

Please see last month's packet
for materials related to the
Rotwein project.

LCP Guidance – Draft General Plan Comparison

Public Access Component

“One of the fundamental goals of the Coastal Act is to provide maximum public access to the coast. This includes protecting existing and providing new public access. The Coastal Act also recognizes that the provision of public access needs to take into account public safety concerns and the protection of private property and natural resources from overuse. In general, LCPs should provide policies and standards to assure that existing public access to an along the shoreline is both planned for an provided with new development when warranted. Access components should also reflect new laws related to both the California Coastal Trail and complete streets as described below.” The City has a Public Access section within the Conservation, Open Space and Recreation Element (CONS-20*). There are also a number of public access policies that are found within the Circulation Element, and these should also be copied to the Public Access section.

Should Include:

- Descriptions and maps of existing, required, suitable and planned access, including segments of the California Coastal Trail and the status and location of those subject to offers to dedicate easements or deed restrictions;
 - Figure 10: Recreation and Trails map shows existing and proposed trails and the CA Coastal Trail
 - Map existing OTDs, discuss with Land Trust
 - Need to review status of trail easements and where new easements may be needed (e.g. along beaches and Van Wycke)

- Estimates of visitor and facilities use (see Section 2 - Recreation of this Guide);
 - Check with Chamber, Rancheria, State Park and Marine Lab for any counts
 - Also possibly VDUs, RV parks, etc
 - Recreation section needs a bit of a re-write

- Estimates of unmet and future demand and identification of deficiencies by location and type of access;
 - Not sure quite what this entails, but I don't think it has been done
 - Are there any deficiencies? What are access types?

- Assessments of any public safety or fragile resources concerns that may require additional access management measures;
 - Tsunami hazards, high surf, falling
 - Generally discussed in Public Safety Element, but not specifically regarding public access and recreation
 - TSA / TMP
 - Biological report identifies RT&Es and ESHAs. Other fragile resources would be unstable bluffs

- Identification of encroachments on, or disincentives to use of, public beaches or accessways (e.g. illegal no parking signs or barriers, private development or landscaping on beaches) and measures to remove or reduce them;
 - Frame easement 4x4 posts
 - Private road signs on Wagner
 - Lack of signage on some trails, particularly within the TSA
 - None of these are officially documented in draft

- Measures to ensure new access (*shouldn't this also include protect existing?*), through the regulatory program or other mechanisms;
 - Because of Trinidad's small size and existing variety of access, is new access needed or appropriate?
 - CONS-20.4* (p. 20): require public access easements for existing and proposed trails
 - CONS-20.1 protect existing access (p. 20): statement 'shall have access' to existing trails
 - CONS-20.2 (p. 20): require offers to dedicate
 - CIRC-4.6 (p. 26): support for CA coastal trail

- Measures to manage access and other activities on beaches in a manner that protects the public access;
 - CONS-20.3 (p. 20): ordinance provisions for obstructions
 - CONS-20.4 (p. 20): require access easements
 - Need to identify or add policies for managing temporary events such as weddings and films

- Measures to expand access through sufficient parking and alternative transportation;
 - CONS-20.5 (p. 21): encourages transportation corridor linkages
 - CIRC-2.3 (p.11): addresses 2-hr parking along Edwards to accommodate public access
 - CIRC-2.5 (p.12): addresses parking and shuttles for special events (incl. Fish Fest)
 - CIRC-3.3 (p. 13): encourages a shuttle to the harbor
 - CIRC-4.1 (p. 14): encourages ped and bike facilities
 - Program CIRC-4.2.3: trail plan

- Identification of potential prescriptive rights and measures to ensure such rights are protected;
 - I am not aware of any new accesses since the previous LCP was adopted

- Measures to site new development to not impede access and to be compatible with public access areas;
 - CONS-20.4 (p. 20): require access easements

- Mitigation measures for unavoidable impacts of recreational beach loss from permitted development;
 - Not sure how this would ever be an issue

- Zoning ordinance provisions that provide for accessways and access facilities;
 - NA as of now
- Signing provisions.
 - Sign section in DR element for design
 - TMP and Cultural Element for TSA signage

Issues to Address:

- Implementing the CA Coastal Trail
 - CIRC-4.6 (p. 15): generic support for the trail
 - Mapped on Figure 10
 - CONS-20.5: promotes transportation corridor linkages (not CCT specific)
- Expanding non-automotive transportation
 - Complete Streets
 - The City's draft Circulation Element is consistent with these policies by addressing public transit and alternative modes of transportation, including pedestrian and bicycle travel.
 - Beach shuttles
 - CIRC-2.5 (p.12): addresses parking and shuttles for special events (incl. Fish Fest)
 - CIRC-3.3 (p. 13): encourages a shuttle to the harbor
 - Bicycle planning
 - CIRC-4.1 and Programs CIRC-4.1.1 – 4.1.3 (p. 14): address and promote pedestrian and bicycle facilities and safety
- Preventing loss of public access
 - Encroachments
 - CONS-20.3 (p. 20): addresses obstructions
 - Does not address structural encroachments, such as would require a permit. Should not be an issue in OS zones, which covers most of the coast and trails
 - Should there be a policy to address shoreline protective structures? (including TSA)
 - Temporary events
 - Not sure of any specific policy – do a search
 - If there isn't one, we should have one
 - Street and accessway closures
 - Not specifically addressed; should recognize that closures require CDP
 - Street abandonment
 - This shouldn't be much of an issue, but it would be easy to add a policy to protect public access if any public streets are abandoned (suggest retaining an easement)
 - Retaining public access
 - CONS-20.1 (p. 20): guarantees access to coastal resources including the existing trail system
 - CONS-20.2 (p. 20): requires offers of dedication to protect public access
 - CONS-20.4 (p. 20): requires access easements along existing and proposed trails
 - Gated roads

