



NOTICE AND CALL OF A MEETING OF THE  
**TRINIDAD PLANNING COMMISSION**

The Trinidad Planning Commission will hold a regularly scheduled monthly meeting on  
**WEDNESDAY JUNE 17<sup>th</sup>, 2020, AT 6:00 P.M.**  
in Town Hall at 409 Trinity Street.

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

**PUBLIC COMMENT:** Public comment may be submitted in an orderly process during the conference via email or Webex chat. Your comments will be included in the public record for the meeting and will be accepted at any time during the meeting.

You can email comments before or during the meeting via to [azetter@trinidad.ca.gov](mailto:azetter@trinidad.ca.gov). Or you can deliver hand-written comments to 409 Trinity Street, Trinidad CA, by 2:00pm, Wednesday, June 17, 2020.

**HOW TO PARTICIPATE:** The City will publish a direct link to the conference, along with the participant code, on the City Calendar page online at <http://trinidad.ca.gov/calendar>

The following items will be discussed:

- I. ROLL CALL
- II. APPROVAL OF MINUTES - May 20, 2020
- III. APPROVAL OF AGENDA
- IV. ITEMS FROM THE FLOOR
- V. AGENDA ITEMS

**Discussion / Decision / Public Hearing / Action**

1. Trinidad General Plan Update: Discussion regarding the Land Use Element with a primary focus on Sections B.3 – Climate Change, and C – Development Outside City Limits and the Figures.
2. Water Shortage Contingency Plan: Discussion regarding options and steps for developing a Water Shortage Contingency Plan.
3. Trails Plan: Introduction and discussion regarding the Trails Plan that was developed and recommended by the Trinidad Trails Committee.

**VI. COMMISSIONER REPORTS**

**VII. STAFF REPORT**

**VIII. FUTURE AGENDA ITEMS**

The items listed below have been requested to be on a future Planning Commission agenda and will not be discussed at this meeting. Publication of this list is not required by law, and the list's inclusion on this agenda does not constitute, nor substitute for any noticing requirements. Also, please be aware that this list is subject to change.

- SB18 and AB32 Tribal Consultation Primer
- After-the-fact Permit Processing
- Tsunami Siren Update
- GP Element Status and Scheduling

**IX. ADJOURNMENT**

*The meeting packets can be accessed at the following link:*

<http://trinidad.ca.gov/document-library/pc-meeting-packets-2020>

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD PLANNING  
COMMISSION  
WEDNESDAY, MAY 20, 2020 VIA WEBEX**

**I. CALL TO ORDER/ROLL CALL (6:06 pm)**

Commissioners Present: Kelly, Stockness, Johnson, Hopkins

Commissioners Absent: None

City Planner Staff: Parker

City Staff: Zetter, Naffah

**II. APPROVAL OF MINUTES**

Question from the public: M. Stofsky (interested public) questioned the status of the water policies and inquired about possible missing information.

*April 01, 2020*

*Motion (Johnson/Stockness) to approve the minutes as submitted. Passed (3-0-1). Commissioner Hopkins abstained due to not being in attendance at the meeting.*

*April 15, 2020*

Updated minutes to indicate that April 15, 2020 was a *regular* meeting.

*Motion (Johnson/Kelly) to approve the minutes as amended. Passed (3-0-1). Commissioner Hopkins abstained due to not being in attendance at the meeting.*

**III. APPROVAL OF AGENDA**

No formal motion was made to approve the agenda. Approval by acclamation.

**IV. ITEMS FROM THE FLOOR**

M. Stofsky (interested public) inquired whether the missing report discussed at the last meeting had been located. City Planner Parker responded that the only thing she could recall being missing was the revenue sharing agreement with the County from the 1970s for annexation, which she has now received a copy of.

Commissioner Kelly read Trinidad resident J. Beaupre's submitted written comment, which expressed opposition to a requested water connection for the proposed Trinidad Rancheria's hotel. Kelly advised that there will be a discussion at the City Council meeting on May 21, 2020 regarding an MOU for discussing that connection, but the topic is not on the Planning Commission's agenda.

**V. AGENDA ITEMS**

**Discussion/Decision/Public Hearing/Action**

1. Welcome New Commissioner: Introduction of Tom Hopkins.

Commissioner Chair Kelly welcomed new Commissioner Tom Hopkins. Commissioner Hopkins thanked the Commission and advised that this is his first time participating in any capacity for the City and he is looking forward to it.

2. Trinidad General Plan Update: Discussion regarding the Land Use Element with a primary focus on Sections B.3 – Climate Changes, and C – Development Outside City Limits and the Figures.

*Staff report*

City Planner Parker advised she has made changes to the Land Use Element based on the previous discussion at the April 15, 2020 meeting. She noted that many of the changes were organizational. She added section D for acronyms, but still had a few questions on how the Commission would like them to be reflected in the General Plan, specifically in each element. She also provided additional information to accompany the figures. Parker reported that she has been in correspondence with California Coastal Commission staff regarding the Conservation Element and has requested their help in thinking of ways to help the City move forward. Additionally, she provided a status update regarding each element.

Commissioner Kelly questioned if the City Council is working on a Climate Action Plan (CAP). Parker clarified the County of Humboldt is working on a regional CAP that the City is participating in.

*Commissioner Comments/Questions*

Commissioner Stockness complimented staff on the incorporation of acronyms. She suggested including them after the introduction of the element and to spell out phrases that are only used once in an element, even if they are used elsewhere. Stockness also discussed LU-7.3 and questioned if there have been any new discussions on development in the Harbor Area. Parker confirmed that a visitor center has been proposed.

Commissioner Johnson complimented the staff on providing the status of the various General Plan Elements, and he suggested distributing it to the City Council members. He provided the following comments,

- Add “transportation” after multi-modal in Program LU-3.4.1 on page 9 for clarification.
- Reorganization of and further explanation in the last sentence in the first paragraph under State and Federally Owned Lands on p. 18 to clarify the status and relationship between the Rancheria, the BIA and the Harbor Area.
- Add “watershed” after Luffenholtz Creek in LU-11.4 on p. 24.

Commissioner Hopkins stated he did not have any comments at this time. Parker states that she will send him some background info to help get him up to speed.

Kelly asked where illegal diversions, for example illegal cannabis grows, should be addressed. Parker stated it would be beneficial to add a policy that would include monitoring potential illegal diversions and working with the County to address them. A discussion occurred between staff and Commissioners regarding past and present cannabis policies.

Commissioner Kelly questioned if the Commission should agendaize a discussion of the status of each element, suggesting the develop a timeline as the next logical step. Parker stated it could be discussed tonight since it is part of the packet, but she would be better prepared if the Commission added it as a future agenda item.

#### *Figures*

Figure 6 – Johnson asked how the City’s water treatment plant is designated on the map. Parker clarified that the parcels are grey, like City limits, because it is technically within City limits, even though it is not contiguous with the City.

#### *Public Comment*

M. Stofsky (interested public) inquired whether the green area on Figure 6 that is designated as timber is intended to be harvested or remain forest. Parker responded that the area is in the County’s jurisdiction, and they have designated it for timber harvest. M. Stofsky questioned if local tribes had been consulted. Parker clarified that it is outside the City’s jurisdiction and was designed for timber production in the County’s previous general plan as well.

B. Kenny (Trinidad resident) complimented staff and Commissioners on their work, noting the General Plan is a job that is never complete.

#### *Commissioner Discussion*

Commissioner Kelly stated that she was in favor of Commissioner Stockness’ suggestion regarding how to approach the acronyms.

Commissioners agreed the Element is ready to pass to the City Council.

#### *Public Comment*

S. Laos (Trinidad Rancheria) advised the Rancheria finished reviewing the Harbor Area and other sections of the Land Use Element and noted they have several comments that they will be sending to the City. She stated the Rancheria is also going to request a Government to Government Consultation with the City Council on the Land Use Element (and entire general plan). The Commission requested a summary of the Rancheria’s comments. Laos stated that many of the comments are just for clarification, but they also want to include a statement about the pending Trust application and a rewrite of several descriptive paragraphs and some significant questions regarding the Harbor Area policies.

In response, Commissioner Stockness suggested that the Planning Commission review the Rancheria's comments before proceeding to send the element to the City Council. Kelly echoed Stockness' sentiment.

S. Madrone (5<sup>th</sup> District Supervisor and greater Trinidad area resident) recommended a review of the plan in order to look for places to insert language to support the City developing ordinances and/or policies that incentivize water storage. Stockness responded that it could be included as part of LU-10.2.

Kelly advised that her suggestion is to review the Land Use Element in its entirety at the next meeting and also incorporate/discuss the Rancheria's input and suggestions.

In response, Parker advised she removed some of the programs that discussed adopting or amending ordinances based on the CCC's comments. The reasoning is due to the fact that they want to see those ordinances when the General Plan is submitted. Parker noted that there needs to be room for programs that call for additional ordinances or amendments to other ordinances.

3. Water Shortage Contingency Plan: Discussion regarding options and steps for developing a Water Shortage Contingency Plan.

#### *Staff report*

City Planner Parker advised she has been conducting research and intends for this discussion to be an introduction and overview of Water Shortage Contingency Plan (WSCPs), so the City can start to prioritize actions. She advised she reviewed multiple WSCPs with a focus on drought conditions. She noted the rain Trinidad received recently has been beneficial, but due to limited rainfall this winter, it is an appropriate time to discuss contingency plans. She stated she met with GHD to discuss the issues, and one of the things she grasped during their discussion was the City's lack of storage, which means the normal approach of early conservation doesn't help much with supply, since the City is entirely dependent on streamflow. But there are some infrastructure improvements and other actions the City can take to improve drought resiliency.

Parker summarized the procedural and regulatory actions and infrastructure improvements the City could undertake as described in her staff report. She pointed out that some are long-term goals and others can be implemented sooner. Parker discussed examples of WSCPs. She pointed out that each plan has water shortage stages and triggers with response actions for each stage. Parker suggests modeling the City's WSCP on this structure.

#### *Commissioner Comments/Questions*

Commissioner Kelly discussed a phased planning model example from a Department of Water Resources report that could be used as a framework for contingency planning.

Commissioner Stockness complimented staff on gathering the material presented to the Commission. She opined that the water from Luffenholtz will not be enough in the future, and she promoted rainwater catchment. She discussed the need for voluntary water conservation and expressed concerns about cannabis cultivation. Stockness advised the City needs to start seriously investigating a hookup to HBMWD, noting that growth is inevitable.

Commissioner Johnson stated that in some respects composing a water contingency plan is more difficult than developing a water policy. However, to get a better grasp he requested a flow diagram of the water treatment plant. Additionally, he acknowledged the City has very little control over its water source, so his recommendation is to have serious discussions with the County, while also starting an active arrangement with the County so they understand what is going on with the City's watershed.

Johnson advised he was under the impression that the City does a rate assessment on a periodic basis. Parker clarified that the last rate study was performed in 2011. She further explained that there was an automatic 2% increase each year that has expired, and the revenues have not been enough to cover the costs. She also stated that when the City instituted the sales tax it agreed to decrease the water rates partially to compensate for those that were affected outside City limits. Johnson requested a schematic of the City's water plant. He also suggests viewing the potential actions in terms of their timelines, and to start with the easy things that can be done now. He expressed frustration at the City's lack of control over its water supply and suggests maintaining a more active dialog with the County.

Kelly suggested that the City needs to keep in enforcement in mind. She stated she is a proponent of a tiered water rate structure, and the City should look further into connecting to HBMWD.

#### *Public Comment*

B. Kenny (Trinidad resident) noted that the report provided by staff was well put together, while adding that certain water uses should be protected. He discussed the current resolutions and ordinances (res. 2015-02; ord. 1997-160) the City currently has in place, and suggested building off of them. He opined the Planning Commission should be cautious on increasing the scope of this discussion, as the City Council only directed them to prepare a drought contingency plan.

M. Stofsky (interested public) wonders if HBMWD still has a lot of excess water with the proposed aquafarm. She also requested the water reports be provided online. She cautioned the City on moving too quickly without complete information.

S. Laos (Trinidad Rancheria) advised that a tiered water rate structure has been previously discussed but not implemented. She suggested reviewing past minutes. She noted that she does not recall the City decreasing the out-of-City rate due to the sales tax.

S. Madrone (5<sup>th</sup> District Supervisor and greater Trinidad area resident) stated the City should be submitting grant applications soon, as there are projects that could be completed within 3-5 years, but funding could dry up due to State budget issues. Madrone offered to work directly with the City's Grant Administrator to assist in the grant writing process. He discussed that if the City hooked up to HBMWD there will be a growth inducing factor, as the cost of doing the project would require the City to grow in order to afford it. He discussed multiple water conservation measures and advocated for a rainwater catchment program. He provided examples of past water shortages.

City Manager Naffah advised that he would set up a meeting between S. Madrone, the City's Grant Administrator and himself to discuss funding and rainwater catchment.

Parker clarifies the direction from the Commission – she will organize the suggested tools and actions into a planning framework and also organize them into activities that can be done right away and those that will take longer.

## **VI. COMMISSIONER REPORTS**

Commissioner Kelly reported the Trails Committee has almost completed the draft trail policy and will be passing it to the Planning Commission.

Commissioner Stockness reported the STR Committee will be recommending two motions to the City Council at their next meeting relating to the minimum use for STRs and the required meet-and-greet.

## **VII. STAFF REPORT**

Parker continues to work on the general plan update.

## **VIII. FUTURE AGENDA ITEMS**

Add timing and scheduling of general plan element updates.

## **IX. ADJOURNMENT**

Adjourned at 8:36 pm. Next regularly scheduled meeting is June 17, 2020.

**Submitted by:**

**Angela Zetter**  
**Administrative Assistant**

**Approved by:**

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**Cheryl Kelly**  
**Planning Commission Chair**



## MEMORANDUM

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**TO:** Trinidad Planning Commission

**FROM:** Trever Parker, City Planner

**DATE:** June 4, 2020

**RE:** Water Shortage Contingency Plan

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The City Council tasked the Planning Commission with developing a drought contingency plan, but the Council did not include any details on the issues or outcomes they want addressed. We have reviewed Water Shortage Contingency Plans (WSCP), which focus on identifying shortage levels or stages and responses to each stage and would normally be part of a larger Urban Water Management Plan. However, it is difficult to discuss some of these issues in a vacuum, as many of the things we have talked about recently are interrelated, and some issues and solutions lead to others.

At the last meeting, Commissioner Kelly suggesting framing the discussion in terms of the four phased drought planning approach described in the [DWR report](#) on risks to small water suppliers (emailed to you on May 21). Those steps outline an ongoing planning process, and the WSCP would be one piece of that larger disaster planning and preparation process. The outline helps provide context to the WSCP as well as some of the other things we have talked about (e.g. infrastructure improvements) and indicates where there may be gaps in the planning process thus far (e.g. steps to recovery). The introduction to the attached planning process document provides additional information.

On the other hand, we need to be mindful of what the Council requested and keep our scope to a manageable level. So, staff's suggestion would be to continue to work on the WSCP stages and responses. That would mean working on further developing or agreeing to the suggested drought/water shortage stages and then choosing and/or prioritizing the responses. That should help inform what the next steps should be (adopt an ordinance, do more analysis of water use data, etc.). Please review the water shortage toolkit I provided for the last meeting and note any responses and measures that you would like to include in Trinidad's WSCP.

But because the WSCP fits within a larger context, and we have discussed several important issues and possible projects that the Council should be aware of, staff would also suggest prioritizing a list of suggested actions to send to the City Council for consideration. The recommendation(s) could be framed within the water shortage planning process described

above. Related to that, at the last meeting, the Planning Commission asked me to break down some of the possible actions and steps that have been discussed into short and long-term actions to help the Commission prioritize them. To that end, it seemed like more than two categories could be useful, including a list of things that can be done (almost) immediately.

Things that can be done right away:

- Continue working on the WSCP (with a focus on drought)
  - Develop stages and responses
- Remind County that the City should be referred and notified for all projects in the Luffenholtz watershed. Inquire whether they have a way to flag projects within Critical Municipal Water Supply Watersheds. Consider developing an MOU for project referrals and notification.
- Evaluate flocculator function at the water plant to reduce water loss.
- Evaluate existing and past water use in Trinidad
  - Look at changes over time
  - Focus on large users
  - Determine “baseline” water rates
  - Survey large water users to determine causes and potential for reductions
- Research applicable grants
- Develop engineered plans for household rainwater catchment that can be “pre-approved” or otherwise incentivized
- Develop basic education materials such as what can be included with the water bill.

