenance activities that had been carried out on the Head by Trinidad Public Works staff. The complaint alleged the activities that occurred went beyond maintenance and that a coastal development permit should have been applied for. A series of correspondence followed, and the City agreed to cease maintenance activities until receiving clarification from the Coastal Commission. City staff met with Coastal Commission staff to walk the Trinidad Head roads and trails and discuss maintenance activities on May 16, 2011. Maintenance activities that had occurred in the spring were viewed and discussed. Vegetation maintenance, consisting of trimming vegetation back, up and down, varies depending on the location and type of area (whether it is a road, trail, bench, spur, etc.). In addition to the vegetation maintenance that had occurred, some road and trail grading had also occurred to repair erosion damage and to rebuild water bars that direct stormwater off the road to prevent erosion.

The definition of development contained in the Coastal Act and the City's LCP includes 'major vegetation removal,' which itself is not well defined. Also, Trinidad Head, the bluffs and the coastal scrub vegetation would qualify as an 'environmentally sensitive habitat area' (ESHA), which further restricts allowable activities. It was determined that the grading activities that consisted of importation of gravel and the use of heavy equipment (bobcat) should have triggered a coastal development permit. However, the coastal development permit requirements for the vegetation maintenance were less clear. Generally, vegetation trimming and maintenance that has historically and regularly occurred could be exempt from permit requirements. However, because these dimensions can not be definitively established, the City is proposing to issue a coastal development permit for regular vegetation maintenance that occurs on Trinidad Head. The purpose of this project is to detail these maintenance activities and to issue the coastal development permit so that it can occur on a regular basis in the future similar to the past.

DETAILED PROJECT DESCRIPTION:

Please see attached "Trinidad Head Vegetation Management Guidelines" that describes each of trail and road segment descriptions and vegetation maintenance practices.

ZONING ORDINANCE/GENERAL PLAN CONSISTANCY:

Background

The BLM transferred most of Trinidad Head to the City in 1983 as a “recreational area for hiking and other low-intensity recreational uses.” It was then incorporated into City limits, and the Coastal Commission approved the transfer and application of the City’s LCP to the Head in 1985. It should be noted that the original March 15, 2011 letter from the Coastal Commission explained that the complaint regarding the maintenance activities also included other aspects, one of which was the lack of required archeological surveys. Open areas of the Head were surveyed during the transfer process. In addition, one of the conditions of the BLM transfer was that: “After the vegetation is removed and prior to any construction [primarily trails and vista points], those areas not previously surveyed for cultural values shall be surveyed by a qualified archeologist.” The road areas were previous surveyed and the trails were surveyed as part of the original trail development. No new areas were / are disturbed or had / have vegetation removed as part of the regular maintenance activities proposed for this action. Therefore this requirement does not apply.

Trinidad General Plan Policies

(Constraints on Development) Policy 4: “Access roads serving two or more building sites should avoid areas of questionable stability as much as possible and not adversely affect adjacent property or result in increased public costs. Road design should minimize the potential for slope failures and include adequate drainage to handle storm runoff.” Response: Because of Trinidad Head’s stable, hard-rock geology, it is not in area that is mapped as being either ‘unstable’ or of ‘questionable stability’. As can be documented in historic aerial photos (going back to at least 1942), the existing roadway has been in place in its current configuration and location since prior to the passage of the Coastal Act when the Head was owned by the Federal government. There is no evidence that the existing road is causing erosion or slope failures. The existing road includes drainage improvements such as waterbars, outsloping and ditches. Maintenance is only required on these drainage improvements approximately once every 5 years, which indicates that the road is fairly stable. Road drainage maintenance is not proposed as part of this CDP application, but will be processed in a separate application in the future.

(Constraints on Development) Policy 5: “Where access trails must traverse steep slopes they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should be either improved or closed.” Response: Because of Trinidad Head’s stable, hard-rock geology, it is not in area that is mapped as being either ‘unstable’ or of ‘questionable stability’. The existing trail system was constructed in accordance with the requirements of the City’s LCP and the Coastal Act under CDP 84-3 issued in 1984 by the Coastal Commission (since the LCP had not yet been applied to the Head since the transfer of ownership). A review of the limited file information for that project shows that the trail locations did consider erosion potential and proximity to steep slopes. There is no evidence that the existing trail is causing erosion or slope failures. The existing trail includes drainage improvements such as waterbars, outsloping and ditches. Maintenance is only required on these drainage improvements approximately once every 5 years, which indicates that the trails are fairly stable. Trail drainage maintenance is not proposed as part of this CDP application, but will be processed in a separate application in the future.