- CIRC-1.4 (p. 9): prohibits restriction of public access on private roads
- Parking restrictions
 - CIRC-2.3 (p.11): addresses 2-hr parking along Edwards to accommodate public access (this policy seems to encourage time limits to improve public access, but the LCP guide seems to indicate parking time limits interfere with public access)
 - May need some parking study / info / documentation
- Parking and admission charges
 - Figure 11 shows private and public parking (Murphy's and Park-and-Ride not shown; was there a reason for that?)
 - Biggest issue would be the harbor area; should be considered as part of harbor policies; do need to reserve parking for paying customers of restaurant and boat launch
- Misleading signs and markings
 - Need an inventory, even if superficial; are there others besides Wagner?
 - I don't think we have any policies for these; need to develop (do a search)
- Recreational beach valuation
 - This section suggests having a formula with which to evaluate the loss of beach / recreational value from shoreline structures. I think the potential for this in Trinidad is very limited, and a formula goes beyond the scope of Trinidad's resources.
 - Existing policies protecting, retaining and creating public access should suffice, along with existing zoning and development limitations
- Comprehensive beach management
 - These can be management policies, or a policy to develop a beach management plan that addresses such things as seasonal restrictions, grooming and temp / periodic events. I don't think this is much of an issue

*Note that CONS-20.# policies should be edited to be 16.# in the Conservation and Open Space Element

Recreation and Visitor-Serving Facilities

"The Coastal Act places a high priority on protecting and maximizing recreation and visitor serving land uses, including lower cost facilities." LCPs need to reserve adequate areas and infrastructure capacity to meet current and projected recreation and visitor facility needs. The City has a Public Recreation section within the Conservation, Open Space and Recreation Element (CONS-15).

Should Include:

- Inventory and map of existing shoreline and near-shore recreational areas and facilities and support facilities (e.g., beaches, harbors, parking lots/spaces, visitor-serving commercial);
 - Figure 10 shows existing and proposed trails (proposed needs more consideration), bike racks, benches and vista points;
 - Consider proposed trails, additional vista points; make 11 x 17
 - Should this map show the school, tennis courts and park?

- Figure 11 shows parking
 - Why isn't Murphy's shown
 - May need an additional map
 - Show harbor facilities (launch, pier, etc.), Marine Lab, others?
 - What is visitor-serving commercial? (restaurants and shops could change)
 - May want a map showing beaches, trails, parks, etc. for the larger planning area
- Inventory and map of existing visitor-serving accommodations (e.g., campground, RV parks, motels, inns) by type, capacity, ownership and price range;
- We do not have this at all; does a Commissioner (or two) want to take this on; should include the entire planning area, or just near Trinidad
- Occupancy rates or other usage statistics for day use and overnight visitor-serving facilities and recreation areas;
- Can we get this from the TOT data? (Otherwise, we don't have this at all.)
- Demand projections for future recreational and visitor-serving facilities;
- Don't have this information. Is this necessary for such a small City?
 - Not sure how we would get this info other than extrapolating from a larger County-wide or other study.
- Designations and zoning of suitable oceanfront lands for recreational uses;
- Includes the Harbor Area and Zone
 - Most other ocean-front areas are designed open space, which would preclude most development; includes Trinidad Head and TSA
 - Some special environment zoning along the coast, which requires an easement on non-developed areas
 - Probably not worth considering a 'recreation' land use designation, because most of the ocean-front areas are also ESHAs. But do need to ensure the OS zone allows for appropriate recreation.
- Land use map designations and corresponding zoning for adequate recreation and visitor-serving facilities suitably located and sufficient to meet projected demand;
- The only VS designated lands in Trinidad are the two trailer parks (Trinidad Trailer Court and Hidden Creek). Realistically, these serve long-term residents more than visitors.
 - PD zone has the flexibility to allow visitor serving uses, but does not require it.
 - Vacation rentals are the primary overnight accommodations in town. Currently there is no cap on them, so they can accommodate future demand. However, the City does want to consider a cap, but would likely have to prove (e.g. studies) that it will meet future demand.
- Designations and zoning for upland facilities needed to support expanded recreational water use and suitably located;
- The only suitable area would be the Harbor Area. Should that designation be expanded to some of the parking areas rather than the current OS zoning?

- Measures to impart priority to visitor-serving commercial uses in mixed-use zones (see Section 6. Planning and Locating New Development);
 - This does not current existing in the PD zone.
 - This seems more appropriate for the zoning ordinance, but a policy could direct such a change.
 - Need to see some examples; I can see incentivizing, but how do your prioritize when someone comes in with a different proposal that is still consistent with the reg'ns. Isn't this why you have a visitor services zone?