Short to medium range tasks

- Consider adoption of a water waste prohibition ordinance (amend Chapter 3.18)
- As new or replacement meters would be required anyway, purchase and install meters with radio/telemetry capabilities.
- Develop a design and cost estimates for a new summer intake system
- Rate study
  - Consider a progressive rate structure
  - Include capital improvements in the costs to operate and maintain the water plant
- Inventory water rights
  - Review well and diversion records
  - Estimate undocumented uses (e.g. riparian parcels without a well)
  - Contact SWRCB to discuss water rights and ask them to determine if Luffenholtz should be considered fully allocated
  - Work with the County to investigate known or suspected illegal diversions
- Develop incentive program to encourage conservation
  - Rate structure
  - Education program (e.g. let people know if their use falls within a high medium or low range)

- Identify grant opportunities to purchase water saving equipment such as low-flow appliances and fixtures or rainwater catchment systems.
- Waive fees or provide a rebate on water bill for installing rainwater catchment (This could potentially be expanded to City's water service area and or Luffenholtz watershed.)
- Develop agreements with HBMWD/MCSD to obtain water in an emergency (permit(s) may be required), and trucking companies/operators for use of water trucks
- Develop education materials for residents of Luffenholtz on water rights and impacts to the City's water system; encourage reporting of illegal development/diversions
- Approach other stakeholders to discuss potential HBMWD connection and apply for funding for next steps/studies

#### Long-term tasks

- Develop Capital Improvement Program (CIP) or alternative mechanism to periodically replace A/C water pipes (CIP should be part of rate analysis?)
- Apply for grant(s) to replace all water meters with radio/telemetry capable meters
- Apply for grant(s) to increase storage
- Apply for grant(s) for next step in HBMWD connection
- Apply for grant(s) to study the feasibility of installing large-scale rainwater catchment ponds in the upper watershed
- (emergency shut-off valves? What is leak-detection process?)

#### **Suggested Action(s)**

Staff's suggestion is to continue to work on the WSCP. But prioritize some of these tasks for consideration by the City Council. Alternatively, the Council could be given the water shortage planning process document for consideration and their own prioritization. Also, identify tasks that may be needed for the WSCP (e.g. water use study to create "baselines").

- a. Prioritize a list of potential projects to send to the Council for their consideration.
- b. Continue to work on the WSCP by determining stages and responses

#### **Attachments**

Please bring the materials from the May 20 meeting

- a. Draft Water Shortage Planning Process
- b. Trinidad's existing Water Rationing Ordinance (Chapter 13.08)
- c. Water plant schematic

## City of Trinidad Water Shortage Planning Process

### **INTRODUCTION**

The City started this planning process with a goal of developing a Water Shortage (Drought) Contingency Plan (WSCP) to prepare in advance a response for various water shortage conditions. These shortages could be caused by dry years, natural forces, system interruptions or failure, chronic maintenance deferral, dropping groundwater levels, or regulatory action. In discussing the topic, it was determined the development of a WSCP should be viewed within a larger context that includes demand reduction methods, suggested short and long-term infrastructure improvements, public education, and a plan for dealing with catastrophic supply interruption.

The City of Trinidad has based its Water Shortage Planning Process on a framework for Disaster Risk Management provided by the California Department of Water Resources (DWR 2020 (Draft)). This four-pronged approach ranges from prevention of water shortage to recovery and relief in the aftermath of a severe water shortage.

I. (a) *Mitigation, Preparation, and (b) Capacity Building*. This pre-disaster learning phase includes risk assessment, risk reduction, improving coping capacity, and improving emergency and water shortage plans.

II. *Forecasting and Monitoring*. This pre-disaster phase includes ongoing forecasting and monitoring, improving science, and accounting for precipitation, water supply, and climate changes.

III. *Drought and Water Shortage Response*. This phase includes communication, calling for assistance, and implementing any emergency response procedures that are defined during a disaster.

IV. *Recovery and Relief*. This post-disaster response phase includes impacts assessment, assistance to homes and suppliers, and funds to boundary organizations to distribute assistance.

### **MITIGATION and PREPARATION**

The City of Trinidad will seek to lessen the risk of drought-related water shortages through implementation of a series of mitigation and preparation steps including information collection, public education, water conservation incentives and/or ordinances, and rainwater catchment.

*Water supply studies.* In 2019 the City undertook a number of studies to evaluate the condition and capacity of the existing treatment capacity and water supply. Those studies and assessments are as follows:

- Water Treatment Plant Production Memo, GHD, May 1, 2019
- Water Demand Assessment, SHN, August 2019
- Conceptual Hydrologic Assessment of the Luffenholtz Creek Watershed, GHD, October 2, 2019
- Alternative Raw Water Source Evaluation, GHD, October 2, 2019
- Water Demand and Loss Analysis, GHD, October 2, 2019
- City of Trinidad Drinking Water System Model, GHD, October 29, 2019

*Data Gaps:* The City has identified the following data gaps where additional analysis, assessment or information collection is warranted:

- Luffenholtz Creek water rights inventory and assessment
- Additional analysis of actual water use and patterns

*Public Education:* The City shall develop and implement a public education program to inform water users on the importance and techniques of conservation. This public awareness campaign will be repeated annually at the beginning of the dry season and at the first stage of a water shortage. Outreach methods may include small blurbs with the water bill, other mailings, and brochures kept at City Hall and on the City's website.

*Water Waste Prohibition Ordinance:* The City will consider an ordinance to prohibit wasteful use of water, such as using non-recirculating fountains, washing vehicles without a shut-off nozzle on the hose, or outdoor watering such that water runs offsite.

*Water Catchment Program:* The City of Trinidad will develop a program to encourage rainwater catchment by individual property owners. This should include pre-approved, engineered designs to remove permitting hurdles for installation of water tanks up to 5,000 gallons. It may also include a waiver or reduction of fees. The City could seek grant funding to purchase tanks or otherwise defray costs to property owners.

*Rate Study:* Anecdotal information indicates that City of Trinidad water rates are not keeping up with the costs of operating and maintaining the water plant. The City will evaluate implementation of a tiered or progressive rate structure that encourages customers to minimize water use through progressively increasing water rates or other measures that discourage excessive water use. Various state agencies encourage this approach, but it is constrained by the requirements of Propositions 218 and 26 governing imposition of fees and taxes.

## **CAPACITY BUILDING**

Capacity-building is primarily focused on infrastructure improvements that could potentially provide additional water, or help the City manage conservation. Grant funding may be available for many of these options.

*Develop a new summer intake system at the water plant.* This could consist of a shallow pipe in the infiltration gallery or a screened surface water intake. Turbidity is not a big problem in the summer, so shallow creekbed or surface water can be treated. This would avoid the issue of the deep infiltration gravels getting clogged and slowing the rate of refill of the wet well during low flows. This would be particularly useful during moderately low periods when the flow is low, but still sufficient for the City pump at the maximum capacity with sufficient bypass flows.

*Reduce water losses.* Water loss from Trinidad's system is higher than average, at between 25% and 30%. Most of this loss is likely due to the old asbestos concrete (AC) water pipes. Some may also be due to a lack of performance of the flocculator, which increases the amount of flushing of filters that is required.

- a) Ensure flocculator is performing as designed. This could reduce water loss due to backflushing as well as pumping down time while the filters are flushed. This could be accomplished relatively quickly.
- b) Develop a Capital Improvement Program or other means for continuously/periodically replace A/C pipes. This could potentially reduce water loss by up to ~10%, but it is expensive and labor intensive, so it is a long-term solution. However, it does need to be done eventually anyway. The City is already doing this as funding and other projects allow, but efforts could be increased.

*Increase storage.* This is something the City has discussed many times in the past and has pursued grant funding for. However, the purpose is more for short-term emergencies such as a power outage temporarily shutting down the water plant, a main line break, or to fight fires. Additional tank storage would provide more flexibility, such as by supplementing a daytime shortfall in pumping, while allowing pumping to continue at night to refill the tanks when demand is low. But it will never be enough to supplement long-term, severe drought situations when creek flow is low for an extended period of time. Rainwater catchment on individual properties, discussed elsewhere, is another method of increasing overall system storage.

*Increase water supply.* As part of future water supply planning efforts, the City evaluated supply alternatives such as use of recycled or reclaimed water, groundwater recharge through rainwater catchment in the upper watershed to help to feed Luffenholtz Creek in the summer, desalinization and other sources of supply such as other creeks or wells, and connection to HBMWD system. An initial assessment determined that most of these alternative sources are likely infeasible.

The alternative that has received the most attention is the connection to HBMWD. GHD (Winzler & Kelly at the time) evaluated this option nearly 20 years ago as part of a Water Supply Feasibility Study. While connecting to the HBMWD system through a new transmission pipeline was found to be technically feasible, it was simply less expensive and less complex to continue with the existing Luffenholtz water supply at the time. However, much has changed since then, and current conditions may warrant having GHD reevaluate connecting Trinidad to the HBMWD system based on current conditions. The HBMWD system is supplied from Ruth Lake and hence this system has a long-term raw water supply that is better equipped to span droughts and is more resilient to the effects of climate change than Luffenholtz Creek. This more robust source of supply could provide an ultimate long-term solution, particularly considering uncertainties regarding climate change and upstream withdrawals within the limited Luffenholtz Creek watershed. Because this option will take a long time to implement, the City should take steps now to make this a reality, while also planning for water shortages in the meantime.

## **FORECASTING AND MONITORING**

This step in the process includes monitoring climactic conditions in order to forecast droughts and determine when to implement water conservation measures. In other words, when to move into Stage 1 of the WSCP. In terms of the overall planning process, this step also includes assessing the existing and developing additional tools as needed to predict and monitor drought, creek flow conditions and water usage.

*Watershed and Flow Studies.* The Conceptual Hydrologic Assessment of the Luffenholtz Creek Watershed (GHD 2019) was a broad-brush evaluation of low flows on Luffenholtz Creek. It summarized several previous studies that estimated critical low flows in Luffenholtz Creek. However, none are considered reliable for various reasons. The lowest estimated or measured flow was 284 gpm (0.632 cfs) in 1977, which is less than the City's entire water right plus required bypass flows, but still well above the City's current capacity to extract plus required bypass flows.

*Flow monitoring on Luffenholtz Creek.* The City installed a continuous flow meter on Luffenholtz Creek in 2017. One of the primary purposes of the flow meter is to ensure the required bypass flow is met, which includes downstream water rights as well as flows set by the CA Dept. of Fish and Wildlife to protect aquatic life. The City will continue to maintain and monitor the flow meter. Eventually, the flow meter will provide enough data to do more analysis of flow patterns and frequencies on Luffenholtz if desired.

*Collection and analysis of rainfall data.* The City has collected daily rainfall totals at the water plant for many years. Citizens have also collected reliable rainfall data for many years. The City will continue to collect rainfall data. There is likely enough already to

evaluate rain patterns related to droughts, but without the flow data, there would be no way to correlate the data yet.

*Drought forecast monitoring.* Unless and until the City has enough data to forecast droughts based on its own rainfall and/or flow data and weather conditions, there are other alternatives that the City can use. The National Integrated Drought Information System maintains the California Drought Early Warning System (<https://www.drought.gov/drought/dews/california>), which in turn is part of the U.S. Drought Monitor program. The system indicates five drought levels – dry, moderate, severe, extreme and exceptional. Currently, most of the Humboldt County coast falls under the moderate drought category (D1) with surrounding areas in a severe drought (D2). The U.S. Drought Monitor data is compiled and analyzed by several agencies, using a variety of data, including precipitation, snowpack, soil moisture levels, temperatures, etc. (NRCS WET)

*Monitoring and enforcement of water rights on Luffenholtz Creek.* In order to keep more water in the creek, the City should actively monitor water rights and documented uses in the Luffenholtz Creek watershed and work with the County investigate any potentially illegal diversion. In addition, the City should work with the State Water Resources Control Board to ensure any new water rights include requirements for forbearance and storage and recognize the City's more senior rights. Additional oversight may be triggered by one or more of the water shortage stages (see below).

*Replace water meters with radio read system.* This would entail replacing all the existing water meters with meters with radio/telemetry capability so the City can monitor individual, real time water use. This is important, because if creek flows get to the point that pumping has to be reduced, circumstances can change quickly, and the City can't wait a month to find out if people are conserving water and who is not conserving. Many of the water meters are decades old and need replacing anyway. This could be done all at once with grant funding or could be implemented as meters need replacing.

## **DROUGHT AND WATER SHORTAGE RESPONSE**

Water Shortage/Drought Stages: As part of planning for a water shortage, the City has determined stages, or triggers, for water conservation requirements based on the severity of the water shortage. The City Council declares each stage as it occurs, which then triggers implementation of certain conservation measures or actions. These measures are implemented and enforced through adoption of an ordinance. The Water Supply Shortage tiering system is as follows:

*Stage 0* – Normal or above water year. No conservation measures required.

*Stage 1* – based on cumulative rainfall/water year type. This stage would be triggered early in the dry season based on the lack of rainfall over the previous wet season and/or the classification of the California Drought Early Warning System (DEWS), NRCS WETS tables, or other similar measure. This stage indicates the potential for water shortages later in the dry season. Public outreach should occur to let users know about the potential for shortages; conservation is not necessarily required at this point.

*Stage 2* – based on a low flow. A second stage could be triggered by a particular low flow rate on Luffenholtz Creek. This stage indicates that water shortages are likely to occur in the near future. Without doing additional studies, City staff could probably determine a reasonable flow rate for this stage based on past experience at the water plant. This stage should include education and some cutbacks to get people ready for more severe shortages.

*Stage 3* – based on reduced pumping capacity from the wet well. This stage indicates a current water shortage and reduced pumping and treatment capacity at the water plant. Water conservation is required at this point, along with monitoring and enforcement.

*Stage 4* – critical /emergency. This stage would indicate a critical shortage and potential emergency situation. This would likely be based on passing a minimum threshold for pumping capacity at the plant that would not be sufficient to supply enough water for basic sanitation and fire protection needs. Substantial cut-backs in water use are required; the water supply may need to be supplemented.

*Stage 5* – Catastrophic failure. This could be 100% (or nearly) water loss due to plant failure, pipe breakage, natural disaster, etc. There may be enough storage to provide for a few days of water supply depending on the nature of the emergency.

<b>Table 1. Water Supply Shortage Stages and Conditions</b>			
<b>Stage No.</b>	<b>Water Supply Conditions</b>	<b>% Shortage</b>	<b>Demand Reduction Actions</b>
Normal	Normal operating conditions.	0%	Typical water restrictions with water waste ordinances or regulations.
Stage 1	DEWS at D2-D4 (?)	10-15%	Public outreach and education, voluntary reductions.
Stage 2	Luffenholtz Creek flow rate low at XX	15-25%	Mandatory water restrictions...TBD

Stage 3	Low pumping capacity at water plant	25-50%	Mandatory water restrictions ...TBD
Stage 4	Insufficient water for sanitation and fire protection.	50-75%	Water rationing
Stage 5	Emergency water service disruption due to disaster or complete plant failure	100%	Water supply supplementation (?)

Water shortage responses. The City will need to figure out how to manage water conservation and cutbacks for each water shortage stage. Several examples are provided in the water shortage toolkit attached to the previous staff report and in the list below. Public outreach and education are also part of these measures but were already discussed above as a separate topic.

*Across the board cutbacks.* All users would be required to reduce usage by a certain percentage. This method is simple, but does not prioritize certain uses, and punishes those who already use very little water.

*By types of uses.* This would reduce or prohibit certain uses of water. It could include things like filling hot tubs, outdoor washing (cars, boats, driveways, etc.) watering during certain times of the day, providing water only upon request at restaurants, etc.

*By user types.* Certain users (commercial v. residential) would be required to reduce use at different rates.

*Focus amount of use.* It may make sense to focus on the largest users, because modest cutbacks by a few large users could save more water than all residences having to reduce their use by a certain percent, for example.