(Biological Resources) Policy 16: *“The Humboldt County Natural Resources Department should define the geographical limits of the three rare plants located within potential development areas. Vegetation removal, timber harvesting, or development should be reviewed to ensure that all reasonable means have been considered to protect any existing rare plants.”* Response: Conditions have certainly changed since this policy was written. New plants have been listed, and at least one of the three rare plants identified as potentially occurring in Trinidad does not exist, at least under that name. A biological report was prepared for the Trinidad area as a background report for the General Plan update. Two CA Native Plant Society listed (2.2 and 2.3 respectively) species have been reported on Trinidad Head – Oregon Paintbrush and Tracy’s romanzoffia – neither of which are state or federally listed species. Though a complete survey of Trinidad Head did not occur, there are also several other species that could potentially occur on Trinidad Head. (See my ‘Notes on Rare Plants’ for additional information.) Rare plants are often rare because they only populate disturbed areas and are quickly shaded out due to succession. Often these species are likely to occur along trails and roadways. Sometime halting disturbance factors, such as road maintenance, can actually reduce habitat for these species. There are ways to reduce the potential for impacts to rare plants, and conditions of approval that could be incorporated into the project if this remains an issue. As for the mention of habitat utilization, since regular maintenance and trimming already occurs, animals living on Trinidad Head should be accustomed to such disturbance. Further, people and dogs walking the trails every day likely results in more disturbance than periodic vegetation trimming and animals will tend to utilize other areas of the Head.

Also note that the original trail development was consistent with this policy. According to the 1989 ‘Report to the City of Trinidad on the Implementation of the Local Coastal Program’ prepared by Coastal Commission, it is noted on p. 27 that: *“The City has implemented Policy 17 by acquiring Trinidad Head and by giving it an Open Space land use plan and zoning district designation. Furthermore, under a 1984 permit for a trail within the area, the City addressed the possible location of rare plants consistent with the intent of policy #16.”* File information for the approval of the Trinidad Head trails also show that one portion of trail was eliminated due to a concern that it was too close to an otter den.

(Biological Resources) Policy 17: *“Development of Trinidad Head should be kept to a minimum to protect the mammals and rare plants located there. The location of rare plants should be considered in the development of any trails.”* Response: Please see the response to Policy 16 above.

(Circulation) Policy 32: *“The City should continue its program of correcting street improvement deficiencies. The standards of improvement for streets should be as identified on Figure 1 and Plate 4 provided that an 8 foot parking area alongside Edwards Street and Trinity Street south of Parker Street may be appropriate. With the exemption of Main, Trinity and Edwards Streets the rural character of Trinidad should be protected by the use of shallow side ditches to carry roadside drainage.”* Response: The roadway on Trinidad Head is not shown on Plate 4 of the General Plan, because Trinidad Head was not part of City limits at the time of adoption. The smallest type of street cross-section shown in Figure 1 is a ‘local street’ with two eight foot travel lanes. The Trinidad Head road averages only 10 feet in width, which is appropriate because it is not open to public vehicular access. The road is consistent

with this policy by maintaining the rural character of the roadway by minimizing improvements and utilizing shallow water bars and ditches to control runoff.

(Recreation) Policy 66: *“Trinidad Head will be kept in its natural state with hiking trails and vista points. Public vehicular access will only be allowed as far as the existing harbor overlook.”* Response: The proposed project is consistent with this policy by proposing vegetation maintenance to preserve public access to the existing trail system for passive recreation. The proposed trimming down the height of the vegetation also maintains existing vista points, allowing users views of the ocean and coastline between the vegetation. Public vehicular access is not allowed on Trinidad Head. However, the roadway must be maintained for continued access to government facilities on the Head. Regardless of other improvements on Trinidad Head (such as the cellular facility), the proposed project is consistent with this policy.