- Requirements for deed restrictions and other measures to ensure that visitor-serving uses retain their primary function of serving visitors over time;
 - There is no such policy in the current draft; would be easy to include

- Identification of potential public agency acquisitions, development or redevelopment, and management of public recreation and visitor-serving facilities.
 - There is no longer a policy about the City acquiring federal property on Trinidad Head if it is disposed of.
 - Trinidad Head and TSA could fall into another agency's hands.
 - CONS-15.1 and CONS-15.6 (p. 19) encourage restrooms in various locations
 - CONS-15.2 encourages the City and Chamber to work together to provide and maintain visitor information
 - CONS-15.3 encourages litter control
 - CONS-15.4 directs the City to maintain Town Hall as a community center
 - CONS-15.5 addresses recreation and vehicles on Trinidad Head

- Measures to provide parking for and alternative transportation to recreation and visitor-serving facilities (see Section 1. Public Access).
 - Several policies within the Circulation Element address this issue; these need to be copied into the Public Access section.
 - Also see 'Public Access'

Issues to address:

- Condominium hotels / timeshares
 - Guidelines say to consider specifically how these meet overnight visitor accommodation needs. Being on septic and small lots, it's hard to imagine this ever coming up. However, it would be easy to include a policy that they would not be appropriate in Trinidad.

- New overnight facilities, upgrades and conversions
 - This topic is intended to address, require, protect and retain lower-cost visitor accommodations, since the trend has been to upgrade existing facilities and build new luxury accommodations.
 - The City's Housing Element places and emphasis on affordable housing, but does not specifically address visitor services; otherwise, this issue is not directly addressed.

- The RV parks include lower-income accommodations, but tend to be longer term than overnight. There are a variety of accommodations within the planning area (camping, RVs, cabins, motels, fancy B&Bs, vacation rentals). *This is where the inventory of accommodations would come in handy.*
- There will never be large luxury hotels in the area due to septic limitations
- A mix of housing provides for a mix of VDUs

Short-term (or vacation) rentals

- The City has a shiny new VDU ordinance
- Limitations on VDUs must carefully consider the coastal act. (This means a cap would likely have to document that it will meet future needs, and the inventory mentioned above would be useful here again.)

Renovation of harbors and marinas

- LU-4 (p. 10-11) policies address harbor area policies, which protect coastal dependent uses and ESHAs.
- LU-4 policies address new and intensified uses rather than redevelopment.
- Trinidad pier was recently replaced; not much new development could occur due to existing limitations.
- This topic also addresses the issue of access, variety and costs
- LU-5 (p. 12-13) policies address the potential for aquaculture

Water Quality

“The Coastal Act requires the protection and enhancement of marine and coastal water resources, including water quality. Nonpoint source pollution, also called polluted (or stormwater) runoff, is the nations leading cause of water pollution both at the coast and inland. Protection of coastal water resource requires not only minimizing pollutants in runoff, but also minimizing alteration in a site’s natural hydrologic balance, measure in terms of the runoff flow regime (i.e. runoff volume, flow rate, timing and duration). In California, the Coastal Commission and the State Water Resources Control Board have developed a state NPS pollution control program that provides a coordinated statewide approach to managing NPS pollution, and conforms to federal Clean Water Act and Coastal Zone Management Act requirements. LCPs should be updated to include policies, standards, and ordinances that establish coastal water resource protection strategies and priorities for development, both during construction and over the life of a project.” The draft General Plan has a Water Resources and Water Quality component within the Conservation and Open Space. This section is set up somewhat differently from the others, and it is the only section, along with Biological Resources that includes ‘principals’ as well as goals and policies. The section includes two broad goals and the policies are loosely organized along / under the principals.

Should include:

Policies addressing watersheds

- Mapping of the jurisdiction's coastal zone watersheds, to support watershed assessment and planning.
 - We have this and more in the TICWMP
 - Figure 6 (Conservation and OS Element)

- Identification of land uses in portions of the jurisdiction's watersheds that are within the coastal zone, and their relative impacts on coastal water resources.
 - Figure 3 (Land Use Element) shows creeks, jurisdictional boundaries, and the coastal zone, but not individual watersheds.
 - Figure 4 (Land Use Element) shows land use and jurisdictions, but not coastal zone or watersheds.
 - Most of the developed portions of the watersheds are in the lower areas, often within the Coastal Zone.
 - The TICWMP and associated watershed assessments and action plans comprehensively address the impacts of development on coastal water quality.

- Identification of potential pollutant sources and changes in watershed hydrology in the coastal zone that may adversely impact coastal resources.
 - Three primary pollutants of concern were identified as part of the TICWMP process: sediment, stormwater and septic. The draft GP water quality policies specifically address stormwater and sediment; septic only has one supporting policy in this section; there are a couple more in the Circulation Element addressing septic management, but not water quality per se.
 - The ASBS monitoring has identified additional issues of concern, though levels are all low: copper, nickel, pesticides / fertilizers
 - Impervious surfaces are a hydrologic issue, but because the area is mostly rural, it is less of an issue than in more developed areas. Promotion of LID as a stormwater control has been a focus.

- Policies to protect coastal areas that help maintain the hydrologic balance (e.g., open space where rainfall can infiltrate or drain slowly to surface waters).
 - CONS-2.8 (p. 5): maximize infiltration
 - CONS-2.10 (p. 5): site designs should mimic natural hydrology
 - CONS-2.11 (p. 6): lists of item used in site design to protect water quality, hydrology and sensitive areas
 - CONS-3.1 (p. 6): promotes LID
 - Biological resource policies (CONS-6, 7 & 8) protect ESHAs
 - CONS-14.1 (p. 17): maintain beaches and bluffs as open space
 - CONS-14.2 (p. 17): limits development on Trinidad Head
 - CONS-14.4 (p. 17): requires open space easements
 - CONS-14.7 (p. 17): establishes OS / RPZs
 - *Note that the number of this element needs some work and rearranging*
 - CIRC-8.2 (p. 22): implement stormwater improvements, including LID
 - CIRC-9.1 (p. 22): incorporate stormwater runoff, erosion and sediment control, and water quality considerations in permit reviews

- CIRC-9.2 (p. 22): encourage LID
- CIRC-9.4 (p. 23): BMPs to be CASQA compliant

Policies to support watershed management that provides protection of water resources; for example, (1) addressing priorities identified in recent watershed assessments, (2) designating conservation areas and buffers to protect riparian vegetation and wetlands, and (3) preventing long-term or cumulative adverse impacts on water quality from development not connected to a sanitary sewer system.