*By baseline use.* It could be beneficial to further evaluate water use patterns over time and to determine baseline water use by land use type. In other words, determine a reasonable water use for a 3-bedroom house, possibly also including lot size (landscaping) in the equation, as an example. Water rates and required cutbacks could then be based on that pre-determined baseline. Those who are already below the baseline would not need to cut back, or would have to reduce less, and those above the baseline would need to reduce more. Water rates could also be based on this baseline and rates for use below the baseline would be less than rates for use above the baseline. The Humboldt County DEH has such estimates of water use for sizing septic systems,

but those tend to be significantly higher than actual water use, even including landscaping. So, the baseline should be more based on actual use in Trinidad.

*Rate increases.* Many WSCPs and implementing ordinances include rate increases in addition to requiring conservation based on drought stages. That can be justified, because if people are using less water, revenues go down, but many of the operating costs for treating and delivering water stay the same. In addition, more education and enforcement may be needed, further increasing costs to the municipality.

*Enforcement and Penalties.* In addition to determining how water use will need to be reduced, the City will also have to develop enforcement mechanisms and set penalties for noncompliance.

## **RECOVERY AND RELIEF**

This section addresses the City's responsibilities and capabilities for providing relief. This is outside the scope of what the Council has asked the Planning Commission to do at this point. But viewing it in the context of this planning process may be a good way to indicate the need to consider it.

Topics or steps in this section focus on disaster mitigation and could include the following:

- Prioritize water provisioning to critical agencies, drinking supply and emergency services.
- Deliver emergency water supply to affected residents.
- Address infrastructure or natural resource impacts to return and enhance the resiliency of the water supply in the long-term.
- Provide relief and assist with recovery after the water shortage.

*Continue to monitor drought stage.* Ensure that as the drought / shortage ends, the City lifts the restrictions as soon as possible.

*Emergency water supply.* In the short-term, there really aren't many options other than having water trucked in. But even that option is limited. Trucks that could transport potable water are very limited in number. With some relatively minor changes to the water plant, raw water could be introduced to the treatment system via truck. But most water trucks have a capacity of 3,000 gallons or less, so that can equate to a lot of truck trips. Both the Humboldt Bay Municipal Water District and McKinleyville Community Services District are amenable to providing water in an emergency, but a permit is likely needed to supply water outside of their district]

*Funding / Economic relief.* Maintain a reserve fund to help with immediate hardships. Leverage the City's resources to obtain emergency relief for the community.

## Chapter 13.08 WATER RATIONING

### Sections:

- 13.08.010 Purpose – Authority.**
- 13.08.020 Definitions.**
- 13.08.030 Enforcement – Authority.**
- 13.08.040 Application.**
- 13.08.050 Adoption of rules and procedures.**
- 13.08.060 Restrictions on large water users.**
- 13.08.070 Site design review.**
- 13.08.080 Gutter waste.**
- 13.08.090 Restrictions on nonessential use.**
- 13.08.100 Determination of water restrictions.**
- 13.08.110 Appeal.**
- 13.08.120 Effective date.**
- 13.08.130 Violation – Penalty.**

### **13.08.010 Purpose – Authority.**

A. The council of the city has declared that a water shortage emergency condition prevails in the area served by the city, due to conditions prevailing throughout the state of California and especially in the service area of the city. This chapter is intended to allocate equitably the water available for human consumption, sanitation and fire protection.

B. The specific uses regulated or prohibited in this chapter are nonessential; if allowed, they would constitute wastage of water and they should be prohibited pursuant to Water Code Section [350](#) et seq., Water Code Section [71640](#) et seq., and the common law.

C. The actions taken hereinafter are exempt from the provisions of the California Environmental Quality Act of 1970 as projects undertaken as immediate action necessary to prevent or mitigate an emergency pursuant to Section 15071(c) of the state EIR Guidelines. [Ord. 160 § 1, 1977].

### **13.08.020 Definitions.**

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

"City" means the city of Trinidad.

"Council" means the elected city council of the city of Trinidad.

"Customer" means any person using water supplied by the city of Trinidad.

"Nonessential use" means any use not required for human consumption, sanitation, or fire protection.

"Nonessential user" means any user other than a domestic residential customer or facility providing for the health and safety.

“Outdoor surface” means any patio, porch, veranda, driveway or sidewalk.

“Person” means any person, firm, co-partnership, association, corporation, company, or organization of any kind.

“Water” means water from the city of Trinidad.

“Water committee” means the committee composed of city council members. [Ord. 160 § 2, 1977].

#### **13.08.030 Enforcement – Authority.**

A. The police chief of the city shall, in connection with his duties imposed by law, diligently enforce the provisions of this chapter.

B. The water committee has the duty and is authorized to enforce the provisions of this chapter and has all the powers and authority contained in California Penal Code Section 836.5, including the power to issue written notice to appear. [Ord. 160 § 11, 1977].

#### **13.08.040 Application.**

The provisions of this chapter shall apply to all customers using city water both in and outside the city, regardless of whether any customer using water shall have a contract for water service with the city. [Ord. 160 § 3, 1977].

#### **13.08.050 Adoption of rules and procedures.**

The water committee shall adopt such rules and procedures, and shall hold meetings from time to time, as the water committee shall deem necessary and convenient in carrying out the intents and purposes of this chapter. [Ord. 160 § 4, 1977].

#### **13.08.060 Restrictions on large water users.**

No person whose historic monthly average water use of any three-month period exceeds 50,000 gallons per month, hereinafter called “large water users,” shall irrigate, sprinkle, or water any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers, or any other vegetation except as assigned by the water committee after consultation with individual large water users. [Ord. 160 § 5, 1977].

#### **13.08.070 Site design review.**

While this chapter is in effect, no planting or landscaping required by the design review process or other city action shall be implemented unless the water committee determines that the health, safety or welfare of the public might be endangered. [Ord. 160 § 6, 1977].

#### **13.08.080 Gutter waste.**

No person or customer shall cause or permit any water furnished to him or her by the city to run to waste in any gutter, or otherwise. [Ord. 160 § 7, 1977].

#### **13.08.090 Restrictions on nonessential use.**

A. Whenever the water committee determines that the water available to the city is insufficient to permit nonessential use and that all water then available to the city should be used solely for human consumption, sanitation, and fire protection, the water committee may order and direct individually or collectively that nonessential use shall not be permitted by any person or customer. While such order is in effect, no person or customer shall, with city furnished water, fill any swimming pool, wash any car or any outdoor surface, irrigate, sprinkle, or water any shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation, or allow any other nonessential use of water

as designated by order of the water committee. Violations shall be punished as provided in TMC 13.08.130.

B. The water committee shall use every reasonable means to inform customers that such order is in effect. [Ord. 160 § 8, 1977].

**13.08.100 Determination of water restrictions.**

Whenever the water committee determines that the water available to the city is insufficient to meet the demands of customers of the city and that all water available to the city should be protected for human consumption, sanitation and fire protection, the water committee may order limits be imposed on individual consumption as determined and specified by resolution of the city council, including penalties in addition to those specified in TMC 13.08.130. [Ord. 160 § 9, 1977].

**13.08.110 Appeal.**

Any citizen may appeal to the council at a meeting called no later than three days after the complaint with action to be taken at that meeting. [Ord. 160, 1977].

**13.08.120 Effective date.**

A. The provisions of this chapter shall be in full force and effect only upon adoption by the city council of a resolution declaring that a water emergency condition prevails pursuant to California Water Code Section 350 et seq.

B. The provisions of this chapter shall be of no further force or effect when the city council determines that a water shortage no longer exists. [Ord. 160 § 12, 1977].

**13.08.130 Violation – Penalty.**

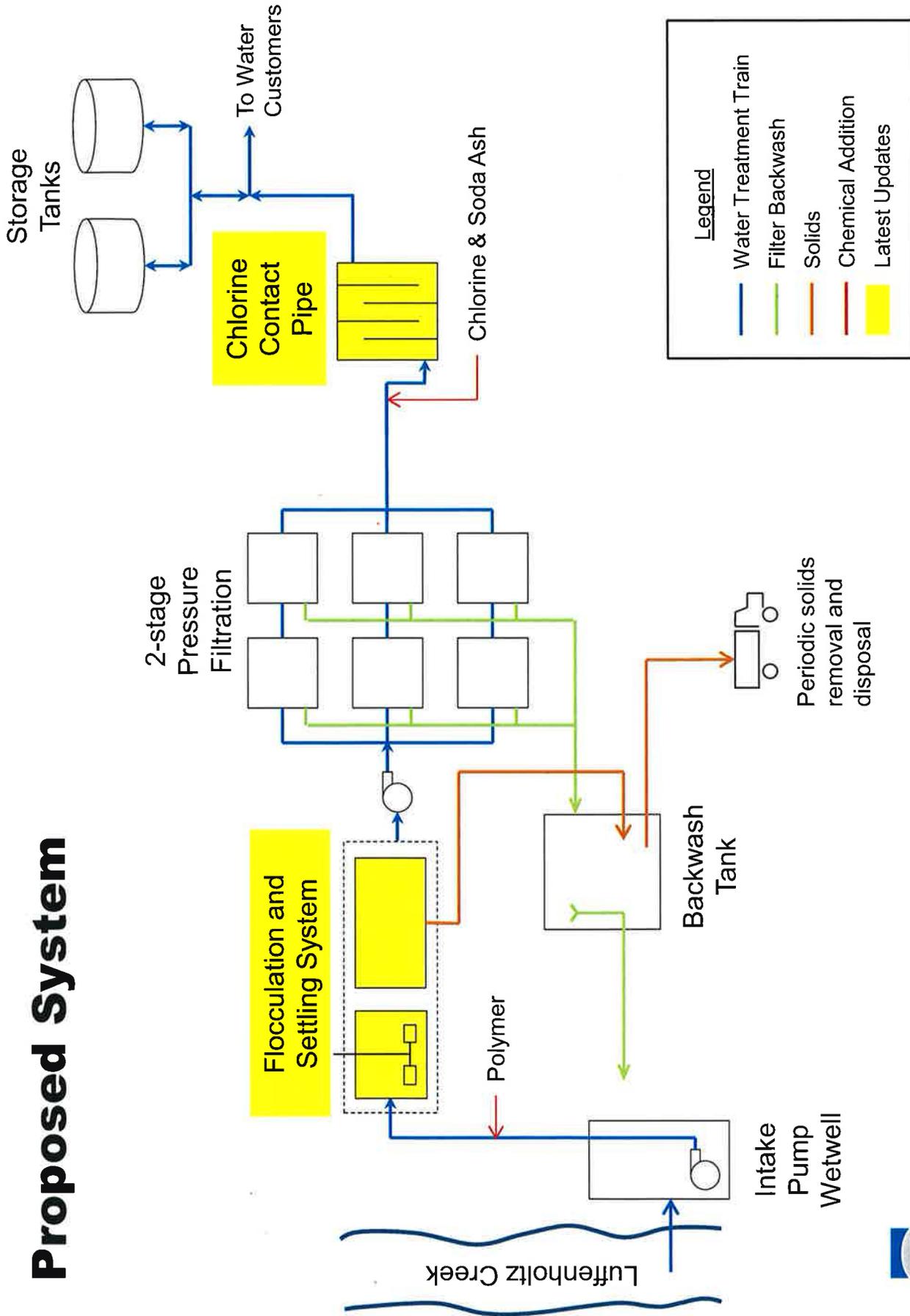
A. Except as otherwise provided herein, violations of any provision of this chapter shall be punished as follows:

Violation	Classification	Penalty
First violation	Infraction	\$10.00
Second violation	Infraction	30.00
Third violation and subsequent violations within a six-month period	Misdemeanor	100.00

B. The water committee shall forthwith direct and cause disconnection of the water service of any person or customer cited for a misdemeanor under this section. Such service shall be restored only upon payment of the turn-on charge fixed by the city council, as provided in the Trinidad Water Ordinance No. 140, as amended. Each day any violation of this chapter is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. [Ord. 160 § 10, 1977].

Mobile Version

# Proposed System





## MEMORANDUM

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**TO:** Trinidad Planning Commission

**FROM:** Trever Parker, City Planner

**DATE:** June 12, 2020

**RE:** General Plan Update - Land Use Element

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I have updated the Land Use Element based on our discussion at the May 20 meeting, which were fairly minor, primarily consisting of clarifications. I also included most of the Rancheria's requested changes, but there were a few places where I thought the changes might alter the meaning or intent, or add confusion. I have included their comments as an attachment so you can see them all.

There are a few highlights scattered throughout the document. They are there just to remind me to follow up some minor details, such as checking references and that cross-referenced policy numbers are still accurate.

I don't think I got all of my questions regarding the acronyms answered at the last meeting. If a list of acronyms is included in each element, is it necessary to write out the whole phrase the first time it is used? And, should I include the list of element and zoning abbreviations used in the policies (e.g. OS, CONS, etc.) in the acronyms?

Note that I found the language of Program LU-11.2.4 in the Conservation Element, and if it is kept in there, it should also be in the LU element. I'm not sure a blanket opposition is the best way to go though, because it would make comments on individual project less meaningful, because they wouldn't be based on the merits or impacts of that individual project. And based on the Council discussions in 2018, it seems they decided not to go that route either.

I did not make any changes made to the figures, because I wanted to get all your input and then have the edits done all at one time. And we did not discuss the figures much at the last meeting. So please bring the figures again from the April 15 meeting. I am particularly interested in comments on the land use designations of Figure 2, and the water service area Figure 5.

I did not remember the request to agendaize the status and timing of review the various general plan elements until I reviewed the minutes. So, I didn't have time to prepare additional material, but I added it to the "future agenda items" list.

**Suggested Action(s)**

Review the edited Land Use Element, provide any additional comments, and consider recommending it to the City Council.

**Attachments**

1. Revised Land Use Element
2. Trinidad Rancheria comments

## CHAPTER 2: LAND USE ELEMENT

### A. List of Acronyms Used in this Element

#### BA. Introduction

1. Purpose
2. Background

#### CB. Land Use Within City Limits

1. Land Use Map and Zoning Designations
2. Sustainable Development
3. Climate Change
4. Priority Uses
5. Residential Land
6. Commercial and Mixed-Use Land
7. Harbor Area
8. Public Lands

#### DC. Development Outside City Limits

1. Sphere of Influence
2. Water Service Area
3. Planning Area

### D. List of Acronyms Used in this Element

#### AD. LIST OF ACRONYMS USED IN THIS ELEMENT

~~ACOE: U.S. Army Corps of Engineers\*~~

ADU: Accessory Dwelling Unit

ASBS: Area of Special Biological Significance

~~BLM: Bureau of Land Management\*~~

C: Commercial Zone

~~CALFIRE: CA Dept. of Forestry and Fire Protection\*~~

CD: Community Design Element (Policy)

CDP: Coastal Development Permit

CIRC: Circulation Element (Policy)

CONS: Conservation Element (Policy)

EPA: Environmental Protection Agency

ESHA: Environmentally Sensitive Habitat Area

GHD: (Contract City Engineers)

GHG: Greenhouse gas

H: Harbor Zone

~~HCD: CA Dept. of Housing and Community Development~~

**Comment**  
included in  
the first time  
once in an  
the element

HSU: Humboldt State University

LAFCo: Local Agency Formation Commission

LCP: Local Coastal Program

LID: Low Impact Development

LUP: Land Use Plan

MSR: Municipal Services Review

MU: Mixed Use Zone

~~NOAA: National Oceanographic and Atmospheric Administration~~

OS: Open Space Zone

OWTS: Onsite Wastewater Treatment System

PC: Public and Community Zone

~~PG&E: Pacific Gas and Electric\*~~

PUBL : Public Safety Element (Policy)

RV: Recreational Vehicle

SE: Special Environment Zone

~~SLC: State Lands Commission\*~~

SLR: Sea Level Rise

SOI: Sphere of Influence

SR: Suburban Residential Zone

~~SWRCB: State Water Resources Control Board\*~~

SWQPA: State Water Quality Protection Area\*

TAP: Trinidad Area Plan

~~THP: Timber Harvest Plan\*~~

UR: Urban Residential Zone

VS: Visitor Services Zone

WASA: Water Service Area

## **BA. INTRODUCTION**

### **1. Purpose**

The Land Use Element is the heart of the General Plan because it has the broadest scope of the required elements, and it provides an overview of the long-term development and sustainability goals and policies of the City. The Land Use Element provides the primary basis for City decisions on development applications.