(Community Design) Policy 72: *“The beaches and sea cliffs which border the southern and western sides of the city (identified as Open Space) shall be preserved from further development and allowed to remain in their present, essentially natural, state.”* Response: The restrictive Open Space zoning of Trinidad Head provides the implementation of this policy, and the Coastal Commission has found that to be consistent with this policy. Maintaining and trimming vegetation along roadways and trails is consistent with this policy. No new development or improvements are proposed. The extent of vegetation trimming could affect the project’s consistency with this policy. Vegetation should not be trimmed so extensively as to affect the character of the habitat and scenery. However, trimming to widths and heights consistent with past maintenance would be consistent with this policy.

Zoning Ordinance Regulations

The purpose of the Open Space (OS) Zone is to *“maximize preservation of the natural and scenic character of these areas including protection of important wildlife habitat and cultural resources...”* Principally permitted uses within the OS zoning district are limited primarily to habitat related and low-intensity recreational activities, such as wildlife habitat, public and private open space, beachcombing, hiking, fishing, and picnicking, with limited provisions for conditionally authorizing physical developments. Conditionally permitted uses include new and expanded pedestrian trails, vista points, shoreline revetments to protect and maintain existing scenic and cultural resources, and temporary structures related to wildlife habitat management and scientific research. In addition, “structures accessory to uses and buildings existing within the open space zone at the time this ordinance is adopted” are also allowed with the issuance of a conditional use permit.

Removal of vegetation posing a hazard to structures or people is a principally permitted use. Other removal of vegetation requires a use permit. In this case, no vegetation is being removed, only trimmed. And no new trails or improvements are proposed, only maintenance of the existing roads, trails and vista points. The Trinidad Public Works Director has stated that the vegetation maintenance described in the attachment is consistent with the maintenance activities that have regularly occurred since he has worked for the City (more than 10 years). Therefore, staff has determined that the proposed maintenance activities are principally permitted and do not require a use permit. However, in the event that information

is presented by the public that conflicts with staff's determination, the Use Permit findings have been included if the Planning Commission finds them necessary. Because the project does not involve any structural changes or grading, design review does not apply. This staff report focuses on the consistency of the proposed maintenance activities with the Coastal Act and its regulations, because they tend to be more restrictive and better defined than the City's LCP in this case.

Zoning Ordinance Section 4.02 – Open Space Zone: Response: Note that the Coastal Commission has not certified the City's recodification of its ordinances; the codified section number is Chapter 17.16. The description above provides an analysis of the proposed project in relation to the Open Space zoning requirements including the purpose of the zone (section 4.02) and consistency of the proposed use (4.02(A) and (B)). Subsection C includes other regulations, most of which are applicable to structural development and do not apply to this project. C.1 provides a minimum lot area when a subdivision is proposed. C.2 provides for maximum density, and no new dwellings are allowed or proposed by this project. C. 3 includes requirements in areas designated as "unstable" or "questionable stability." But as noted above in response to Policies 4 and 5, Trinidad Head is not mapped as either due to its stable geology. C.4 sets a maximum building height, but no buildings are proposed by this project. Finally, C.5 establishes requirements to protect cultural resources within the Tsurai Study Area. Even though this subsection technically does not apply to this project, because it is not located within the TSA, Trinidad Head is still a culturally significant area that does warrant additional considerations.

Zoning Ordinance Section 6.19 – Design Review and View Preservation Regulations (Chapter 17.60 as recodified): Response: Staff does not feel that these regulations apply to the proposed project. Subsection B outlines the applicability of this section – *"Relocation, construction, remodeling or additions to structures, and alteration of the natural contours of the land shall not be undertaken until approved by the design assistance committee. Approval need not be obtained for remodeling that does not affect the external profile or appearance of an existing structure...."* This language does not appear to apply to vegetation removal. The City has never, that I know of, required design review for vegetation removal. Further, the design review and view protections findings and standards do not apply to vegetation. Landscaping is mentioned twice, once to say that it should be used to screen new development (not applicable) and once to say that it should not be allowed to block coastal views (consistent with the proposed project). Therefore, staff does not recommend that these findings be required for this project.

COASTL ACT / REGULATIONS CONSISTANCY:

It is the opinion of City staff that the activities described in this staff report fall under the Coastal Commission's exemption for maintenance activities found in section 30610(d) as follows: *"Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities; provided, however, that if the commission determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter."* This opinion is based on the fact that City staff has maintained vegetation along roads and trails on Trinidad Head since it was transferred to

the City in 1985. However, the exact extent of historic vegetation maintenance can not be established. The additional road repair work that also occurred this spring is not part of the regular annual maintenance or this project and likely should have required a coastal development permit (there is a discrepancy between the current Coastal Act regulations and the City's certified LCP). This work could have resulted in the appearance that the vegetation maintenance this spring was greater than normal, which caused the original complaint. When viewing a series of aerial photos of Trinidad Head taken over the years, it can be seen that conditions along the roads and trails of Trinidad Head have remained fairly consistent. The photo from 2011 actually shows more vegetation over the roads and trails than is normal due to the lack of maintenance this summer resulting from the complaint.