- Also see above and ESHA section
- The City's existing and draft general plans take a watershed approach (the City's planning area from the 1970's is based on watershed boundaries)
- Principal for water resource protection A (p. 3) directs the City to take a watershed approach to project water resources

(1) *Three primary pollutants of concern were identified as part of the TICWMP process: sediment, stormwater and septic. The draft GP water quality policies specifically address stormwater and sediment; septic only has one supporting policy in this section; there are a couple more in the Circulation Element addressing septic management, but not water quality per se.*

- CONS-5.1.2 (p. 7) & CIRC-8.3 (p. 22): implement water quality monitoring program to address NPS, particularly for ASBS

(2) CONS-2.11 (b, d, f) (p. 6): site development to protect and provide buffers to areas that provide water quality benefits, riparian corridors, wetlands and the shoreline

- CONS-5.1 and program (p. 7): protects and addresses the ASBS
- CONS-6.1, 2 & 3 (p. 10): address / limits allowable uses in water ESHAs
- CONS-6.4 (p. 11): landscaping in ESHAs should be native; invasives must be removed
- CONS-6.9 and program (p. 11): requires review by a biologist for hydrologic changes in ESHAs
- CONS-6.10 (p. 11): protects riparian vegetation
- CONS-7.1 & 2 (p. 12): require ESHA buffers / setbacks
- CONS-8.1 (p. 12) protect streams and riparian areas
- CONS-8.2 (p. 12): cooperate with groups and owners to preserve watercourses
- CONS-8.3 (p. 12): minimize disturbance of native riparian vegetation

(3) CONS-2.6 (p. 5) & CIRC-11.1 (p. 25): develop OWTS management program

- Various policies regulating the siting of development to protect water quality and ESHAs
- CONS-10.1 (p. 15): requires specific studies in areas with soil limitations (including to review and assess OWTS design)
- CONS-10.2 (p. 15): require OWTS design prior to review of development proposals in areas with soil limitations
- CONS-10.3 (p. 16): ensure OWTS is designed for site conditions
- CONS-14.8 (p. 18): develop public education to protect OS, including from OWTS
- CIRC-11.2 (p. 25): pursue funding for source tracking and septic upgrades

Policies to support and complement the requirements of California's [Storm Water Permit programs](#), [TMDL implementation plans](#), Regional Water Quality Control Plans (i.e., [Basin](#)

[Plans](#)), and other runoff water quality and hydrology management requirements of the SWRCB and Regional Water Quality Control Boards.

- CIRC-2.7 through CIRC-2.11 (p. 5-6) address stormwater management, water quality and conservation (no reference to MS4 permit though)
- CONS-5.1 (p. 7): addresses discharge to the ASBS and references the Ocean Plan
- CONS-5.2 (p. 7): addresses ‘Development of Special Concern;’ this may be an MS4 permit issue
- TMDLs are not mentioned; may want to include a policy for impaired water bodies (e.g. Mill Creek (Trinidad State Beach) currently 303d listed for bacteria.
- CIRC-8 (improve stormwater treatment system) and CIRC-9 (minimize runoff and pollutants) policies address stormwater runoff and the City’s stormwater system, but no state laws or policies are mentioned
- CIRC-11 are the wastewater policies, which refer to the statewide regulations (needs update to final version), Basin Plan and Humboldt County regulations.

Policies addressing development

Policies that address water quality protection at all stages of development, including planning land uses, subdivisions, project-specific site design, alternatives analyses, construction, and post-development stages. (Note that the ones listed here are specific to water quality protection; there are a number of other policies addressing these stages of development and protection of ESHAs, which may also tie into water quality protection.)

- Planning:
 - CONS-2.7 (p. 5): develop stormwater management program (and CIRC-8.1 p. 21)
 - CONS-5.1.2 (p. 7): implement water quality monitoring program to assess and reduce NPS
- Subdivision:
 - CONS-6.7 (p. 11): prohibit subdivisions in ESHAs
- Site design:
 - CONS-2.1 (p. 4): minimize site disturbance and avoid erosive areas
 - CONS-2.2 (p. 5): minimize vegetation disturbance
 - CONS-2.8 (p. 5): maximize infiltration
 - CONS-2.10 (p. 5): site designs should mimic natural hydrology
 - CONS-2.11 (p. 6): lists of item used in site design to protect water quality, hydrology and sensitive areas
 - CONS-5.2 (p. 7) addresses Development of Special Concern (larger projects that have high discharge)
- Alternatives:
 - ??None?? I don’t see there being many alternatives to proposed development in Trinidad, since it is already pretty limited.
 - CIRC-9.1 (p. 22): Incorporate runoff, erosion and water quality considerations in permit reviews and staff recommendations
- Construction:
 - CONS-2.3 (p. 5): address erosion and sedimentation during construction with BMPs
 - CONS-2.4 (p. 5): prohibit grading on steep slopes during the rainy season
 - CONS-2.5 (p. 5): stabilize soil and revegetate ASAP

- Post development:
 - CONS-1.1 & 2 (p. 4): promote public education to protect water quality
 - CONS-3.1 (p. 6): promotes LID, incentivize for property owners
 - CIRC-9.3 (p. 22): encourages LID and BMPs
 - CIRC-11.1 (p. 25): implement OWTS program to ensure OWTS and water quality standards are met

Policies to ensure that Coastal Development Permits incorporate appropriate Best Management Practices (BMPs) in new development and redevelopment. BMPs are practices to minimize adverse impacts on waterbodies from changes in post-development runoff quality and the runoff flow regime (i.e., volume, flow rate, timing, and duration). BMPs can include structural devices or systems, operational procedures, and activities such as training. Example BMPs can be found in the [California Stormwater Quality Association's](#) Stormwater BMP Handbooks. Local governments should develop guidance to assist applicants in selecting appropriate BMPs.