The Land Use Element establishes policies and programs to create the general framework for the future pattern of growth, development, and sustainability in Trinidad, CA. These regulations strive to conserve natural resources and the scenic character of the land, protect wildlife habitat and cultural resources, contribute to the character of the community, and adequately serve the health, safety, and needs of the citizens. Land use decisions must take into consideration the relationship of adjacent land uses to fully integrate proposed land uses with existing natural and physical environments.

## **2. Background**

The City of Trinidad is located in Humboldt County, approximately 25 miles north of Eureka, and 300 miles north of San Francisco. The City was founded in the 1850's as a supply center for the gold rush and, being incorporated in 1870, is one of California's oldest cities; it is also one of the State's westernmost Cities. Trinidad has only about one square mile of land area and a year-round population of 367 residents (2010 census) and approximately 220 residences making it one of California's smallest cities as well. Though small in area, the City of Trinidad provides commercial services to surrounding rural areas, in particular the Westhaven area, which has a population of around 1,200 people. The closest towns to Trinidad are McKinleyville, six miles to the south and Orick, sixteen miles to the north.

The City of Trinidad falls within the ancestral territory of the Yurok People. The Tsurai village site (perched on the ocean bluffs on the south side of the City) dates as far back as 800 A.D. and was occupied until the early 1900's. In 1775, the Spanish "discovered" and named Trinidad. Visitors were mainly limited to fur traders until the Gold Rush. In the 1850's, Trinidad became a supply port for the inland gold rush and at one point may have had 3,000 people living there; the population plummeted when other inland routes to the gold camps were established. After gold, the logging industry sustained settlers and thrived, especially while the railroad operated in Trinidad from 1911-1948. Salmon fishing also became an important industry during this time.

The area's physical setting, regional and national economic and social changes, and individual and governmental agency development have blended to create the community we see today. The original street pattern, laid out by a ship captain in 1850, remains today, though only a few original buildings exist as a result of large fires in 1911 and 1928. Although fishing and lumber remain important to the local economy, Trinidad is now a quaint seaside town that thrives on tourism and recreation, including sportfishing.

## **B. LAND USE WITHIN CITY LIMITS**

### **1. Land Use Map Designations and Zoning**

Figure 2 shows the land use designations for all properties in the City. The goals, policies and programs in this element are to be considered in relation to this map. The Trinidad General Plan has defined development options based on finite space and environmental constraints. The City is mostly built-out unless surrounding areas are annexed into City limits or in the unlikely event that a sewer system is constructed. There are still a number of vacant parcels in town, and development needs to be carefully reviewed and controlled to ensure sustainability and compatibility with the community. The purpose of the following land use categories are described relative to the development density or intensity, and the types of activities or land uses permitted, primarily within the Trinidad City limits. State law requires that maximum densities for residential uses be specified for each designation. Overlay zones that include additional requirements beyond these base zones in certain areas may be utilized in the City's Zoning Ordinance to improve implementation of the General Plan.

**Goal LU-1a: To provide a compatible mix of land uses that provide for the needs of residents, businesses and visitors.**

Land Use Designations in Trinidad

*Suburban Residential (SR)*

The Suburban Residential Designation is intended to provide for single-family residential development at low densities suited to the physical capacity of the land and consistent with the density of nearby development. These areas are generally located east of the freeway or along Scenic Drive, where public water systems are available or could be made available upon annexation. There may be soil limitations for foundations and sewage disposal systems in these areas. SR parcels generally have larger lots and maintain a rural feel with large setbacks, low lighting and no curbs or sidewalks. An accessory dwelling on a lot may be appropriate if the development does not impact coastal resources, including having sufficient lot area to meet the sewage disposal requirements for each dwelling.

Maximum Density: One single-family dwelling per 20,000 square feet, with up to one accessory dwelling as appropriate and if all applicable regulations can be met, or 8 to 10 persons per acre. Maximum lot coverage of 20% allowed.

*Urban Residential (UR)*

The Urban Residential Designation provides areas for moderate residential development and encapsulates the central portion of town that is most densely developed. This area allows the highest density of residential use (not including mixed use), taking into consideration neighborhood characteristics, community design policies, and soil capacity for individual septic systems. Although this is the most densely developed zone, development will not be allowed to impact the small-town character of Trinidad. There is little potential for more subdivision in the UR Zone based on current regulations. A limited number of accessory dwelling units may be allowed if carefully reviewed for Onsite Wastewater Treatment System (OWTS) compliance and coastal resource protection.

Maximum Density: One single-family dwelling per 8,000 square feet with up to one accessory dwelling unit if all applicable regulations can be met, or up to 25 persons per acre. Maximum lot coverage of 40% allowed.

### *Commercial (C)*

The Commercial Zone provides for the commercial services that meet the convenience and retail needs of residents and visitors. Uses serving the commercial fishing industry are also appropriate. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Similarly, signage is minimal and consistent with community character. Off-premise signs are limited to non-advertising directional signs and public informational signs. High wastewater producing uses are limited based on septic system capability.

Maximum Density: No new residential dwelling units allowed. Maximum lot coverage of 65% allowed.

### *Visitor Services (VS)*

The Visitor Services Zone is intended to provide areas for camping, recreational vehicle parks, motels, restaurants, lounges, and similar visitor services and accommodations. Such visitor services and accommodations have direct access to a primary collector street. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Development is compatible with nearby residential areas and is located near convenience shopping facilities and / or recreational destinations. Limitations that might apply to uses of a site include sewage disposal and off-street parking.

Maximum Density: One caretaker dwelling per existing parcel. Maximum lot coverage of 65% allowed.

### *Mixed Use (MU)*

The Mixed Use designation is applied to either primarily residential areas along main streets where limited commercial activity may be appropriate, subject to special integrating design, or they are areas where design flexibility is needed to adapt an appropriate mix of commercial and/or residential uses to the site and to surrounding uses. This designation replaces the previous 'Planned Development' designation. The intent of the designation is that limited commercial uses, including visitor accommodations and services, recreational uses, offices, gift shops, food establishments, and personal services may be appropriate when such uses are designed to minimize conflicts with adjacent residentially designated properties. Uses allowed in the Public and Community (PC) designation are also appropriate if they are consistent with the intent of the MU designation. Design of structures avoids the typical franchise or highway commercial design and incorporates design elements sensitive to the small-town atmosphere of the City. Residential uses can be individual structures, clustered multifamily building(s) with up to four dwelling units each, or mixed with commercial uses. Limitations that might apply to uses of a site include sewage disposal,

riparian setbacks, off-street parking, lighting, noise, and mixed use densities. The MU designation is not intended for campgrounds or R.V. parks.

Maximum Density: Two residential dwelling units, including Accessory Dwelling Units (ADUs), per 8,000 square feet of lot area whether combined with a business or not, or up to 25 people per acre. Commercial and visitor accommodations are allowed to the extent that they can be adequately served by an OWTS. Maximum lot coverage of 65% allowed.

#### *Harbor (H)*

The Harbor designation is intended to provide an area in which a mixture of limited commercial, industrial and recreational uses can occur in the existing Trinidad Harbor Area. This is a new designation, not part of the previous General Plan. The intent is to provide for the continuation of a mix of activities which support the Harbor's function as a commercial and recreational fishing port and to protect and reserve parcels on, or adjacent to, the sea for coastal-dependent and coastal-related uses. Incidental and appurtenant commercial activities are intended to be subordinate to the coastal-dependent uses. The Trinidad Rancheria owns most of the Harbor Area parcels and has applied to the Dept. of the Interior to transfer the majority of the Rancheria-owned property into Federal Trust status on behalf of the Tribe. Once the Fee-to-Trust transfer is complete, jurisdiction of those areas will transfer to the Trinidad Rancheria.

Maximum density: No new residential dwelling units allowed other than a caretaker unit.

#### *Open Space (OS)*

Open Space lands include, but are not limited to, public agency open space lands, including Trinidad State Park the Tsurai Management Area, Trinidad Head beaches, and Environmentally Sensitive Habitat Areas (ESHAs), though not all ESHAs are necessarily included within the OS designation. The purpose of the OS designation is to preserve the natural and scenic character of these lands, including protecting wildlife habitat and cultural resources. Limited recreation and land management activities are appropriate uses; commercial timber harvesting is not an appropriate use. Limited development of appropriate technology and cultural and interpretive elements may be allowed as long as they are not detrimental to sensitive coastal resources.

Maximum Density: No residential dwelling units allowed.

#### *Special Environment (SE)*

The Special Environment (SE) designation is applied to portions of otherwise developable properties to limit development due to hazards or sensitive resources such as steep slopes and riparian areas. Public and private open space, wildlife habitat, and low intensity recreational uses, including public access to and along the shoreline, are the intended uses. The SE designation restricts alteration of land and vegetation, allowing limited development, based on an appropriate study or report, only if reasonable use of the property would otherwise be prohibited. On parcels where only a portion is designated SE, development shall only occur outside of the SE area if

feasible. The SE area shall not be subdivided or utilized in calculating required minimum parcel area or density. It is intended that development not be visible from public viewpoints more than necessary and that it have a natural appearance. Public Access dedications along beaches and trails will be required as appropriate, and open space easements may also be required to protect sensitive resources as conditions of development approvals.

Maximum Density: One residential dwelling unit per lot (only after resolution of all constraints following site-specific analysis).

#### *Public and Community (PC)*

The Public and Community (PC) land use designation includes publicly owned lands exclusive of those maintained primarily as open space and lands owned by religious or other non-profit organizations; these properties are used for education, religious worship, community meetings, and related activities. This designation replaces the previous 'Public and Religious' designation. Public agency ownerships include, but are not limited to schools, public parking areas, utility and public service substations, fire stations, public buildings, parks and recreation facilities, and cemeteries. Public or private community facilities shall be compatible with nearby uses and should be located adjacent to streets that offer convenient access.

Maximum Density: No new residential dwelling units allowed other than one caretaker unit per lot.

### **Goal LU-1b: Promote development and conservation of land in Trinidad according to the pattern shown on the Land Use Designations Map.**

#### Land Use Map Policies

*LU-1b.1* The City shall implement the Land Use Map by approving development and conservation projects consistent with the land use designations and ensure consistency between the General Plan/Land Use Plan (LUP) and the Zoning Ordinance/Implementation Plan.

*LU-1b.2* The City shall not allow legally established existing land uses to increase their existing degree of nonconformity.

*LU-1b.3* In deciding on any permit application to alter a nonconforming use, the City shall exercise discretion in determining whether a nonconforming use is compatible with a given area, including, but not limited to, the concerns of the nearby property owners to the nonconforming use.

## **2. Sustainable Development**

Sustainable development is a strategy by which communities seek to balance environmental protection, economic development, and social objectives and to meet the

needs of today without compromising the quality of life for future generations. Sustainable development and smart growth are often used interchangeably. Smart growth is development that is environmentally sensitive, economically viable, community-oriented, and sustainable. However, smart growth is focused on densely developed, transit-oriented and mixed-use communities. Because of Trinidad's rural nature and reliance on septic systems, this type of smart growth is not an option for Trinidad. Instead, Trinidad will focus on things such as living within its means by ensuring adequate services exist for new development, reducing its carbon footprint, embracing more efficient alternative technologies, encouraging green building techniques and low impact development (LID), and protecting **environmentally sensitive habitat areas (ESHA)s** and other natural areas.

**Goal LU-2: Preserve and maintain the natural and community environments by promoting sustainability in development patterns.**

Sustainable Development Policies

**LU-2.1** Except as otherwise provided in this General Plan/LUP, new residential, commercial, or industrial development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

**LU-2.2** In order to ensure adequate services and infrastructure for development, the City shall only approve new development if it has been demonstrated that the development will be served with adequate water and wastewater treatment. Lack of adequate services to serve the proposed development are grounds for denial of the development.



**LU-2.3** In order to minimize impacts on air quality and greenhouse gasses, the City shall ensure new development: (1) is consistent with State reduction targets; (2) is consistent with any requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development; and (3) minimizes energy consumption and vehicle miles traveled to the extent feasible.

**LU-2.4** The City shall ensure that all new parcels (1) have adequate area to provide for anticipated uses or structures; (2) provide adequate setbacks from nearby septic tanks, wells, nearby slopes and streams; and (3) demonstrate sufficient area for adequate sewage disposal requirements prior to any new development.

**LU-2.5** Land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

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**LU-2.6** The City shall incorporate fundamentals of LID technologies into the requirements of the City ~~implementation plans~~ordinances and/or conditions of approval for new development.

**LU-2.7** The City shall require accurate and current septic information as part of any development application, including subdivisions. OWTS upgrades may be required based on the proposed development. Uses with large quantities or high strength discharges are subject to more stringent reviews and requirements.

**LU-2.8** The City shall review expected water use as part of any development application, including subdivisions. Measures to conserve water should be required depending on the proposed development.

**LU-2.8** New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this General Plan/LUP. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

#### Other Initiatives for Sustainable Development

- Provide education and / or incentives to property owners to incorporate LID alternatives into new and existing development where it will not negatively impact any OWTS. (CONS-1c.1, CD-##)
- Continue to investigate and adopt appropriate policies encouraging green building technologies and uses that reduce negative impacts on the environment from both existing and new development (CD-##).
- Encourage principles of 'smart' growth and mixed-use development concepts where feasible, both inside and around the City, to improve circulation and reduce the need for auto use.
- Encourage sustainability and alternative technologies. This includes, but is not limited to, community agriculture, solar, wind and micro-hydro power, rainwater collection and LID.

### **3. Climate Change**

According to the United States Environmental Protection Agency (EPA), the earth's average temperature has risen by 1.4 degrees Fahrenheit over the past century and is projected to rise another two to 11.5 degrees Fahrenheit over the next hundred years (EPA 2014). Even relatively small increases in global temperature can translate to large and potentially dangerous changes in climate and weather (climate change). The

specific changes are difficult to predict, but there is an emerging consensus that the northern California coast will receive similar amounts of rainfall, but it is likely to come in fewer, more intense storms. In addition, summers are likely to be warmer with less fog. Sea level rise (SLR) in the Trinidad area is expected to be less than in the Humboldt Bay area but may still range from 0.6 ft. to 10 ft. by 2100 in the most extreme scenario. Each of these changes can have profound ramifications to natural and social systems.

The Coastal Commission has identified several areas of concern for climate change specific to the Coastal Zone including: storms and flooding; coastal erosion and loss of sandy beaches; coastal habitats; marine ecosystems; land use planning decisions; and shoreline access ([California Coastal Commission 2014](#)). The City of Trinidad prepared a Climate Change Vulnerability Report and Adaptation Response (GHD 2016), which was [updated in 2020](#). The issue of climate change encompasses much more than just coastal hazards; one of the biggest concerns for Trinidad will be changes in water supply and use. In addition, wildfire may become more of an issue. Most of the policies related to the effects of climate change are found in the Safety and the Conservation Elements.

Policies relating to climate change aren't limited to those addressing the repercussions, but also those addressing the causes, including energy use, transportation and waste generation. Local governments can play a critical role in reducing greenhouse gas (GHG) emissions through regulating activities that contribute to GHG emissions and air pollutants, including industrial permitting, land use and transportation planning, zoning and urban growth decisions, implementation of building codes and other standards, and control of municipal operations. The State of California has enacted several bills and executive orders regulating and setting targets for GHG emission reductions. Therefore, policies addressing the causes of climate change are primarily concentrated in the Circulation Element. However, policies relating to both causes and effects of climate change can be found throughout this general plan, including the following section. The policies in this section are general and overarching, providing guidance and context for the policies found elsewhere; therefore, they are not generally intended to be used in reviewing development applications.

**Goal LU-3: Assess, plan for, adapt to, and minimize, to the extent possible, the impacts from climate change through appropriate land use controls to maintain the health and resiliency of the community, residents, businesses and coastal resources. .**

### Climate Change Planning Policies

**LU-3.1** The City shall utilize the best available science when developing policies and regulations, and when reviewing development applications.

**Program LU-3.1.1** Ensure that the SLR and other projections that are used are commensurate with the type of development (e.g. extreme scenarios used for critical infrastructure) and its projected longevity.