Coastal Commission regulations §13252 outlines exceptions to the Coastal Development Permit exemptions of §30610 of the Coastal Act. The one exception that could apply to these activities is number 3, which applies to environmentally sensitive habitat areas (ESHA): *"Any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area, any sand area, within 50 feet of the edge of a coastal bluff or environmentally sensitive habitat area, or within 20 feet of coastal waters or streams that include: (A) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials; (B) The presence, whether temporary or permanent, of mechanized equipment or construction materials."* The entire Trinidad Head could be considered an ESHA due to the coastal scrub habitat and the proximity to coastal bluffs. However, no new materials are placed on Trinidad Head through the proposed maintenance activities. In addition, only hand tools are used. Some of these may be power tools (mowers and trimmers), but would not be considered mechanized equipment. Further, §17.72.070(C)(3) of the certified Trinidad LCP contains exemptions for road and trail maintenance. However, the Trinidad LCP, due to its age, sometimes conflicts with current provisions of the Coastal Act and associated regulations. It is City staff's policy to use the stricter of the provisions when they conflict, and in this case, that appears to be the Coastal Act.

Chapter 3 of the Coastal Act contains the 'Coastal Resources Planning and Management Policies' against which development projects (and LCPs) are judged. This Chapter is divided into 7 Articles.

Section 30210, the lead-in to Article 2, regulating public access, states: *"In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse."* Most of the policies of this article related to new development, but maintenance of Trinidad Head Trails is consistent with providing maximum public access (§30210) that is free to the public (§30213). Trail maintenance complies with the provisions of §30214 in protecting coastal resources, because it is consistent with historical maintenance activities, and through this CDP process, specific locations, timing, amount and methods will be defined so that future maintenance continues to be consistent with past activities.

Maintenance of Trinidad Head trails is consistent with Article 3 (Recreation) by protecting coastal (§30221), ocean front land for recreational purposes. The proposed maintenance activities are also consistent with Articles 4 (Marine Environment) and 5 (Land Resources) by providing for trimming of vegetation to consistent widths to allow for passive public access while preserving the integrity of the existing habitat. Wholesale removal of vegetation does not occur, simply trimming, which grows back and therefore must be repeated periodically. Vegetation must be trimmed to the widths proposed to minimize the amount of maintenance required between trimmings. Requiring more frequent maintenance would cause additional disturbance of both the natural environment and trail users. The project is consistent with Chapter 6 (Development), by providing public access and coastal viewing opportunities. There are established vista points and benches along the trails and roadways where vegetation must be trimmed to maintain existing coastal views of the harbor, beaches, coastal rocks and open water. Article 7 (Industrial Development) does not apply to this project.

SLOPE STABILITY:

The property where the proposed project is located is outside of any areas designated as unstable or questionable stability based on Plate 3 of the Trinidad General Plan.

SEWAGE DISPOSAL:

There is no sewage disposal associated with this project.

USE PERMIT FINDINGS:

Section 17.72.040 requires written findings to be adopted in approval of a use permit. However, staff has determined that a Use Permit should not be required unless conflicting information is presented during the hearing. The following findings can be made based on the responses provided:

- A. *The proposed use at the site and intensity contemplated and the proposed location will provide a development that is necessary or desirable for and compatible with the neighborhood or the community.* Response: Trinidad Head is undeveloped except for government facilities, a small communications site and public trails with associated improvements, and the historic cross. The proposed vegetation maintenance will enhance public safety and recreational opportunities and is consistent with the existing trail system.
- B. *Such use as proposed will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property improvements or potential development in the vicinity with respect to aspects including but not limited to the following:*
 - 1. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;* Response: The proposed

vegetation maintenance will preserve the access to and usability of the Trinidad Head Trail system.