- CONS-2.3 (p. 5): address erosion and sedimentation during construction with BMPs
- CIRC-9.3 (p. 22): encourages LID and BMPs
- CIRC-9.4 (p. 23): BMPs to be consistent with current CASQA handbook

Policies for review of coastal development permit applications to ensure that potential adverse impacts from stormwater runoff to coastal water quality and hydrology are minimized, both during construction and post-development.

- CIRC-9.1 (p. 22): Incorporate runoff, erosion and water quality considerations in permit reviews and staff recommendations
- Seems like most of these policies are intended to apply to development applications; how is this different?

Policies for review of coastal development permit applications to ensure that dry-weather runoff is minimized if it may potentially have adverse impacts to coastal waters. Dry-weather runoff is composed of discharges unrelated to precipitation, resulting from urban land uses such as landscape irrigation.

- I don't think we have any such policies, but this issue is addressed in the Ocean Plan for ASBS discharges. It will also likely be a requirement as part of the MS4 permit currently being developed.
- This could also be addressed through water conservation policies and a landscape ordinance:
 - CONS-4.1 (p. 6): Develop water conservation program

Identification of the "design storm" sizing criteria that will dictate the design of BMPs, as follows:

Treatment Control BMPs: Typically the 85th percentile 24-hour storm event for volume-based BMPs, or the 85th percentile 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

Runoff Control BMPs using flow retention techniques: Typically the 85th percentile 24-hour storm event.

Runoff Control BMPs using peak management techniques: Typically the 2-year through 10-year storm events.

- This seems like it would be most appropriately addressed through zoning regulations as opposed to GP policies.
- Onsite retention may not be feasible in all cases considering OWTS use

Organization and specificity of water quality policies

- Consider consolidating water quality policies into designated Water Quality chapters or sections to ensure that the policies guide updating of the implementing standards, and that such implementing standards are consistent with and adequate to carry out the Land Use Plan.
 - The Draft Conservation, Open Space and Recreation Element contains a dedicated section for water quality policies. However, it appears that there are a few others that are scattered around in other elements, particularly the Circulation Element that should be copied over to the water quality section.
- Ensure that there are no requirements elsewhere in the LCP that create inadvertent conflicts with water quality and hydrology protection policies, standards, and BMPs. For example, a policy that requires curbing around parking lots may conflict with a policy that requires directing parking lot runoff into vegetated areas for infiltration.
 - This needs to be done (for the entire Draft GP). By consolidating all the water quality related policies into one section, conflicts should be minimized.
- Ensure that the LUP provides policies with appropriate detail and specificity to effectively guide the update of the LCP Implementation Plan (IP) standards and implementing ordinances. When standards are discussed in this document, it refers to implementing standards in the IP.
 - The purpose of the programs within policies is to provide specific guidance for implementation standards.

Model set of water quality policies for development

All applications for a Coastal Development Permit for development that has the potential for adverse water quality or hydrology impacts to coastal waters shall be required to comply with the following policies:

Principles

- Protect and Restore Water Quality: Protect and, where feasible, restore the quality of coastal waters to implement Coastal Act policies (in particular Sections 30230 and 30231). Coastal waters include the ocean, rivers, streams, wetlands, estuaries, lakes, and groundwater.
 - Goal CONS-1 (p. 3): Actively protect and improve the quality and quantity of water in streams and creeks within the City's planning watershed area
 - Goal CONS-2 (p. 3): Actively protect and improve the quality of ocean water within and nearby areas which impact the ASBS / CCA

- Minimize Pollutants in Runoff from Development: Plan, site, and design development to minimize the transport of pollutants in runoff from the development into coastal waters.
 - Water Resource Protection Principle B (potential pollution targets): Identifies the known and possible pollution concerns
 - Water Resource Protection Principle E (BMP Policies): requires incorporation of BMPs into development projects.
 - Policies CONS-2.1 through CONS-2.5 (p. 4-5): address sediment reduction
 - CONS-2.6 (p. 5): addresses OWTS management

- Minimize Hydromodification: Plan, site, and design development to minimize post-development changes in runoff volume, flow rate, timing, and duration, to prevent adverse changes in the hydrology of coastal waters (i.e., hydro-modification).
 - CONS-2.7 through CONS-2.11 (p. 5-6): address minimization of stormwater runoff focusing on infiltration
 - CONS-3.1 (p. 6): promotes LID
 - CIRC-9.2 (p. 22): Encourage LID and BMP to preserve hydrologic function