**LU-3.2** New development shall protect and restore degraded ecosystems to enhance the natural adaptive capacity of biological communities.

**LU-3.3** The City shall ensure that new development adequately evaluates applicable hazards and provides adequate setbacks or other measures to avoid or mitigate those hazards for the life of the project.



**LU-3.4** Continue to reevaluate and update land use patterns and zoning requirements to minimize energy use and risks from climate change effects, including sea level rise, global warming, precipitation patterns, and wildfire risks.

**Program LU-3.4.1** In appropriate locations, adopt zoning regulations to enable mixed use, multi-modal transportation, compact development that includes a range of housing types and affordability levels.

**Program LU-3.4.2** Continue to evaluate and revise, as needed, community design and development standards that encourage green building and adapt to new technology.



**LU-3.5** Revise emergency management plans, programs and activities as needed to account for changing hazard profiles and their consequences and integrate findings of climate vulnerability into all phases of emergency planning.

#### Other Climate Change Initiatives

- Support and participate in regional collaborative climate change and SLR planning efforts.
- Educate community members about the risks of climate change and actions that individuals can take to reduce their greenhouse gas contributions.
- Foster efforts to better understand impacts of sea level rise. Support research on impacts to recreation and public beach access and bluff stability in particular.
- Continue to coordinate with Humboldt County and participate in their Regional Climate Action Plan.

#### **4. Priority Uses**

The Coastal Act prioritizes certain land uses over others. In enacting the Coastal Act, the State Legislature defined the basic goals of the state for the Coastal Zone in § 30001.5 of the Coastal Act. This section is intended to carry out those goals and prioritized uses enumerated in the Coastal Act.

#### **Goal LU-4:**

- (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.**
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.**
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.**
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.**
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.**

*LU-4.1* Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

*LU-4.2* Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

*LU-4.3* Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

*LU-4.4* The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

*LU-4.5* Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.

*LU-4.6* Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

*LU-4.7* Increased recreational boating use of coastal waters shall be encouraged by developing dry storage areas, increasing public launching opportunities, providing additional berthing space in the existing mooring field as feasible, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, preserving Trinidad Harbor as a harbor of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

**LU-4.8** Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

**LU-4.9** The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

**LU-4.10** Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

## **5. Residential Land (Urban Residential, Suburban Residential)**

The residential areas of Trinidad have mostly been built-out, particularly in the UR Zone. Homes are typically located on local and collector streets rather than on the busier arterial streets (see Circulation Element). Trinidad's residential development is diverse, as further described in the Community Design Element. Residents have expressed a desire to maintain Trinidad's small-town character, continue to protect public and private coastal views, and to embrace green and appropriate technology in both new and existing residences.

Home businesses (Home Occupations) have occurred throughout the City in recent years, especially as a result of personal computers and internet services. The primary review criteria mandate that they do not impact adjacent residential uses. Short Term Rentals (STRs), or vacation rentals, have also become more numerous in the community, prompting concerns over their impacts on the community. While short-term vacation rentals provide important visitor-serving accommodations and economic benefits to the City, an increase in the number and density of short-term vacation rentals have adversely affected the small-town atmosphere of the City and the character of residential neighborhoods.

**Goal LU-5: Provide adequate land to accommodate the housing needs of all income groups while maintaining the character of existing residential areas and keeping the small town feel and coastal views that residents and visitors enjoy.**

### Residential Land Policies

**LU-5.1** New development shall protect and/or enhance the character of residential neighborhoods.

**LU-5.2** ~~Accessory dwelling units (ADUs)~~ shall only be allowed when consistent with State ADU laws, Coastal Act requirements, environmental constraints, service limitations and community character.

**LU-5.3** Home Occupations are allowed in Residential or Mixed Use areas to the extent that they do not impact the residential character of the neighborhood. Some of the issues that need to be considered when decided whether to allow a Home Occupation include:

- Determining the suitable density of residential and commercial uses;
- Providing sufficient sewage-disposal systems and adequate water services;
- Minimizing nuisance impacts such as noise;
- Limiting traffic and providing off-street parking / loading.

## **6. Commercial Land (Commercial, Visitor Services, Mixed Use)**

Many of the commercial establishments in the City are dispersed near the freeway interchange and along Main, Trinity and Edwards Streets, as well as in the Harbor Area. The current businesses in town include restaurants, a gas station, various small retail and service shops and a grocery store. These businesses attract residents and visitors year-round to the City. The sales tax and bed tax revenue generated by businesses in the City is an important component of City revenues.

The Harbor Area includes Trinidad Pier, the boat launch, a bait shop, restaurant and a vacation rental. Based on the Coastal Act, the Harbor Area has been designated as a “Harbor” land use designation and zone rather than general commercial to better protect coastal-dependent and coastal-related land uses. The summer months brings an influx of tourists to the City to enjoy the many coastal amenities found in Trinidad.

There are no vacant parcels designated as Visitor Services. During the adoption of the existing General Plan, it was determined that these parcels, in conjunction with others outside City limits, were sufficient to accommodate future visitor needs. However, many of the RV spaces in the City are now used for long-term tenancy. Trinidad Bay Trailer Courts is now designated by the California Department of Housing and Community Development (~~HCD~~) as having only mobile home spaces, even though they are used by RVs.

There are four large, vacant, MU designated parcels in town. These parcels include the vacant lot behind Murphy’s Market, the two parcels that make up the horse pasture, and one to the southeast of Hidden Creek RV Park on the eastern edge of town. These parcels represent the primary development potential remaining in Trinidad.

Additional commercial and visitor-serving areas can be found just outside the City, mostly to the north along Patrick’s Point Drive, including several campgrounds and RV parks as well as Trinidad State Beach and Patrick’s Point State Park. The Trinidad Rancheria operates a casino and restaurant located south of the City on Scenic Drive.

The City encourages tourism and supports the efforts of local businesses to ensure City revenues do not decline and that essential services for residents are provided. Most property owners within the planning area want to maintain the small-town feeling of Trinidad and support only a small increase of businesses that cater to local needs and a small to moderate increase in specialty shops catering to visitors. The City, whenever necessary, attempts to minimize adverse impacts to the small-town atmosphere caused by visitors. This is accomplished, in part, through land use regulations.

**Goal LU-6: Promote the economic vitality of the commercial district while maintaining the historic, civic, cultural, and commercial core of the community without marring resources, views, or rural characteristics of the area**

Commercial Land Policies

*LU-6.1* As part of any review of an application for new development, the City shall carefully analyze proposed uses with high water use or wastewater flows as to adequacy to provide for year-round needs without impacting, the City's water system or groundwater quality and quantity.

*LU-6.2* Commercial uses in and adjacent to residential areas shall not adversely affect the primarily residential character of the area

*Program LU-6.2.1* The City shall ensure that commercial accommodations have convenient access to a primary collector street and provide adequate buffers from, or other measures to mitigate their impacts on adjacent residential areas.

*LU-6.3* The City shall ensure that commercial development does not negatively impact town character or coastal resources. Big box and franchise development are likely not compatible unless they are situation and/or designed in such a way that impacts are minimized.

Other Initiatives

- Compatibility with surrounding land uses: The City's Commercial and Mixed Use designated areas provide for a mix of local as well as tourist-related, goods and services in a manner that is compatible with surrounding land uses.
- Enhance town character: Convenience shopping facilities are located near the freeway interchange. Gift shops, smokehouses, tackle shops, restaurants and other visitor related businesses can be located along primary collector streets provided they are compatible with nearby residences. The compatible blending of these types of businesses with the community enhances the seaside character of the town.

**7. Harbor Area**

The Trinidad Harbor Area has had a varied and colorful history in the past, supporting first a Native American population, then furring, gold mining supply, logging, whaling and fishing. It also serves as the last safe harbor north of Humboldt Bay (20 mi. south) until Crescent City (50 mi. north). In 1946 the Hallmark family purchased the lands around the Harbor Area and constructed a fishing pier. The commercial and fishing industry continued to increase for the next 40 years with a peak of up to 150 commercial salmon fishermen and at least 300 sport fishermen during the salmon season. In 2000 the Trinidad Rancheria purchased the property and has since made several significant improvements to the facilities. The decline of commercial salmon fishing in recent years is due to dwindling fish stocks, increased operating costs, added government restrictions and listing of several salmon species on the state and/or federal Endangered Species List. Primary activities now are the winter Dungeness crab commercial season and summer sport fishing.

The harbor property ies consist of area is approximately 10 acres in nine individual parcels with ocean frontage both on the Pacific Ocean and Trinidad Bay. Most of the parcels are owned by the Trinidad Rancheria, but there is also a City-owned parcel that provides access to Trinidad Head. The site is improved with: a boat sling launcher, tackle/bait and gift shop, a pier, seasonal floating dock, skiff rental, water taxi service to transport boat owners to boat moorings, a vacation rental, and a restaurant. The land under the pier and mooring field was granted to the City of Trinidad from the State Lands Commission ~~(SLC)~~ to hold in trust for the people of the State. The City leases these tidelands to the Trinidad Rancheria for the pier and mooring field.

The Rancheria has applied to transfer most the majority of their harbor ownership into Tribal Trust, which would mean it would no longer be within the City's jurisdiction thus removing it from the City's jurisdiction upon completion of the Fee-to-Trust transfer. This has raiseds concerns regarding continued public access. The pier is located on public tide (trust) land, so cannot be placed in Trust. The Galindo Street right-of-way provides public access to Launcher Beach, and a City-owned parcel provides access from Edwards to Trinidad Head. As part of the Coastal Commission's Federal Consistency determination, the BIA included maintenance of open space and public access as part of the project description and agreed to assure that the Rancheria adopt a Tribal Ordinance that commits to coordinating any future, currently unanticipated, development proposals or changes in public access with Coastal Commission staff.

The primary use for the Harbor Area is to provide a working harbor for commercial and sport fishing. Recreational boating and public coastal access are also priority uses. Care needs to be taken to ensure that permitted uses do not conflict with each other and do not detract from the primary and historic use of the area as a fishing port. Some of the current recreational uses include sea kayaking, sailing, pleasure boating, and whale watching. Public access to the coast is available throughout the Harbor Area, providing continued public access and parking to adjacent beaches, trails, the pier, and Trinidad Head, as well as boat launching to Trinidad Bay.

The Harbor Area experiences significant congestion at times. The congestion is most severe on summer weekends when ocean conditions are favorable for boating, but can occur throughout the year when the weather is nice or special events occur. This indicates that there is not a lot of potential for additional development in the Harbor Area without further impacting parking. The number of people visiting Trinidad Harbor puts a strain on other services that are provided there, including maintenance of the public restrooms and refuse management. The parking, restrooms and public access to the shore and trails are all provided free to users.

Trinidad Bay is a State designated Area of Special Biological Significance (ASBS) and State Water Quality Protection Area (SWQPA). As such, it is subject to special discharge prohibitions and high water quality standards. People in Trinidad are generally strongly opposed to any kind of offshore energy development as well as onshore support facilities. Opinions regarding aquaculture development are more mixed.

Being the only low-lying area in the City, the Harbor Area is the most at risk from tsunamis and sea-level rise. A tsunami siren has been installed in the Harbor Area as well as signage indicating the tsunami hazard zone. The City and other agencies and organizations provide public educational materials for residents and visitors on what to do if an earthquake or tsunami occurs. Because of uplift occurring in the Trinidad area, sea level rise is not expected to inundate large areas, with a maximum projection of less than 3 ft. by 2100. Sea level rise is more of a threat to bluff stability through increased wave action and toe erosion. Both sea level rise and tsunamis are further discussed in the Public Safety Element.

**Goal LU-7: Encourage a mixture of commercial fishing, recreational boating and fishing, mixed coastal dependent / compatible commercial and visitor-serving uses consistent with coastal access policies while protecting the Trinidad Head ASBS.**

Principal for Management of the Harbor Area: It is the intent of both the City and Trinidad Rancheria to coordinate and cooperate as to uses, development and management of the Harbor Area before and after completion of the Fee-to-Trust.

### Harbor Area Policies

**LU-7.1** Coastal-dependent and coastal related uses shall be given priority in the Harbor Area.

*Program LU-7.1.1* Limit non-coastal-dependent / non-coastal-related uses, including visitor-serving uses, to a total of twenty-five percent (25%) of the developed land in the Harbor Area.

**LU-7.2** As part of the review for any application for new development in the Harbor Area, the City shall require that it is accommodated with adequate sewage disposal, water, parking, access and other public services.

*Program LU-7.2.1* The property owner is encouraged to create a long-range plan for the orderly development of the Harbor Area into the future.

*Program LU-7.2.2* The property owner, with coordination of the City, should enter into a water service agreement for the provision of additional services necessary for future coastal-dependent and coastal-related uses as allowed by the general plan designation prior to approval of any intensification or addition to existing uses.

**LU-7.3** As part of an application for any new development, the City shall require the property owner to identify suitable leach field reserve areas for septic systems for existing and future uses or show proof that the existing system is adequate and shall protect existing and reserve leachfield areas from adverse activities and development.

**LU-7.4** Prior to approval of an application for any intensification or addition to existing uses, the City shall require the property owner to identify and offer to dedicate areas reserved for public access to the pier, Launcher Beach, Trinidad Beach, Trinidad Head and public trails as necessary and appropriate to protect public access.

**LU-7.5** As part of an application for any intensification or addition to existing uses, the City shall require the property owner to identify suitable public parking for public access to all of these areas.

*Program LU-7.5.1* Provide a minimum thirty-five public parking spaces overall, in addition to that necessary for on-site uses.

*Program LU-7.5.2* Encourage the property owner to develop a parking plan to accommodate all the uses in the Harbor Area with an emphasis on coastal access.

*Program LU-7.5.3* Coordinate with the property owner on the development of a parking plan that includes the City-owned parcel and to provide offsite parking within walking distance and/or shuttle service (**CIRC-2.4**).

**LU-7.6** Subdivisions of land within the Harbor Area shall not be allowed, except for lease purposes or public access dedications. Approval of new development in the Harbor Area shall require merger of existing lot lines.

**LU-7.7** Dredging or filling of coastal waters shall be consistent with provisions of Coastal Act § 30233 limiting development to, among other requirements, new or expanded commercial fishing facilities, maintenance of previously dredged depths in the harbor, and public recreational piers.



**LU-7.8** Ensure new development within the Harbor Area are evaluated for potential impacts to the Trinidad Head ASBS and that any impacts are mitigated to the maximum extent feasible.

**LU-7.9** Onshore support facilities for off-shore energy development are not consistent with commercial and sport fishing, tourism, community residential uses or the environmentally sensitive habitats of Trinidad, and as such, are not allowed. The City also opposes offshore energy development that could interfere with commercial or sport fishing or pose a risk to coastal resources.

**LU-7.10** As part the review for an application for new development, the City shall ensure that any aquaculture facilities proposed within the Harbor Area do not interfere with existing recreational boating facilities and existing coastal-dependent industry, including fishing or with the public's right of access to the sea and that any aquaculture development protects the water quality and ecological integrity of the Trinidad Head ASBS.

*Program LU-7.10.1* Most types of aquaculture would not be appropriate in Trinidad due to the discharge prohibition into the ASBS and for the potential to negatively impact fishing and recreation in Trinidad's small harbor. Should aquaculture be proposed, the City will work closely with other regulatory agencies, including the [State Water Resources Control Board](#) **SWRCB** and Coastal Commission to review any permits.

### Other Initiatives

- Commercial fishing has special needs, and other uses should not ~~detract from~~ significantly interfere with those ~~ese~~ facilities and operations.
- The sling boat launch is recognized as an important aspect of the Harbor Area. Launching facilities should be kept in working order in conjunction with other allowable uses in the Harbor designation.
- The property owner is encouraged to provide an improved, safer, method for refueling boats than the current hand carrying method. The fueling system shall include an emergency response plan in case of a fuel spill.
- The property owner is encouraged to construct a non-discharging fish-cleaning station.