2. *The accessibility of the traffic pattern for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;* Response: The proposed vegetation maintenance will preserve the access to and usability of the Trinidad Head Trail system. Public safety will be maintained so that pedestrians can move to the sides of roads and trails to get out of the way of vehicles and other pedestrians.

3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;* Response: The proposed vegetation maintenance will not result in any offensive emissions, including noise, glare, dust and odor.

4. *Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs;* Response: The proposed vegetation maintenance does not require landscaping or include, open space, parking, loading, service areas, lighting or signs. The maintenance activities are consistent with historic vegetation maintenance and are compatible with the open space nature of the Head.

C. *That such use or feature as proposed will comply with the applicable provisions of this title, will be consistent with the policies and programs of the general plan and will assist in carrying out and be in conformity with the Trinidad coastal program.*

Response: As described above in "Zoning Ordinance/General Plan Consistency," the proposed project is consistent with both the Zoning Ordinance and General Plan and will carry out policies, consistent with the Trinidad Coastal Program by maintaining coastal recreational opportunities.

D. *That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment.* Response: The proposed vegetation maintenance occurs within the existing trail system and does not have the potential for adverse environmental impacts and are exempt from CEQA per CEQA Guidelines §15301 allowing maintenance of existing trails and 15304 allowing minor alterations to vegetation.

E. *When the subject property is located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:*

1. *The development provides adequate physical access or public or private commercial use and does not interfere with such uses;* Response: The purpose of the proposed vegetation maintenance is to preserve existing public access from natural encroachment by growth of that vegetation.

2. *The development adequately protects public views from any public road or from a recreational area to, and along, the coast;* Response: The purpose of the proposed vegetation maintenance is to preserve existing public views from natural encroachment by growth of that vegetation.
3. *The development is compatible with the established physical scale of the area;* Response: Vegetation maintenance is consistent with and necessary to preserve the scale of the existing road and trail system.
4. *The development does not significantly alter existing natural landform;* Response: Vegetation maintenance activities will not result in ground disturbance.
5. *The development complies with shoreline erosion and geologic setback requirements.* Response: Trinidad Head is not an area mapped as being unstable or questionably stable on Plate 3 of the General Plan. Vegetation maintenance is consistent with the existing road and trail system.

STAFF RECOMMENDATION:

The project is consistent with the City's Zoning Ordinance and General Plan as well as the Coastal Act, and the necessary findings for granting approval of the project can be made. Should the Planning Commission find that the project is constant with all of the above provisions as described in this staff report, then staff recommends that the Planning Commission approve the project with a motion similar to the following:

Based on application material, information and findings included in this Staff Report, and based on public testimony, I find that the proposed project is consistent with the City's certified LCP and the provisions and regulations of the Coastal Act and I move to approve the project as submitted and described herein.

PLANNING COMMISSION ALTERNATIVES:

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Add conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

Trinidad Head Vegetation Management Guidelines

These guidelines are intended to further:

The stated purpose of the City's acquisition is "to make available to the people forever, for their inspiration and enjoyment, Trinidad Head, together with all related scenic, historic, scientific, and recreational values and resources of the area."

Environmental Assessment/Land Report on City of Trinidad application for acquisition of Trinidad Head, by Bureau of Land Management (BLM), December 21, 1982 (Serial No. EA #512)

General Maintenance Guidelines

- Trail and road segments are as shown on the map at the end of this document
- On all trails, trim or mow as needed to a total width no more than 5 feet.
- On all road segments, there are varying conditions on the inside and outside of the road, but the combined mowed width (inside + outside) should be approximately 4 feet or less.
- Where mowing or trimming is limited to "approximately xx feet," this means plus or minus half a foot from the stated limit.
- Typically nothing over 1 inch in diameter is trimmed unless it is encroaching into the road or trail.
- Anything under 8 feet in height is cut back to approximately 1 foot outside the road or trail (except in specified 'tunnel' areas)
- If left untrimmed, much of the scrub vegetation gets heavy and starts to lean over the road and trail, and will then need to be trimmed more.
- Major trimming should be from fall through winter, with minor trimming every month or two during the growing season, as needed.
- Trimmings will be dispersed, chipped, or hauled away.
- Dispersed trimmings will not be deposited in piles that limit natural growth of surrounding vegetation.
- Avoid trimming or mowing small plants, such as ferns, that are not impinging on the trail.
- Invasive species may be trimmed to ground level. Major concerns are Cotoneaster, Bull Thistle, Pampas Grass, and Himalaya Blackberry. However, no plant removal or soil disturbance is to occur as part of regular maintenance. Those activities are subject to different permit requirements.
- Trimming or mowing of the vegetation, beyond the parameters of this document, should go through the public review process for a coastal development permit.