Policies for Regulating All Development

- Address Runoff Management Early in Site Design: Address runoff management early in site design planning and alternatives analysis, taking into account existing site characteristics that affect runoff (such as topography, drainage, vegetation, soil conditions, natural hydrologic features, and infiltration conditions) in designing strategies that minimize post-development changes in the runoff flow regime, control pollutant sources, and, where necessary, remove pollutants.
 - CONS-2.1 (p. 4): minimize land disturbance and avoid erosion, steep slopes and unstable areas.
 - CONS-2.2 (p. 5): minimize vegetation disturbance
 - CONS-2.4 (p. 5): prohibit grading on slopes over 15% during rainy season
 - CONS-2.10 (p. 6): design and site development to reduce pollution and hydrologic modification
 - CONS-2.11 (p. 6): requirements for siting development to minimize impacts (water quality and hydrology)
 - CIRC-9.1 (p.22): Incorporate stormwater runoff, erosion, sediment control and other water quality concerns into permit conditions of approval

- Use Source Control BMPs in All Development: Use Source Control Best Management Practices (BMPs), which can be structural features or operational actions, in all development to minimize the transport of pollutants in runoff from the development.
 - CONS-2.3 (p. 5): Address erosion and sedimentation during construction with BMPs
 - CONS-2.5 (p. 5): Utilize soil stabilizing BMPs
 - CONS-2.8 (p. 5): Maximize infiltration and / or utilize BMPs to reduce polluted runoff
 - CONS-9.2 (p. 15): Encourage BMPs for erosion and sediment control during construction and road maintenance
 - CIRC-9.2 (p. 22): Encourage LID and BMP to preserve hydrologic function

- CIRC-9.4 (p. 23): Directs BMPs to be consistent with current CASQA Handbook
- Give precedence to a Low Impact Development Approach to Stormwater Management: Give precedence to the use of a Low Impact Development (LID) approach to stormwater management in all development. LID emphasizes management of stormwater close to its source, using small-scale integrated site design and management practices to preserve or replicate the site's natural hydrologic balance through infiltration, evapotranspiration, filtration, detention, and retention of runoff.
- CONS-3.1 (p. 6): promotes LID
 - CIRC-9.2 (p. 22): Encourage LID and BMP to preserve hydrologic function
- Protect and Restore Natural Hydrologic Features: Plan, site, and design development to protect and, where feasible, restore natural hydrologic features such as groundwater recharge areas, natural stream corridors, floodplains, and wetlands.
- CONS-2.10 (p. 6): design and site development to reduce pollution and hydrologic modification
 - CONS-2.11 (p. 6): requirements for siting development to minimize impacts (water quality and hydrology)
 - CONS-8.1 (p. 12): preserve and restore streams and riparian areas
 - CONS-8.2 (p. 12): cooperate with organizations and owners to enhance streams
 - CONS-8.3 (p. 12): pursue funding to restore creeks
- Preserve or Enhance Vegetation: Plan, site, and design development to preserve or enhance non-invasive vegetation to achieve water quality benefits such as transpiration, interception of rainfall, pollutant uptake, shading of waterways to maintain water temperature, and erosion control.
- CONS-2.2 (p. 5): minimize vegetation disturbance
 - CONS-2.11 (p. 6): requirements for siting development to minimize impacts (water quality and hydrology)
 - The following policies preserve vegetation, but are specific to ESHAs and buffers
 - CONS-6.4 (p. 11): requires native or non-invasive vegetation within or near ESHAs
 - CONS-6.10 (p. 11): protects vegetation within ESHAs
 - CONS-7.2 (p. 12): prohibits vegetation removal in ESHA buffers with some exceptions
 - CONS-8.3 (p. 12): Develop guidelines for stream maintenance to protect vegetation
 - CONS-8.5 (p. 13): Require site planning, construction and maintenance to preserve trees and native vegetation
- Maintain or Enhance On-Site Infiltration: Plan, site, and design development to maintain or enhance on-site infiltration of runoff, where appropriate and feasible.
- CONS-2.8 (p. 5): Maximize infiltration and / or utilize BMPs to reduce polluted runoff
 - CONS-2.10 (p. 6): design and site development to reduce pollution and hydrologic modification
 - CONS-2.11 (p. 6): requirements for siting development to minimize impacts (water quality and hydrology)

- CONS-3.1 (p. 6): promotes LID
 - CIRC-9.2 (p. 22): Encourage LID and BMP to preserve hydrologic function
- Minimize Impervious Surfaces: Minimize the installation of impervious surfaces, especially directly-connected impervious areas, and, where feasible, increase the area of pervious surfaces in re-development, to reduce runoff.
- There is not a policy that promotes or requires minimizing impervious surfaces directly. However, by encouraging LID and infiltration, that is somewhat implied. It would be easy to add a new policy or language to an existing policy. It just needs to be recognized that infiltration needs to take septic treatment into consideration.
- Avoid Adverse Impacts of Stormwater Outfalls: Avoid construction of new stormwater outfalls and direct stormwater to existing facilities with appropriate treatment and filtration where feasible. Where new outfalls cannot be avoided, plan, site, and design stormwater outfalls to minimize adverse impacts on coastal resources, including consolidation of existing and new outfalls where appropriate.
- With Trinidad surrounded by an ASBS, new outfalls are prohibited by the Ocean Plan. The City is working toward eventually eliminating the existing outfall through infiltration and filtration.
 - Program CONS-5.1 (p. 7): Implement program to reduce discharges to ASBS
 - CIRC-8.2 (p. 22): Improve stormwater system to reduce volume and loading of stormwater entering the ASBS.
- Prevent Adverse Impacts to Environmentally Sensitive Habitat Areas from Runoff: In areas adjacent to an Environmentally Sensitive Habitat Area (ESHA), plan, site, and design development to protect the ESHA from any significant disruption of habitat values resulting from the discharge of stormwater or dry weather flows.
- CONS-6.9 (p. 11): Requires drainage and erosion control plan for development on properties with ESHAs
 - Program CONS-6.9.1 (p. 11): requires review by a biologist for projects that may alter runoff volume, velocity or duration that may affect an ESHA
 - CONS-7.1 and Program CONS-7.1.1 (p. 12): require buffers to protect ESHAs
- Manage BMPs for the Life of the Development: Implement appropriate protocols to manage BMPs (including ongoing operation, maintenance, inspection, and training) in all development, to protect coastal water quality for the life of the development.
- There is no policy that specifically addresses long-term maintenance and operation of BMPs
- Minimize Water Quality Impacts During Construction: Minimize water quality impacts during construction by minimizing the project footprint, phasing grading activities, implementing soil stabilization and pollution prevention measures, and preventing unnecessary soil compaction.
- CONS-2.1 (p. 4): Minimize land disturbance during construction
 - CONS-2.2 (p. 5): Minimize vegetation disturbance during construction