## **8. State and Federally Owned Lands**

For Trinidad's small size, it has a high proportion of State and other publicly owned lands. State lands within City Limits include Trinidad Beach State Park, Trinidad School and playing field, the Humboldt State University (HSU) Telonicher Marine Laboratory and the underwater portion of Trinidad Harbor; CalTrans owns and manages Hwy 101

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and the interchange right-of-way. Some of these State properties are subject to the City's Local Coastal Program (LCP) and approval of Coastal Development Permits (CDPs) by the City (including the State Park, Elementary School and CalTrans rights-of-way, but not the HSU Marine Lab). Federal lands include the National Oceanographic and Atmospheric Administration ~~(NOAA)~~ weather and air monitoring station on Trinidad Head and the California Coastal National Monument, managed by the Bureau of Land Management, which includes the offshore rocks and a 13-acre parcel on the southern end of Trinidad Head that was previously owned by the Coast Guard. In addition, the Trinidad Rancheria, which is held in Trust by the ~~(Bureau of Indian Affairs.)~~ is located adjacent to the City on the southeast.

State and Federal agencies may acquire, develop, manage, or dispose of land and make land use decisions. Such activities can have a major effect on local development. Local jurisdictions such as Humboldt County, Trinidad Rancheria, and the Trinidad Union School District also manage land and make land use decisions affecting the City. Figure 3 shows where existing governmental facilities and land holdings are located. It is in the City's best interest to work cooperatively with those agencies that manage land in and around the City to further community goals. The City will seek to acquire any land within City Limits that may be disposed of by an agency if such acquisition will benefit the City.

The property owners in the City have opposed acquisition of residential areas for expansion of HSU's Telonicher Marine Laboratory at the west end of Edwards Street. State properties are exempt from paying property taxes so additional property acquisition by State agencies would also mean a gradual erosion of the City tax base, and it would affect the residential character of the town. Further, Section 30519(b) of the Coastal Act reserves CDP authority over State University lands in the Coastal Zone to the Coastal Commission rather than the local LCP. The Marine Laboratory is an important asset to the community for teaching, research and exhibits and is a partner with the City to achieve marine resource goals, but should not be allowed to reduce the importance of, or adversely affect, the fishing industry or the residential community.

**Goal LU-8: Ensure that State owned lands are managed such that they are compatible with, and do not detract from Trinidad's coastal village character.**

#### State and Federally Owned Lands Policies

**LU-8.1** Development on lands of Trinidad State Beach and Trinidad School playing field, and any other State properties within City Limits, except the Telonicher Marine Lab, are subject to coastal development permit / design review approval from the City as required by the CA Coastal Act and the City's certified LCP. In lieu of individual development proposals, the City may approve an appropriate Management Plan addressing specific future development activity on those lands.

*Program LU-8.1.1* Work with federal agencies, including Federal and State recognized Tribes, owning and managing property within the City to ensure appropriate consultation and coordination with the City.

## **C. PLANNING OUTSIDE OF CITY LIMITS**

Land use decisions outside City limits affect the City in a variety of ways. Traffic and pollution are good examples of impacts that cross jurisdictional boundaries. There are three different areas outside the City that have been designated based on their relationship to City Planning, each of which is shown on Figure 4. The first and the smallest of these designations is the Sphere of Influence, which defines the probable physical boundary and service area of the City. The next largest designation is the City's Water Service Area, which is defined as the area that the City currently does and may potentially provide water service to in the future. The third, and largest, area is the Planning Area. The Planning Area encompasses those areas that bear a relationship to City land use and planning in terms of resource use, land use, traffic, community, etc.



The policies in the following three sections (LU-9 through LU-11) and associated goals and programs are not part of the certified LCP and shall not govern the review and approval of CDPs.

### **1. Sphere of Influence**

As defined in Government Code § 56076, the Sphere of Influence (SOI) “means a plan for the probable physical boundaries and service area of a local agency.” Spheres of Influence are designated by the Local Agency Formation Commission (LAFCo) based on various studies, including a Municipal Service Review (MSR). LAFCo also has responsibility for approving boundary changes and service connections outside City limits with a mandate of fostering orderly growth and development that promotes the efficient delivery of services and encourages the preservation of open space and agricultural lands. The SOI, after adoption, is used by LAFCo as a factor in making decisions on proposals over which it has jurisdiction. LAFCo adopted an SOI for Trinidad in 1984, but only a very small portion has been annexed into City Limits since that time. Trinidad's SOI is relatively small, only including a small portion of the Water Service Area. An update to the 2008 MSR is currently being prepared by LAFCo, which in turn will be used to update the SOI as needed.

In the past, there have been reservations regarding annexation from both inside and outside City limits. However, no recent public survey has been conducted. Benefits to the City from annexation include additional land use control, and potential increase in tax revenues, including property, sales and transient occupancy. In particular, annexation would allow the City to expand its OWTS management program and increase protection of the Trinidad Head ASBS. It has also been suggested that annexation would benefit the City by increasing the population base for running a City government. In addition, annexation could help the City meet State requirements such

as provision of housing and accommodation of visitor services. One of the main advantages to residents of being annexed would be receiving City services, particularly water, at less cost. Other advantages would include more local representation and more convenient access to government services. The policies contained herein are based on the most current data and are intended to preserve the community's character.

### **Goal LU-9: To provide and maintain clear boundaries and policies for considering the future expansion of Trinidad**

#### Sphere of Influence Policies

*LU-9.1* Define the City's SOI based on the City's capacity to serve the area, particularly water. The City has prioritized Service Area subareas A, B and C (Figure 5) as priorities for future service and annexation. (CIRC-12.6)

*LU-9.2* The City supports annexation as a positive means of City expansion but shall carefully evaluate annexation proposals on a case-by-case basis. The City shall support/pursue only those annexations that:

- Promote orderly development and redevelopment of land;
- Promote efficiency in delivery of services;
- Are supported by a majority of the affected residents and property owners;
- Are beneficial to the City.

*LU-9.3* Avoid annexations of individual parcels or groups of parcels that are not contiguous with the City, and ensure proposed annexations are consistent with LAFCo policies and regulations.

#### Other Initiatives

- Establish a Memorandum of Understanding between the City and Humboldt County regarding procedures for project review within the Trinidad SOI in order for the City to be able to efficiently review and comment on development projects in the County's jurisdiction within the City's SOI.

## **2. Water Service Area**

The "Water Service Area" (WSA) refers to those areas that do, or may in the future, receive water service from the City. Water supply and distribution, and the absence of sewage collection and disposal facilities, are the major determinants of the urban form and density of development in the WSA. The City has a substantial water right on Luffenholtz Creek, but the creek is small, and has only limited capacity to provide additional domestic water, particularly during droughts; climate change adds to the future uncertainty. The City's water plant also has limited storage and treatment capacity but is periodically upgraded as funding allows.

The City completed a number of water system related studies in 2019 to determine the City's capacity to serve additional users. It was found that the water plant does have some excess production capacity in normal to dry years. However, there is limited data regarding creek flows and other diversions and water rights on Luffenholtz Creek. And due to limitations in the wet well/infiltration gallery at the water plant, extracting water becomes increasingly more difficult at lower creek flows. That means that droughts and climate change may impact the ability of the City to provide water in the future. While there is currently enough excess production capacity at the water plant to serve future build-out of the City (plus an allowance for ADUs), there is not enough capacity to serve the City's entire WSA.

The WSA boundary is based on the areas currently connected to City water (Figure 5). In addition, a commercial area to the north has been included to allow the City to potentially provide water in the future in order to support commercial uses needed to serve residents of and visitors to Trinidad. The WSA could potentially become part of a Service District in the future, with greater powers, and a separate governing board that could include all or some of the Trinidad City Council. Please see the Public Services section of the Circulation Element for additional information regarding the City's water system.

**Goal LU-10: Manage City services to the maximum efficiency and benefit for residents as well as those outside City limits where appropriate.**

Water Service Area Policies

*LU-10.1* The City is responsible for periodically assessing the capacity of Luffenholtz Creek to provide anticipated demand for domestic water, including flow analyses that account for existing and potential riparian and appropriative rights, groundwater wells, droughts, and climate change.

*LU-10.2* Upgrades to the City's water system to improve efficiency, water quality and storage capacity will be completed as needed and as funding and capacity allow.

*LU-10.3* Users within City limits are given preference for service connections.

*LU-10.4* Consider expanding City services to areas outside City limits only if it can be done without reducing capacity needed to serve build-out within the City, ~~nor~~ without significantly increasing the costs to residents within City limits, or if it is a public health emergency; annexation is a prerequisite for any service expansions.

*LU-10.5* Prioritize connections outside of City limits based on the following factors:

- Areas where the City has the capacity to serve, while not removing capacity needed for users within City limits
- Areas where annexation is likely to be beneficial to the City
- Proposed use(s) that have been determined to be priority uses under the Coastal Act or City policies.

*LU-10.6* In the event of a proposal to expand the City water system, prospective customers shall enter into an agreement with the City to provide the necessary funds in whole or in part to defer the cost of system improvements.

### 3. Planning Area

Government Code § 65300 provides that a City consider areas outside the City limits that have a bearing on planning for the City. The Planning Area might affect the City in ways such as increased traffic, impacts on water quality and quantity, or economic factors. The City of Trinidad has determined that activity affecting twelve coastal watersheds, plus a small portion of the Little River watershed to incorporate the Moonstone Heights neighborhood of Westhaven, is the area of critical importance. It is in the interest of Trinidad to play a more active role in the decision-making processes involving land located within these watersheds, and to include them in the Planning Area. Trinidad has adopted this watershed-based approach to planning due to particular concerns about water supply, pollution, and impacts on coastal resources, because activities that occur in the upper watershed can affect downstream resources.

The designation of a Planning Area may also promote the establishment of cooperative efforts with other surrounding jurisdictions, landowners or interest groups, including Humboldt County, State Parks, Trinidad Rancheria, Green Diamond Resource Co. Westhaven Community Services District, Trinidad Coastal Land Trust, etc. This area also includes the area of interest of the Trinidad Bay Watershed Council. By adopting this specific Planning Area, the City defines the area where land use decisions affect Trinidad. Figure 4 shows the Planning Area.

The proposed Planning Area is centered on the greater Trinidad-Westhaven community. The Luffenholtz Creek drainage basin was included because it is the watershed for the City water supply and serves parcels adjacent to it and along the main line extension. Residential areas west of the freeway up to the Seawood interchange are included because they rely on the Trinidad area for commercial services and include visitor accommodations and facilities that support the local tourist and fishing industries. The forest area east of the freeway is included to ensure consideration of the potential impacts of activities to these coastal watersheds.

Land use designations on the lands under County jurisdiction surrounding the City differ from City designations. Since the City's Planning Area is under Humboldt County jurisdiction, the land use categories shown in Figure 6 correspond to the existing Humboldt County General Plan (Humboldt 21<sup>st</sup> Century, October, 2017). The area within the Coastal Zone is under the jurisdiction of the Trinidad Area Plan (TAP) The County General Plan and TAP provide for specific designations throughout the planning area. The reader is also referred to the County's current General Plan and LCP for discussion of the Urban / Rural areas and policies or findings that apply for development in the areas outside the City but within the City's Planning Area.

## Goal LU-11: Ensure the protection of the coastal watersheds, natural and community resources and the quality of life in and around Trinidad.

### Planning Area Policies

**LU-11.1** Request referrals from the County for projects within the Trinidad Planning Area and comment on relevant projects that could impact the City based primarily on goals and policies found throughout this General Plan, any other relevant plans, and considering any specific or unusual circumstances.

*Program LU-11.1.1* Assess impacts of development on the entire planning area when considering large projects and regional issues

*Program LU-11.1.2.:* Provide comments and input during any revisions of the County's General Plan, Trinidad Area Plan or implanting ordinances that may affect the Planning Area. Seek to have such plans recognize impacts that could occur to the City as a result of inappropriate changes that occur in the City's Planning Area.

*Program LU-11.2.32:* Review development projects, including timber harvest plans, that may affect Luffenholtz Creek, Mill Creek and other Planning Area watersheds and provide comments to regulatory agencies emphasizing the need to protect water quality and quantity.

*Program LU-11.2.4:* The City does not support commercial medical and recreational cannabis cultivation and production within the Trinidad Planning Area due to factors such as limited water supply, steep slopes and lack of agricultural land. (CONS-1d.3)

**LU-11.2** The City supports the County's designation of Luffenholtz Creek as a Critical Municipal Water Supply Area and encourages the County to also designate Mill Creek as such, recognizing that these watersheds are primary or emergency water sources for the City and limited in area such that the streams are susceptible to potential risks of pollution and over-withdrawal resulting from development activities. (see CONS-1d.3)

*Program LU-11.2.1:* Work with the County to ensure that Luffenholtz Creek remains designated as a Critical Municipal Water Supply Area and that it is included in any related implementation ordinance(s), thereby providing increased scrutiny of and special protections from land use activities that could affect the quality or quantity of water in the creek.

*Program LU-11.2.2:* Work with the County and other agencies to pursue known or suspected illegal development and water diversions within the Luffenholtz Creek watershed.

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**LU-11.3** Encourage coordination efforts between Trinidad officials and agencies with jurisdiction in the City's Planning Area to review and address concerns about development projects that affect the Planning Area and the Trinidad Head ASBS/SWQPA.

*Program LU-11.3.1:* Request notification from responsible agencies (CA [Dept. of Forestry and Fire Protection](#), [FIRE](#) for [Timber Harvest Plans](#), [Army Corps of Engineers](#), [ACOE](#) for fill or discharge permits, , [Pacific Gas & Electric](#), etc.) whenever possible regarding activities that will occur within the City's Planning Area. Inform responsible agencies of the types of projects that could have impacts on the water quality of the water resources of the Planning Area.

*Program LU-11.3.2:* Maintain open communication with the Trinidad Rancheria, and encourage the Rancheria to keep the City informed of upcoming projects by providing pertinent background information and studies related to such projects and allowing the City to provide early input on development proposals that could impact the City.

**LU-11.5** Develop and maintain an open relationship with landowners within the Planning Area, particularly those in [the Luffenholtz Creek watershed](#), in order to facilitate landowner awareness of the need for water quality protection.

*Program LU-11.5.1:* Pursue adoption of a public education program regarding pesticides and other hazardous chemicals, and when feasible, enter into a non-binding Memorandum of Understanding, or other agreement with property owners within the Critical Municipal Water Supply Area to minimize the use of these chemicals and reduce contamination of water supplies.

*Program LU-11.5.2:* Support the efforts of the Trinidad Bay Watershed Council to improve water quality in the Planning Area. Designate a City representative to participate in the Watershed Council meetings and other activities to the extent practicable.

**LU-11.6** Encourage responsible septic system design, installation, use maintenance and monitoring within the Planning Area.

*Program LU-11.6.1:* Pursue grant funding to monitor water quality and implement projects within the City's entire Planning Area to reduce pollution from onsite wastewater treatment systems. Encourage Humboldt County to participate to the maximum extent possible.

*Program LU-11.6.2:* Encourage and support the County to implement and enforce regulations regarding OWTS within the Trinidad Planning Area.

*Program LU-11.6.3:* Consider the feasibility and desirability of forming a Septic Maintenance District with the County that encompasses the area from Trinidad to Moonstone. ([PUBL-18](#), CIRC-11.2)

## **B. LAND USE WITHIN CITY LIMITS**

### **1. Land Use Map Designations and Zoning**

#### Land Use Designations in Trinidad

##### *Harbor (H) (page 4.)*

“The Harbor designation is intended to provide an area in which a mixture of limited commercial, industrial and recreational uses can occur in the existing Trinidad Harbor Area. This is a new designation, not part of the previous General Plan. **The Trinidad Rancheria has applied to the Department of the Interior for transferring the Rancheria-owned properties into federal trust status on behalf of the tribe. On the date that such Fee-To-Trust transfer is approved, jurisdiction of the Harbor owned properties will transfer to the Trinidad Rancheria. At that time, the Trinidad Rancheria intends** to provide for the continuation of a mix of activities which support the Harbor’s function as a commercial and recreational fishing port and to protect and reserve parcels on, or adjacent to, the sea for coastal-dependent and coastal-related uses. Incidental and appurtenant commercial activities are intended to be subordinate to the coastal-dependent uses.”

