



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

The Trinidad Planning Commission will hold a regularly scheduled monthly meeting on  
**WEDNESDAY JULY 15<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 orally or 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, July 15, 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 - June 17, 2020
- III. APPROVAL OF AGENDA
- IV. ITEMS FROM THE FLOOR
- V. AGENDA ITEMS

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

1. Trinidad 2020-01: Coastal Development Permit for the temporary closure of a portion of the Van Wycke Trail due to hazardous conditions. Located at the unpaved section of the Van Wycke Trail between Edwards Street and Galindo Street.
2. Water Shortage Contingency Plan: Discussion of a draft Water Shortage Contingency Plan.
3. Trails Policy: Discussion regarding the draft Trails Policy that was developed and recommended by the Trinidad Trails Committee.
4. General Plan Update: Draft element status update and scheduling.

**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

**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 SPECIAL MEETING OF THE TRINIDAD PLANNING COMMISSION**  
**WEDNESDAY, JUNE 17, 2020 VIA WEBEX**

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

Commissioners Present: Kelly, Johnson, Hopkins  
Commissioners Arriving after Role Call: Stockness  
Commissioners Absent: None  
City Planner Staff: Parker  
City Staff: Zetter, Naffah

**II. APPROVAL OF MINUTES**

*May 20, 2020*

***Motion (Hopkins/Johnson) to approve the May 20, 2020 minutes as submitted. Passed (3-0). Passed unanimously.***

**III. APPROVAL OF AGENDA**

Reordered to: (1) Trails Plan; (2) Water Shortage Contingency Plan; (3) General Plan Update.

**IV. ITEMS FROM THE FLOOR**

None.

**V. AGENDA ITEMS**

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

1. Trails Plan: Introduction and discussion regarding the Trails Plan that was developed and recommended by the Trinidad Trails Committee.

*Staff report*

City Planner Parker advised that the Trinidad Trails Committee has been working on a Trails Policy for the City. She provided background information regarding its development into a draft policy. Parker advised that the document needs a fair amount of work and corrections, particularly from a technical nature such as code references and footnotes. She added that she is looking for general comments and questions from the Planning Commissioners at this meeting.

*Commissioner Comments/Questions*

Commissioner Kelly, the Planning Commission's representative on the Trails Committee, stated she does not have any concerns regarding Parker's comments/questions. She also clarified that the draft Trails Policy will go back to the Trails Committee, reviewed by the City Attorney, and lastly given to the City Council for approval.

Commissioner Hopkins stated the draft policy looks good, and he doesn't have any comments.

Commissioner Johnson complimented the Committee's work, stating the draft policy is a comprehensive document. However, he did have a few general comments. He noted that it lacks clarity on how the document fits into the City's documents overall. He questioned if it is supposed to be an ordinance or a part of the General Plan. Parker responded that that is up for discussion. Additionally, Johnson stated the policy doesn't give direction on the development of new trails. Parker advised that while this policy doesn't address it, the General Plan does. Kelly

added that there is a language in the policy about expansion of existing routes and connections to local and regional systems.

*Public Comment*

S. Laos (Trinidad Rancheria) discussed that when the Trinidad Head Plan was adopted it was both a stand alone document, and incorporated into other materials. She advised she would like to see the Trails Policy follow the same format.

Parker responded that she will review where the policy may be incorporated, but also confirmed it could be a stand alone document.

B. Kenny (Trinidad resident) questioned if part of the policy should be included in the General Plan's Transportation Element, as walking is a form of transportation. Plus, it gives the City an advantage during the application process for grant funding.

S. Madrone (5<sup>th</sup> District Supervisor) echoed K. Bryce's statement. He also noted that the City should reach out to the Trinidad Coastal Land Trust, as they are well versed in trails inter-connectedness. He discussed the Little River project.

S. Laos (Trinidad Rancheria) advised that B. Morehead (TCLT) is a standing member of the Trails Committee.

*Commissioner Discussion*

No final thoughts.