- CONS-2.3 (p. 5): Address erosion, sedimentation and other pollutants during construction
- CONS-2.4 (p. 5): Prohibit grading on steep slopes during the wet season
- CONS-2.5 (p. 5): Stabilize disturbed areas ASAP
- CONS-8.6 (p. 13): Construction timing may be limited by wet season

Policies for Regulating Developments of Water Quality Concern

Certain categories of development have a greater potential for adverse impacts to water quality and hydrology due to the extent of impervious surface area, type of land use, or proximity to coastal waters. These categories of Developments of Water Quality Concern shall be identified in the LCP. Additional BMPs may be required for a Development of Water Quality Concern, such as the use of an LID approach to retain on-site the runoff from the appropriate design storm, Treatment Control BMPs to remove pollutants, and/or Runoff Control BMPs to minimize adverse changes in the runoff flow regime. The LCP shall specify the appropriate design storm for sizing Treatment Control and Runoff Control BMPs, and the amount of added impervious surface area that will trigger the requirement for Runoff Control BMPs.

- CONS-5.2 (p. 7): Defines Development of Special Concern
- There is very little potential in Trinidad for this type of development.
- Program CONS-5.2.1 (p. 7-8): Adopt and implement zoning and grading standards that require (1) a Water Quality Management Plan; (2) estimates of pollutant loads and runoff volumes; and (3) detail Site Design and Source Control BMPs at a minimum, and Treatment Control BMPs may be required.

All applications for a Coastal Development Permit for a Development of Water Quality Concern shall be required to comply with the following additional policies:

- Conduct a Site Characterization and Document Expected BMP Effectiveness: Conduct a polluted runoff and hydrologic site characterization by a qualified licensed professional, early in the development planning and design stage, and document the expected effectiveness of the proposed BMPs.
- Use LID, Site Design, and Source Control BMPs to Retain Runoff On-Site: Implement an LID approach to stormwater management that uses Site Design and Source Control BMPs to retain on-site (by means of infiltration, evapotranspiration, retention, or harvesting) the volume of runoff from the appropriate design storm, to the extent appropriate and feasible.
- Conduct an Alternatives Analysis: Proposed development that does not include the use of LID, Site Design, and Source Control BMPS that will retain on-site the runoff from the appropriate design storm shall conduct an alternatives analysis to demonstrate that there are no appropriate and feasible alternative project designs that would substantially improve on-site runoff retention.
- Use Treatment Control BMPs as Necessary: Use a Treatment Control BMP (or suite of BMPs), sized for the appropriate design storm, to remove pollutants of concern from runoff, if using appropriate and feasible LID, Site Design, and Source Control BMPs will not be

sufficient to retain on-site the runoff from the appropriate design storm, or if additional pollutant removal is necessary to protect coastal waters.

- Use Runoff Control BMPs if the Development Adds More than 15,000 Square Feet of Impervious Surface Area: Use a Runoff Control BMP (or suite of BMPs), sized for the appropriate design storm, to minimize adverse post-development changes in the runoff flow regime, for a development that adds a net total of more than 15,000 square feet of impervious surface area, if using appropriate and feasible LID, Site Design, and Source Control BMPs will not be sufficient to retain on-site the runoff from the appropriate design storm.

Issues to Address

- Use of a Low Impact Development Approach
 - The City's draft General Plan emphasizes the use of LID technologies. The City has implemented its own LID projects to address stormwater runoff. Could update some of the narrative, but the policies generally appear accurate.
- Effect of Impervious Surfaces on the Hydrologic Balance
 - As noted above, there is not a policy that promotes or requires minimizing impervious surfaces directly. However, by encouraging LID and infiltration, that is somewhat implied. It would be easy to add a new policy or language to an existing policy. It just needs to be recognized that infiltration needs to take septic treatment into consideration. Could add more information to the narrative regarding the issue of imported water that is infiltrated through OWTS, which partially offsets the impervious surfaces.
- Control of Runoff from Landscape Irrigation
 - CONS-4.1 and Programs CONS-4.1.1 through 4.1.3 (p. 6-7): address water conservation in general.
 - Program CONS-4.1.3 (p. 7): Adopt a water efficiency landscape ordinance. I believe this is also a requirement of the MS4 Permit and ASBS Exception request.