*Comment: Since we are so close to the Fee-To-Trust final decision, this section may be moot by the time the City reviews and approves the final draft. At this time, the Trinidad Rancheria recommends at the very least, to insert language referring to the potential (and most likely) transfer approval, since we are in the last stages of the process. See **inserted language** above.*

### **6. Commercial Land (Commercial, Visitor Services, Mixed Use) (Page 12-13)**

Many of the commercial establishments in the City are dispersed near the freeway interchange and along Main, Trinity and Edwards Streets, as well as in the Harbor Area. The current business in town include restaurants, a gas station, various small retail and service shops and a grocery store. **The Harbor area includes Trinidad Pier, the boat launch, a bait shop, restaurant and a vacation rental, all businesses owned and operated by the Trinidad Rancheria.** These businesses attract residents and visitors year-round to the City. The sales tax and bed tax revenue generated by businesses in the City is an important component of City revenues. **Based on the Coastal Act, the Harbor Area has been designated as a “Harbor” land use designation and zone rather than general commercial to better protect coastal-dependent and coastal-related land uses.**

*Comment: the above paragraph describes uses within the City and the following paragraph describes uses outside the City, except for the Harbor businesses. We recommend moving the descriptions of the Harbor businesses to the above paragraph as indicated, so that within-City uses are all in one place.*

Additional commercial and visitor-serving areas can be found just outside the City, mostly to the north along Patrick's Point Drive, including several campgrounds and R.V. parks as well as Trinidad State Beach and Patrick's Point State Park. The Trinidad Rancheria operates a casino and restaurant located south of the City on Scenic Drive. The Harbor Area includes Trinidad Pier, the boat launch, a bait shop, restaurant and a vacation rental. The Coastal Act, the Harbor Area has been designated as a "Harbor" land use designation and zone rather than general commercial. The summer months brings an influx of tourists to the City to enjoy the many coastal amenities found in Trinidad.

## 7. Harbor Area

*Page 14, 1<sup>st</sup> paragraph midway through:* In 2000 the Trinidad Rancheria purchased the harbor properties and executed significant pier and infrastructure improvements and environmental mitigations.

*Page 14, 2<sup>nd</sup> paragraph:* "The harbor property area consists of approximately 9.310 acres..."  
*In the next sentence:* "Most of the parcels are owned by the Trinidad Rancheria, however, there is also a City-owned parcel..."

*Page 15, 1<sup>st</sup> full paragraph needs to be reworded:* "The Trinidad Rancheria has applied to transfer ~~most the majority~~ of their harbor ~~fee land~~ ownership into Tribal Trust, ~~thus removing it from which would mean it would no longer be within~~ the City's jurisdiction ~~upon approval of the Trust transfer~~. ~~This raises concerns regarding continued public access~~. The pier is located on ~~public tide~~ lands, so cannot be placed in Trust. ~~The Galindo Street right-of-way provides public access to Launcher Beach. And~~ a City owned parcel provides access from Edwards to Trinidad Head. As part of the Coastal Commission

Page 16-17, Harbor Area Policies, insert an overarching statement regarding cooperation and coordination between City and T.R. as to the intended uses of the Harbor after transfer into Trust. When the Fee-To-Trust transfer is approved, there will be Harbor Area Policies that will continue to be in effect under jurisdiction of the Trinidad Rancheria, who may coordinate and consult with the City to ensure continuity of Harbor operations.

Other Initiatives (Page 18, top 4 bullet points)

Bullet point 1 what does it mean? Regarding "commercial fishing special needs" and "other uses should not detract from these facilities" (?) Explanation? And perhaps rewording.

Bullet points 2-4 are Initiatives for the property owner: "As the property owner, Trinidad Rancheria is encouraged to...even after being transferred into Trust status."

State and Federally Owned Lands Policies (page 19)

Program LU-8.1.1 Work with federal agencies, including Federally Recognized Tribes owning and managing property within the City to ensure appropriate consultation and coordination with the City.



## MEMORANDUM

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**TO:** Trinidad Planning Commission

**FROM:** Trever Parker, City Planner

**DATE:** June 12, 2020

**RE:** Trinidad Trails Plan

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The Trinidad City Council formed a Trails Committee last year with the purpose of advising the City on trail issues. The resolution forming the committee is attached. The Committee has developed a Trinidad Trails Plan (also attached) that addresses many of the issues they were tasked with advising the City on. The plan was initially drafted as an HSU student project.

I have not had much opportunity to work on the document since it was approved by the Trails Committee. I did review and comment on what I thought was the final draft (those comments did not go to the Committee), but the Committee made some changes at their last meeting before their final recommendation. Commissioner Kelly was in charge of editing the document with everyone's comments, so she went ahead and added my comments to the final draft. That is why the comments say CK and TP (or Trever Parker).

This item should be considered an introduction to and initial discussion of the trails plan. We can go over some of my comments and questions. Also, please review the document and provide your own comments and questions. I will then revise the document and provide a new draft at the next meeting.

### **Suggested Action**

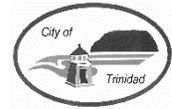
Review draft Trails Plan and provide questions, comments and suggestions for staff.

### **Attachments**

1. Resolution 2019-13
2. Draft Trails Plan

**Trinidad City Hall**  
P.O. Box 390  
409 Trinity Street  
Trinidad, CA 95570  
707-677-0223

**Steve Ladwig, Mayor**  
**Gabriel Adams, City Clerk**



## **RESOLUTION 2019-13**

### **A RESOLUTION AUTHORIZING THE TRAILS ADVISORY COMMITTEE**

**WHEREAS**, the City of Trinidad's unique location on the coast with panoramic vistas and beautiful beaches makes its trail system a treasured asset for residents and visitors alike; and

**WHEREAS**, trails are important because they provide access to natural and culturally significant areas, for recreation, for scientific study, and for understanding our relationship with nature; and

**WHEREAS**, trails enhance public health and provide a vital medium for community cohesion, they are also serve to bolster the local economy by attracting people to the area, and some of the trails in the City also provide a means of use for alternative transportation; and

**WHEREAS**, the Council established the Trails Advisory Committee as a sub-committee of the City Council on March 22, 2019 to bring members with various viewpoints together to make recommendations to the City Council, City Staff, and Planning Commission on various topics identified below; and

**NOW, THEREFORE BE IT RESOLVED**, the Trinidad City Council hereby adopts a Trails Advisory Committee to hold public meetings in accordance with the Brown Act, and to operate within the framework as follows:

1. **PURPOSE:** The purpose of the Committee is 1) to advise on matters relating to policies affecting trails in the City of Trinidad, 2) to serve in an advisory capacity to the Council, Commissions, and City Staff, 3) make recommendations during the environmental review process on projects that may involve or affect trails in the City of Trinidad, 4) provide a forum for community engagement, outreach, and education regarding trails, and 5) make recommendations to City Manager and City Council on the maintenance and repair of trails in the City of Trinidad.
2. **OBJECTIVES:** Committee objectives include; 1) provide a public forum to solicit input from the community on issues or successes related to the maintenance and management of City trails, 2) assist City Staff in evaluating the need for maintenance on the trails throughout the calendar year, 3) make balanced and informed recommendations to the City Council on ways to improve the trails, and 4) report to the Council annually on the Committee meetings, activity, and recommendations.
3. **COMMITTEE MEMBERSHIP:** The Trails Committee will consist of one City Council representative, one Planning Commissioner, two City residents, one Trinidad Rancheria Representative, one Yurok Tribe Representative, and one Visitor Services/Business Representative. The City Council representative will be appointed by the City Council, and will serve as the Committee Chairperson. The Planning Commission will be recommended by the Commission and appointed by the City Council. The Tribal Representatives will be appointed by the appropriate Tribal governments, and will also provide their alternates. The two members of the public will be appointed by the City Council in open session based on letters of interest and public interviews.
4. **TERMS OF OFFICE:** All members will hold staggered two-year terms. Committee members serve at the pleasure of the City Council and may be removed from office by a majority vote of the Council.
5. **MEETING DATES:** The Trails Committee will meet at minimum quarterly. The meetings will be held on the 3rd Tuesday of January, April, July, and October, with special meetings as needed. The Committee will report to the City Council on a regular basis and present recommendations to the City

Council on a quarterly or annual basis as needed.

6. **STAFF ASSISTANCE:** City Staff will provide agenda preparation, notification, and outreach assistance to the Committee. The Trails Committee may choose a member of the Committee to record the meeting minutes, or request to have a City Staff member to provide the service.
7. **ETHICS CODE:** All members shall review, accept, and conduct themselves in a manner consistent with the values promoted in the City of Trinidad's Code of Ethics.

**PASSED, APPROVED AND ADOPTED** this 12th day of November, 2019 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

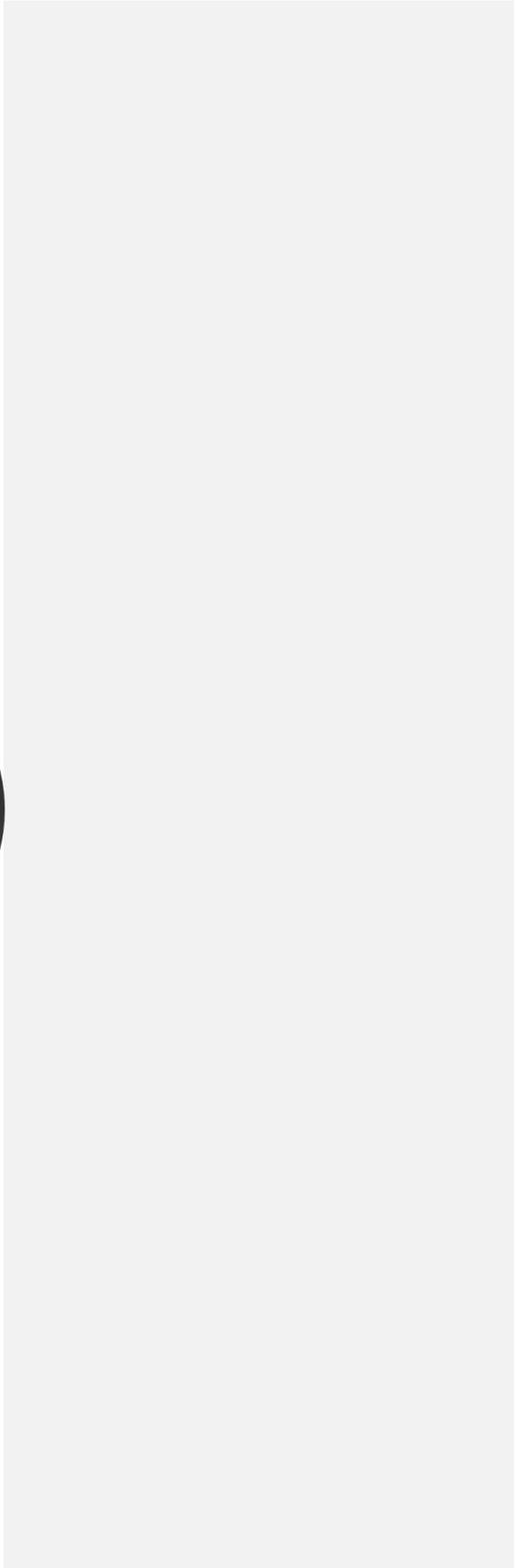
\_\_\_\_\_  
**Steve Ladwig**  
Mayor

DRAFT

# Trinidad Trails Policy

City of Trinidad, California

*Draft 6/2/2020*



### Trinidad Trail Advisory Committee

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

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

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

The 2020 Committee composition is as follows:

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

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

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## A. INTRODUCTION

### Background

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

The City of Trinidad maintains eight trails that are referred to by their general location on Trinidad Head, State Beach Trails, Harbor Area Trails, and the Old Home Beach Trails.

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

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

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

**Commented [CK1]:** Trever Parker (5/29/2020): Does the use of access here really meet the definition provided in the footnote?

**Commented [CK2]:** Trever Parker (5/29/2020): I'm not sure how applicable the Brown Act is here. It's not an ordinance. Does the City have provisions for policies?

**Commented [CK3]:** Trever Parker (5/29/2020): This seems like a specific policy that doesn't belong in the background section.

---

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

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

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

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

## Purpose

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

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

## Description of Trinidad Trails

### *Trinidad Head Trail:*

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

### *State Park/ Marine Lab Trail:*

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

### *Underwood-Avenue Drive Trail:*

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

### *Harbor Trail:*

The trailhead begins near the corner of **Trinity Street** and Edwards Street, where parking is available along Edward's Street. Traveling west, it veers off Edwards Street at the Historical Marker and traverses down Van Wycke Street **to Galindo Street**. Additional parking is available off Galindo Street. The trail extends south to the bluff's edge and

**Commented [CK4]:** Trever Parker (5/29/2020): Which general plan (current or draft)? I don't think the Council has requested anything in the draft.

**Commented [CK5]:** Trever Parker (5/29/2020): Should we note where descriptions differ from the approved LCP map? Descriptions are also not necessarily consistent with the draft GP either.

**Commented [CK6]:** Trever Parker (5/29/2020): Some recent documents (e.g. Van Wycke pedestrian connectivity project) show this trail starting at Ocean and Edwards.

**Commented [CK7]:** Trever Parker (5/29/2020): What about the boardwalk along lower Edwards?

then down a stairway to Launcher Beach, the harbor area, fishing pier, and Trinidad Head.

*Axel Lindgren Memorial Trail:*

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

*Old Wagon Road Trail:*

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

*Parker Creek Trail:*

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

*Groth Lane Trail:*

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

**B. PUBLIC ACCESS**

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

Encourage trail usage for education, exercise and enjoyment.

**Commented [CK8]:** Trever Parket (5/29/2020):  
Also suggest adding something like to provide or maximize public access to and along the coastline consistent with protecting public safety, property rights and the environment (per CA Constitution (Section 4 of Article X) and Coastal Act §30210).

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

Promote lawful trail use, reduce impacts to natural resources, and minimize disturbance to neighbors.

### Trail Use

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

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

- Public access is granted to all pedestrians.<sup>5</sup>
- Disabled trail users, pursuant to the Americans with Disabilities Act (42 U.S. Code § 12101), will be accommodated to the extent that existing infrastructure, landscape qualities, and budgetary constraints allow.
- Trail users must stay on system trails. Off-trail use of non-system trails (sometimes referred to as "social trails"<sup>6</sup>) by pedestrians is prohibited.
- Trinidad Head hikers are subject to the Trinidad Municipal Code Chapter 12.12, Trinidad Head.
- Trails are considered public grounds and therefore subject to Trinidad Municipal Code Chapter 12.18, Public Grounds.
- Dogs and their owners are subject to the Trinidad Municipal Code Title 6, Animals. Pets other than dogs are not permitted on trails. Dogs must be on leashes no longer than 6 feet in length. Owners must remove their dog's droppings.
- Camping in and around the Trinidad Trails System is prohibited per TMC §12.18.010.
- Trail permitted uses are subject to zoning as outlined in the Trinidad Municipal Code Title 17, Zoning - "Principle permitted uses" and "Uses permitted with a use permit".
- The use of bicycles on pedestrian trails is prohibited.
- Activities not specifically mentioned in this trail policy may be prohibited.

**Commented [CK9]:** Trever Parker (5/29/2020) : Only trails on City property. And what about Chapter 12.20 - Trails?

**Commented [CK10]:** Trever Parker (5/29/2020) : Added "per TMC §12.18.010" At least on City property.

**Commented [CK11]:** Trever Parker (5/29/2020): This is unclear. It is an incomplete reference, and those uses don't describe allowable uses on trails as I think is suggested. These sections govern in what zones trails and recreation are allowed.

**Commented [CK12]:** Trever Parker (5/29/2020): citation?

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

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

- No trails are currently ADA accessible.