Road Segment 1

Location: From bottom of Trinidad Head to beginning of trail.

- At the upper end of this segment the inside road boundary is formed by a rocky ledge / wall. Trim 3 to 4 feet vertically on this rocky edge only if vegetation directly impinges on the road.
- Trim around road signs only to maintain visibility of the signs.



Typical Road Segment 1 and ferns growing from the rocky wall.

Trail Segment A

Location: From trail entrance (intersection with roadway) to the first large ‘tunnel’ through trees.

- Note that the approximately first 20 feet of trail is significantly wider (including benches and signs).
- Emphasis on mowing, with not a lot of woody vegetation here.
- Group of 3 benches at trail entrance; some gravel has been laid around them.
- Mowing occurs approximately 3 feet in front of benches and 1-2 feet around and behind them.
- Vegetation trimmed to no lower than 3 feet in front of the benches (approximately 20 feet in width).
- Mow and trim 1 to 2 feet around interpretive sign and trail marker.



3 bench grouping at trail entrance.

Trail Segment B

Location: A significant ‘tunnel’ through fairly large trees (spruce).

- Trail approximately 6 feet wide through trees. No additional mowing or trimming is needed.
- Note this segment includes a significant ‘tunnel’ area. Not much trimming is needed in the tunnel due to lack of plants from lack of light. No trimming past tree trunks lining the trail.
- Overhead branches trimmed only if less than 7 feet.
- Avoid disturbing mossy areas.

Trail Segment C

Location: From the ‘tunnel’ to the first spur trail and a group of 3 benches.

- The trail is approximately 3 feet wide.
- Note there is a small ‘tunnel at the end of this segment, just before the spur trail. Overhead branches trimmed only if less than 7 feet.
- Benches are trimmed and mowed 2 to 3 feet around each bench.
- An area just in front of the bench grouping, no more than 22 feet wide, is trimmed to no lower than 3 feet to maintain views of the ocean and native “windswept” vegetation.



Grouping of benches on Trail Segment C and the ‘tunnel’ that is to be left intact.

Trail Segment D

Location: Northern spur trail.

- Trail is generally 2 to 3 feet wide.
- There is a bench set back from the bluff at the end of the spur. Minimal trimming occurs around this bench, mostly just in the front.

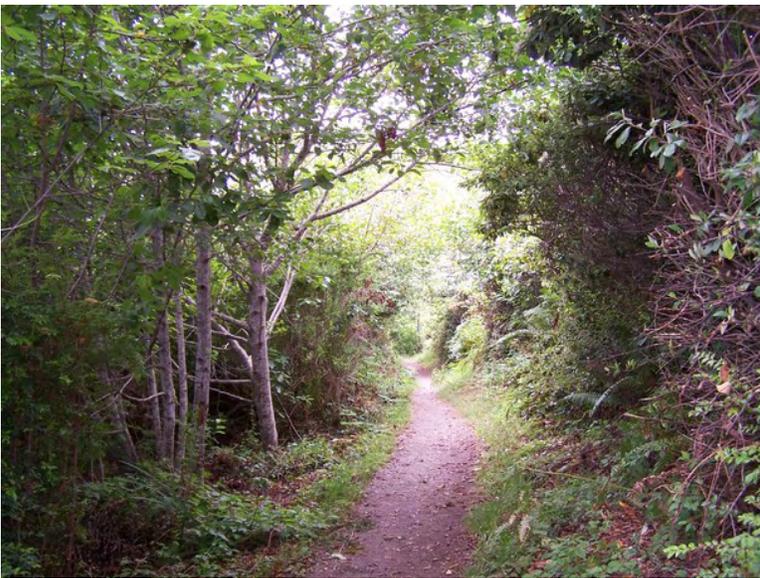


Typical section of northern spur trail.

Trail Segment E

Location: From the intersection with the northern spur trail to the top of the switchback.

- Trail has basically the same conditions and maintenance as segment C.
- The trail is approximately 3 feet wide.
- At the switchback, there are solid ‘walls’ of vegetation. These walls are just trimmed vertically less than a foot back from the trail, taking care to leave young ferns intact.