Environmentally Sensitive Habitats and Other Natural Resources

The Coastal Act sets high standards for the protection of Environmentally Sensitive Habitat Areas (ESHA), including various types of wetlands, riparian areas, coastal prairies, woodlands and forests, and other natural resources in the coastal zone. The Commission has gained significant experience in applying the Coastal Act and LCPs to the protection of such resources. Also, there have been some important changes regarding the protection of ESHAs that stem from new scientific research, such as the identification of new sensitive species, or from court decisions interpreting the requirements of the Coastal Act.

Should Include:

- A definition of *ESHA* that is consistent with the Coastal Act §30107.5;
 - The definition of ESHA in the Draft General Plan Glossary is taken verbatim from the referenced Coastal Act section.

- Should “or as currently defined by the Coastal Act” to these types of definitions.
- A definition of *wetland* that is consistent with Coastal Act §30121 and §13577(b) of the Code of Regulations;
- Coastal Act §30121: *"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.*
 - The current draft of the City’s General Plan Glossary includes 3 definitions of wetlands: (1) Coastal Commission regulations §13577(b); (2) DFG / USFWS from Cowardin (1979) (1 parameter); (3) USACE from 33 CFR 328.3(b) and 40 CFR 230.3(t).
 - I’m not aware of any wetlands in Trinidad other than riparian areas and small wet areas around springs. Should just go with Coastal Commission definition(s).
- A statement that the condition of the wetland does not affect its regulatory status as a wetland, as defined in your LCP;
- Based on my reading of the existing draft GP policies, wetlands would be regulated as ESHAs regardless of their condition.
 - However, this would be easy to add to the definition of wetlands.
- An ESHA map and descriptions of existing, known sensitive habitat areas;
- Figure 7a identifies ESHAs and Open Space within the City. The only ESHAs identified are Estuarine and Marine Wetland and Deepwater habitats.
 - Figure 7b identifies ESHAs and OS within the Planning Area. The only other additional habitat identified in the Planning Area is Freshwater Forested / Shrub Wetland
 - Should also identify riparian and other areas such as Trinidad Head (identified as OS). What should this include – bluff faces, coastal scrub...etc?
 - Biological Principle A (p. 9): describes known ESHAs
- A statement that the ESHA maps are not an exhaustive compilation of the habitat areas that meet the ESHA definition;
- Such statement needs to be added to Maps 7a and 7b.
 - Biological Principle A (p. 9): identifies known ESHAs and notes that there is potential for ESHAs to occur outside of mapped areas.
- Requirements for conducting site-specific biological evaluations and field observations to identify ESHA and other sensitive resources and potential impacts, including cumulative impacts, at the time of proposed development or plan amendment applications;
- CONS-6.11 (p. 11): requires a Biological Report for development applications within or adjacent to known or possible ESHAs
- Requirements for a historical analysis of disturbed areas adjacent to or within ESHA to determine if these areas were cleared or disturbed pursuant to a valid local or Coastal Commission coastal development permit;
- This is not addressed in the Draft GP, but sounds rather onerous. In what cases would this be required? Would it be easier to do such analysis once now?

- Requirements for determining and protecting adequate buffers to ESHA based on scientific evaluation;
 - Biological Principle C (p. 10): maintain appropriate buffers
 - CONS-7.1 (p. 12): limits development adjacent to ESHAs
 - Program CONS-7.1.1 (p. 12): establishes a 100 ft. buffer, with exceptions
 - CONS-7.2 (p. 12): prohibits native vegetation removal in buffers in most circumstances

- Designations and zoning, where practical, over ESHAs that limit uses to resource-dependent ones;
 - The OS and SE designations have been applied to known ESHAs, such as bluff faces and riparian corridors, and severely limit development.
 - The OS designation (LU element p. 4) includes public agency open space lands, parklands, the TSA, beaches, near and offshore rocks and areas seaward of MHW. Purpose is for preservation. Allows recreation and land management along with limited development of appropriate technology and cultural and interpretive elements.
 - The SE designation (LU element p. 5) is applied to limit development due to hazards or sensitive resources on otherwise developable property in order to minimize alteration of landforms and vegetation. Development is only allowed within SE designations if development would be otherwise precluded. No subdivision and only one residential unit is allowed.

- Allowable uses that may result in the diking, filling or dredging of wetlands, lakes, and open coastal waters only when consistent with Coastal Act §30233;
 - CONS-6.1 (p. 10): Only allow diking, filling and dredging of coastal waters, wetlands, creeks and other waters if there is no feasible less damaging alternative and if the impacts have been mitigated. Directs grading and / or zoning ordinance to adopt additional provisions.

- Protective policies carrying out Coastal Act §§30230, 30231, 30233 and 32040;
 -

- Designations and zoning of areas adjacent to ESHAs to ensure uses are compatible with the protection of the resources;

- Policies to ensure compatibility between ESHAs and adjacent land uses;

- Measures to address landscaping and vegetation clearance for fire protection purposes to avoid and minimize impacts to ESHA;

- Protective policies to avoid or minimize the removal of native tree species of special concern;

- Measures to avoid invasive species;

- Mitigation measures for any resource-dependent or other allowed uses in ESHA, including mitigation ratios for unavoidable loss of ESHAs;

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- Requirements for protection of ESHA through the use of open space easements or deed restrictions;
- Requirements for ensuring complete and detailed restoration and monitoring plans for projects involving habitat mitigation and restoration;
- Measures to address beach grooming, consistent with protection of sensitive species (e.g., grunion and western snowy plover);
- Tree trimming and removal policies;
- Standards for erecting bird safe buildings;
- Lighting and noise reduction policies;
- Wind energy policies that account for ESHA protection and wildlife movement;
- Provisions addressing climate change and sea level rise effects on ESHA.