## Safety

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

### Trail user safety:

- The City of Trinidad may temporarily close or re-route trails for biological or management purposes following the California Coastal Act guidelines.
- Hazardous substances, as defined in the Trinidad Municipal Code, (§8.08.020) Title 8: Health and Safety, are not allowed on trails.
- Trails are subject to the Trinidad Municipal Code Title 9, Public Peace, Morals, and Welfare. This section includes an outline of expectations for public decency, alcohol, weapons, and so forth.
- Any part of a trail that is also deemed a street is subject to the Trinidad Municipal Code Title 10, Vehicles and Traffic.
- The City should establish a list of trail-use rules to ensure safety as well as promote compliance, enhance user enjoyment, and protect natural and cultural resources. Trail rules will be disseminated to homeowners, published on the City’s website, and/or posted at informational kiosks.
- Trails shall be maintained in a manner which ensures emergency personnel (police, fire, the Coast Guard) have access to the trail. Emergency access for safety, security, or maintenance purposes is based on an established protocol between the parks, fire, and police departments. The initial responding party will notify the other emergency departments as soon as possible, as needed.
- Trail names and corresponding GPS coordinates are effective in assisting fire and safety personnel in locating trail users who may need assistance in emergencies. Trail identifications are also useful for City staff and Public Works to locate specific trail maintenance/improvement areas that have the potential to impact safety.
- Trail Identification Signs<sup>7</sup> at each trailhead may be mapped by the City’s GIS staff to correspond with GPS coordinates. These integrated points can then be shared with

**Commented [CK13]:** TP (5/29/2020): subject to CDP, etc.

**Commented [TP14]:** Which refers to CA Health and Safety Code §25316.

**Commented [CK15]:** TP (5/29/2020) : These citations are too broad. Need more specificity or the public will have no idea where to look. Also, chapter 8.30 prohibits fires and fireworks on beaches (not not trails).

**Commented [CK16]:** TP (5/29/2020) : Some of these provisions apply to trails, but some don't appear to.

**Commented [CK17]:** TP (5/29/2020) : This will likely require an ordinance to be enforceable. Depending on the rules, it may require a CDP and or LCP amendment.

**Commented [CK18]:** TP (5/29/2020): Makes it sound like this is already in place. Is it? These details should probably be outlined in the City’s EOP (and maybe there already are some applicable provisions).

**Commented [CK19]:** TP (5/29/2020) : This seems like a different idea / process than the first 2 sentences.

**Commented [CK20]:** TP (5/29/2020) : We do have mapping and numbering of the trail markers, not all of which have been installed.

<sup>7</sup> “Sign” means any message, word, symbol, design, picture or visual medium which is intended to draw attention to a product, service, business, person, institution, or location and is placed or painted on the ground, or on any tree, wall, fence, rock, structure or thing whatsoever and placed thereon whether indoor or outdoor, so as to be visible from off premises, exclusive of legal notices, safety and directional signs posted by public agencies. [Ord. 166 Appx. A, 1979

appropriate first responders (i.e., CalFire, Humboldt County Sheriff Department, US Coast Guard).

### Expansion and Connectivity

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

- The City will work to preserve existing trail routes designated for public use on the Trinidad Trails System maps and expand the public trail network for all user groups where appropriate.
- Trinidad will seek to coordinate trail expansion with local and regional trail systems (California Coastal Trail and State Parks) where possible.

### Relationships with Private Landowners

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

- Trinidad shall strive to coordinate trail design and maintenance with the owners and managers of adjoining lands including but not limited to private landowners, Trinidad Rancheria, California State Park Service, and the Bureau of Land Management (BLM).
- Management decisions and restoration/maintenance actions specific to the Wagner Street Trail shall respect the Mutual Settlement Agreement and Release by and between John Frame, the City of Trinidad, the California Coastal Commission, and the California Coastal Conservancy.
- ~~The trails are also shared by local entities such as the Trinidad Coastal Land Trust (TCLT), CA State Parks, and private landowner easements.~~

**Commented [CK21]:** TP (5/29/2020) : Dept. of Parks and Recreation, or Trinidad State Beach (there is no such thing as a State Park Service).

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**Commented [CK22]:** TP (5/29/2020) : What is the intent of this, and how is it different from the bullet above?

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### C. MAINTENANCE AND OPERATIONS

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

The responsibility for trail maintenance should be clearly delineated when the trail is created or adopted. Project maintenance should be done by professionals or skilled trail workers.

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

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

## Maintenance and Operations Activities

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

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

- Trail surface maintenance. Periodic maintenance includes filling and grading depressions in the trail tread<sup>8</sup>, removing edge berms, and re-reconditioning drainage features such as drainage dips. Maintaining the surface of accessible trails will be a priority.
- Erosion control. Work will be needed to manage hillslope runoff coming on to the trail system and to implement various slope stabilization measures.
- Vegetation management. Clearing fallen branches, limbs, and trees is important, especially after storms. Taking measures to remove invasive species is a priority to protect native habitats and species. Trail brushing should be performed as needed throughout the year. This work should be performed during the months of May and June, except where sensitive species or habitats indicate otherwise. Springtime is when birds begin nesting and this will need to be taken into account by the City before creating disturbances.
- Remedial maintenance. Responding to vandalism (ex: graffiti), litter clean-up, repairing short cuts, sign repair/replacement, and decommissioning informal/social trails.

**Commented [CK23]:** TP (5/29/2020):  
What is this? It at least needs a definition or explanation. Also, consider creating a template and attaching as an appendix.

**Commented [CK24]:** TP (5/29/2020) :  
?? Permits may also be required for repairs and even maintenance.

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**Commented [CK25]:** TP (5/29/2020) :  
Possibly use 5 or 10 year CDP like was done for Trinidad Head trail maintenance.

**Commented [CK26]:** TP (5/29/2020) :  
Has Public Works been consulted or reviewed this section?  
CK (6/11/2020):  
Sent to Public Works subsequent to Trever's question.

**Commented [CK27]:** TP (5/29/2020) :  
This is prime bird nesting season and vegetation maintenance should be avoided during this period. Otherwise, biological surveys would be required prior to work occurring. Suggest winter maintenance instead.

- Operations. Opening and closing gates, waste disposal, and implementing temporary warnings and/or closures.

**Maintenance Frequency and Scheduling**

Maintenance Schedule	
Maintenance Activity	Estimated Frequency
Trail surface maintenance and erosion control	Annually
Routine vegetation inspection and management (incl weed control, pruning, etc)	Monthly (Apr-Oct), Bi-monthly (Nov-Mar)
Routine trail clean-up and maintenance (trash, graffiti, refill dog waste bags, etc)	Weekly
Remedial maintenance (remove fallen trees, sign repair, pothole filling, fence/step repair, etc)	As Needed

New trail infrastructure additions and other management or restoration projects, are subject to the California Environmental Quality Act (CEQA) and ~~National Environmental Policy Act (NEPA)~~ and may be subject to the ~~Coastal Zone Management Act~~. Any project located within the Coastal Zone must address Design Review and View Protection findings of the Trinidad Zoning Ordinance and the California Coastal Act.

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**Commented [CK28]:** TP (5/29/2020) : These are federal laws and would not apply unless a project involves federal land or funding. Needs editing. All trails are in the Coastal Zone, and approvals are not limited to DR.

**Maintenance Crew Safety**

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

Staff should:

- Wear appropriate PPE (Personal Protection Equipment): proper headgear, gloves, boots, eye protection, and/or knee guards.
- Protect against noxious plants and animals by wearing gloves, long sleeves, long pants, boots and a face shield if necessary.

- Avoid accidents by using tools safely, being alert to hazardous footing, and staying focused on the task.
- Not work during inclement weather: strong winds, heavy rain or lightning.
- Know accident reporting procedures.

#### D. SIGNAGE AND KIOSKS

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

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

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

#### Types of Trail Signs:

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

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

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

**Commented [CK29]:** TP (5/29/2020) :  
What is this? (I'm interested in seeing it.)

**Commented [CK30]:** TP (5/29/2020) :  
Why aren't all of these in the reference list?

**Commented [CK31]:** TP (5/30/2020) :  
Good luck implementing this!

**Commented [CK32]:** TP (5/30/2020) :  
Needs a definition

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

**Commented [CK33]:** TP (5/30/2020) :  
Is this the same as "tread width"?

**Interpretive:** Interpretive signs enhance the trail experience by providing information about the history and culture of the area. Such exhibits may discuss local ecology, people, environmental issues and other educational information. Educational signage may be placed at scenic view areas or in relation to specific elements being interpreted. They may take on many forms including textual messages, plaques, markers, panels, and demonstrations. Kiosks provide visitors with information to orient themselves, learn about trail conditions and opportunities, trail regulations, hours of operation, local events such as activities programmed for the City. Kiosks should be readily identifiable by trail users as informational contact stations and provide elements such as bulletin boards, regional trail maps, rules and regulations and accessibility advisories.

**Commented [CK34]:** TP (5/30/2020) :  
I assume this is the same as interpretive signs. It would be best to be consistent.

**Commented [CK35]:** TP (5/30/2020):  
Kiosks should be its own category. Kiosks are structures/buildings, not signs. Suggest describing kiosks and specifying that they would be centrally located rather than at trail heads (where views and sensitive habitats are likely to limit structural development).

The Trinidad Municipal Code can be used to make the necessary finding to approve signage projects, Sections 17.60.040-050 and 17.72.040.

**Commented [CK36]:** TP (5/30/2020) :  
Use permits. This section should be rewritten with more detail and clarity. (It probably isn't clear to the general public.)

## E. INFRASTRUCTURE POLICIES

### Trail Maps

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

### Fences, Railings, and Trail Stabilization

- Fences will be constructed only if required (1) for safety, (2) by landowner stipulation, (3) for restraining people from leaving the trail, or (4) for keeping motor vehicles off the trail. Fences or other obstructions will not impede or prevent passage on the trail.
- Railings for trails will be used only where a drop-off occurs that needs safety protection or to control access.
- Trail Stabilization: When a trail is built in steep terrain or on a steep cross slope<sup>9</sup>, wood log retaining walls, rock or log trail buttresses or wood trail steps will be installed as necessary to maintain trail stability and prevent erosion.

**Commented [CK37]:** TP (5/30/2020):  
Railings can be used for most of the purposes listed for fences and are generally more desirable.

**Commented [CK38]:** TP (5/30/2020) :  
I think this description should be more general and just refer to applicable regulations.

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

- Trails are subject to Trinidad Municipal Code Chapter 15.16, Grading (City of Trinidad, 2012).

**Commented [CK39]:** TP (5/30/2020): Trails are not, but work on trails is. I'm not sure I understand all the reasoning or organization behind these sometimes random references.

**Parking and Staging Areas**

Signage may direct visitors to accessible parking.

- Park hours are dawn to dusk – year-around.
- No overnight parking allowed.
- Motorized vehicles are prohibited except in roadways, parking areas designated for motorized vehicles, as needed for public safety purposes, or by permit.
- No vehicle may be parked on City property between 10:00 pm and 5:00 am

**Commented [CK40]:** TP (5/30/2020) : What park? Should this be trail use?

**Commented [CK41]:** TP (5/30/2020) Where is the citation for this? It would likely need to be adopted in an ordinance and may require a CDP.

**Commented [CK42]:** TP (5/30/2020) Where is this referring to? Most trail parking is on streets, where overnight parking is allowed.

**Commented [CK43]:** TP (5/30/2020) Again, citation needed. (I don't think it's true, because it is not codified.)

Staging areas, as appropriate, will be provided at major trail system access points. Staging areas may include the following: shade trees or shade structures, seating areas, bicycle racks, water fountains, interpretive and directional signage, trash receptacles, pet waste stations, and restrooms.

**Commented [CK44]:** TP (5/30/2020) I don't think this is necessary or appropriate for Trinidad.

**Commented [CK45]:** TP (5/30/2020) Much of this is pretty unrealistic.

**Trash Receptacles and Pet Waste Stations**

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

**Commented [CK46]:** TP (5/30/2020) This seems redundant with the above language, unless it means on trails themselves. Could use more explanation.

**Natural Resources Conservation Policies**

- The City will design, build, and manage trails in a sustainable manner by incorporating design measures that protect vegetation, preserve habitats, and minimize erosion.
- The City will prohibit trail uses that compromise the protection of natural resources and strive to protect and enhance the habitats of native plants and animals.
- Trail maintenance and repair activities shall be performed in accordance with best practice and following restrictions set forth by the California Coastal Commission, the Tsurai Management Plan, and court rulings.
- Trails will be located adequate distance from streams to protect riparian and aquatic habitat and wildlife corridors. Trails may occasionally diverge close to the top of the bank to provide visual access and opportunities for interpretive displays on the environmental sensitivity of creek habitats.
- Riparian Zones<sup>10</sup>. Riparian vegetation within 100 feet of major coastal streams will be protected. The major coastal streams in the City are Mill Creek, McConnahas Creek, and

**Commented [CK47]:** TP (5/30/2020) Trail maintenance is not set by the CCC. Should be something like "consistent with Coastal Act and Trinidad LCP."

**Commented [CK48]:** TP (5/30/2020) ???

<sup>10</sup> "Zone" means a portion of the territory of the City within which certain uniform regulations and requirements or combinations thereof apply under the provisions of these regulations. [\[TMC §17.08.770\]](#), [\[Ord. 166 Appx. A, 1979\]](#)

Parker Creek. Structures and activities will be sited outside the riparian protection zone whenever possible. If not possible, areas that must be disturbed will be kept to a minimum and be replanted with appropriate vegetation.

- The City will partner with public agencies, non-governmental organizations, and landowners in regional and countywide efforts to inventory special status species (endangered, threatened) and to develop regional habitat conservation plans that protect special status species, wildlife corridors, ecosystems, and biodiversity.
- The presence of rare plants will be considered in the development of any trails.

**Commented [CK49]:** TP (5/30/2020) Not if the disturbance is permanent.

**Commented [CK50]:** TP (5/30/2020): This is not realistic or necessary.

**Commented [CK51]:** TP (5/30/2020): Should refer to applicable regulations – rare plants are not a “consideration,” they are legally protected.

### Cultural Resources Conservation Policies

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

**Commented [CK52]:** TP (5/30/2020) This is not the correct reference.

The City will consult the Tsurai Management Plan when conducting maintenance in or near the 12-acre ~~Tsurai Study Area (TSA)~~ Tsurai Management Area (TMA)

**Commented [CK53]:** TP (5/30/2020) Consulting the plan won't help. Consult with Rancheria, Yurok and TAS.

## E. PUBLIC OUTREACH

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

**Commented [CK54]:** TP (5/30/2020); Council?

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

**Commented [CK55]:** TP (5/30/2020); Council?

## F. FUNDING

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

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

## G. PERMITTING AND LIABILITY

**Commented [CK56]:** TP (5/30/2020) I don't see any permitting information or references in this section.

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

### Insurance and Indemnity Policies

#### Liability

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

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

Government code and minimization of liability.

**Commented [CK57]:** TP (5/30/2020): What is the purpose of posting this entire code section here, but others are just referenced in the document?

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

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

(a) Any unpaved road which provides access to fishing, hunting, camping, hiking, riding, including animal and all types of vehicular riding, water sports, recreational or scenic areas and which is not a (1) City street or highway or (2) county, state or federal highway or (3) public street or highway of a joint highway district, boulevard district, bridge and highway district or similar district formed for the improvement or building of public streets or highways.

(b) Any trail used for the above purposes.

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

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

To minimize liability, it is critical to adhere to established standards in trail design, signage, and maintenance. California State Statute 831.4 provides for substantial immunity to public agencies that construct and operate trails in accordance with widely accepted standards or guidelines, such as the California State Parks Trail Design and Maintenance Guidelines. Measures listed to minimize liability include:

- Post trail regulations and provide enforcement.
- Post warning signs for known hazards that are not easily identified
- Keep accurate routine maintenance records.
- Inspect the trail regularly for hazards.
- Evaluate and address hazards and maintenance problems reported by trail users with appropriate measures as soon as possible.

- Ensure that there are adequate emergency access points to the trail along its entire corridor.

**Liability for Volunteers**

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

Collaborating with the Humboldt Trails Council is the most effective means of providing the City with indemnity from loss or other financial burden. Otherwise, the City will produce and distribute liability release forms prior to any maintenance activities. Maintenance or restoration activities performed without informing appropriate City staff is prohibited.

## APPENDIX

### DEFINITIONS

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

Useful definitions for trail planning and design include the following:

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

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

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

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

**Commented [CK58]:** TP (5/30/2020):  
Are these all used in the document? Are any new definitions needed (e.g. tread width)

**Commented [CK59]:** TP (5/30/2020):  
Could also just refer to Chapter 17.08 (definitions in the zoning ordinance).

**Commented [CK60]:** TP (5/30/2020):  
Use TMC code section references. No one will be able to find these references. (TMC §17.08.050).

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## REFERENCES

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

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