A portion of trail segment E.

Trail Segment F

Location: From the top of the switchbacks to the 4-bench view area.

- The trail widens here to approximately 4 feet.
- The benches at the end of this segment are trimmed and mowed approximately 1 foot around them.
- The native Toyon shrubs at the sides of the benches should be preserved. ID tags will be placed on the Toyon shrubs for proper identification when trimming.

Trail Segment G

Location: From the 4-bench view area at the end of segment F to another bench at the top of the next switchback.

- This trail section narrows back down to 3 to 4 feet in width.
- Approximately midway through this segment, a small spur trail heads west to a rocky prominence (G.2). This, originally rogue trail, is only trimmed to the trail width (mostly 3 feet, but up to 4 feet). The height of the vegetation in this area is naturally trimmed by the wind.
- There is another vegetation ‘tunnel’ before the switchbacks start. Overhead branches trimmed only if less than 7 feet.
- The bench at the end of this segment is near some rocks, where vegetation is scarce. Therefore there is about 3 to 4 feet of clearance around this bench.

Trail Segment H

Location: From the bench at the end of segment G, to the vista point / cross area.

- This is a slightly narrower length of trail. The trail itself is generally between 2 to 3 feet in width.
- There is poison oak on the inside of this trail that should be trimmed aggressively out of the way of hikers.



A section of trail segment H.

Trail Segment I

Location: This is the last trail segment, from the lighthouse viewing platform near the cement cross, up to the roadway.

- This area is much wider and more variable than other trail segments. There is a large grassy area above the cross that sometimes is used as a gathering point. That area will be mowed to the shrub lines on the sides.
- There are several benches in this area where vegetation is maintained around them to continue to provide access.



Examples of ocean views through the vegetation near the cross. Note that the vegetation is somewhat overgrown in these photos.



Views of the large grassy area looking up from the cross, and looking down from the road.

Road Segment 2

Location: Gravel road from the cross area down to the intersection with the paved road.

- The widest portions of this part of the roadway are near the cross and at turns, up to 13 feet in width, but more typically 10 to 12 feet.
- At the hairpin curve midway along this segment, the vegetation is thicker. In this area, vegetation is trimmed approximately a foot out from the roadway on the inside where the vegetation forms a solid wall. On the outside, trimming is generally 1 to 2 feet.
- Ferns are generally left alone along this section unless they are encroaching into the gravel roadway.
- There is poison oak that grows on the inside of the upper portion of this roadway that should be trimmed back away from hikers.



Photos showing typical sections of the gravel roadway (segment 2). The first shows a wide area near the cross at the upper end of the segment, and the second photo shows a typical ‘wall’ of vegetation along the inside of the roadway.



Another view of the gravel roadway, segment 2.

Road Segment 3

Location: The paved roadway from the intersection of the gravel roadway to the intersection of the trail (trail segment A).

- The paved roadway is approximately 12 feet in width.
- At the top of this segment (and the bottom of segment 2) there is a large grassy area that is kept mowed. This area provides a large overlook and vehicular turn-around area as well as a picnic table and trash receptacle. This area is kept mowed, and vegetation is trimmed to keep it from encroaching into the clearing. Much of the vegetation needing trimming that grows around this area is blackberries.
- There are three areas on the outside of this road segment that provide an overlook of the pier and harbor. Two upper areas have a bench with a railing along the bluff edge for safety, while a lower area has a bench with no railing (but extensive vegetation beyond the bench). In all 3 viewing areas, vegetation is mowed and trimmed around the benches from the roadway to the railing (or to the vegetation beyond the bench without a railing), and 3 feet on either side. Vegetation is also trimmed to no lower than 3 feet in front and somewhat beyond the benches to maintain the view.



A photo of the large grassy overlook / turn-around / picnic area at the top of road segment 3.

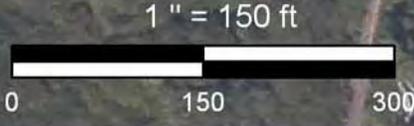


Typical sections of road segment 3.

VEGETATION MAINTENANCE ON TRINIDAD HEAD



Approximate areas of vegetation maintenance on Trinidad Head as per November 2011 consultation with Trinidad Public Works. Aerial photograph, spring 2011
NAD 83 CA Stateplane FIPS 0401 Feet



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