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

*Staff report*

Parker summarized the material in the packet. City Planner Parker explained that, with Commissioner Kelly's help, she put the information gathered thus far into the framework for water shortage planning that the Department of Water Resources suggested in their report for small water suppliers as discussed at the last meeting. She clarified that the water shortage contingency plan (WSCP) would be one piece of the larger process. She suggested the Planning Commission should focus on the water shortage contingency plan as directed by the Council but that the Commission could provide the City Council with the other information that has been discussed so they can prioritize the next steps. Parker advised that the list she put together is broken down between a short- and long-term projects. She added that she'd like to come out with priorities/recommendations for the City Council and focus on the Planning Commission's task of water shortage planning.

*Commissioner Comments/Questions*

Commissioner Kelly disclosed that she exchanged an email with Mayor Ladwig and City Manager Naffah seeking clarification on the Planning Commission's role regarding the water policy in conjunction with the contingency plan. She clarified with Ladwig and Naffah that the City Council's directive to the Planning Commission is to have them finish the drought contingency plan, which would supplement the water policy that has already been given to them.

Commissioner Hopkins stated the composition of the plan was well laid out and was pleased to see that the contingency plan discussed each step. He also noted that he was in favor of considering the option of hooking up to Humboldt Bay.

Commissioner Johnson stated that the Department of Water Resources' report is comprehensive and very helpful, and he requested that the appendices 1-8 be provided. Johnson also noted that several of the actions items that have been discussed can be started now, and some can be done in tandem. He suggested the City Council review the priority list so they can start acting sooner rather than later.

Parker discussed that the list she provided in her staff report (actions that can be taken in the short-term and long-term) are not necessarily in the order of priority. The list is broken down into categories based on the timing it would take to complete. She acknowledged there is overlap, and some items can begin planning immediately. Parker agreed with Johnson that giving the list to the City Council should be a priority.

Commissioner Kelly discussed the differences between a WSCP and a Water Policy/Plan. She requested clarification as to what the Planning Commission should focus on.

Parker explained that the Commission should be working on a WSCP, but that the City Council should be given the benefit of reviewing everything the Planning Commission has talked about thus far. Therefore, she recommends that the Planning Commission give the City Council the broad list and plan, possibly with recommendations for priorities.

Kelly added that the Commission could separate the stages and responses from the rest of the document. The stages/responses could be labeled as the water contingency plan, and other portion that has been separated can be called a Water Planning Prioritization Plan.

Commissioner Hopkins noted that the Planning Commission needs to discuss how Trinidad's entire water system is handled and suggests reviewing the work done in 2019.

Johnson agreed with Commissioner Kelly and added that the Planning Commission should review what could be included in the General Plan. He stated the Planning Commission should discuss water supply and shortage stages at the next meeting.

#### *Public Comment*

B. Kenny (Trinidad resident) stated the essence of the contingency plan seems to be "at what level does the creek need to get to before moving onto the next stage." He opined on fair ways to charge water users that wouldn't punish those who already use very little and stated that the City should incentivize good behavior.

J. Beaupre (Trinidad resident) asked if a connection is made to the HBMWD system will it connect to the Trinidad water system and use existing infrastructure. City Planner Parker responded that based on a 2003 feasibility report that is a likely scenario.

S. Madrone (5<sup>th</sup> District Supervisor) mentioned different water sources and discussed the pros and cons of each. He added he agrees with B. Kenny's comment about equity for baseline conservative users. He suggested that the language in the current 'plan' overemphasizes the

benefits of a connection to HBMWD. He suggested keeping the language more objective. Commissioners Kelly and Johnson agreed.

R. Clompus (Trinidad resident) asked if the document discusses what happens if the City experiences a serious drought. Commissioner Kelly responded that that is one of the primary purposes and that an outline can be found on pages 6-7.

#### *Commissioner Discussion*

Parker advised that she needs direction for the next meeting, reminding the Planning Commission to focus on the water shortage stages and responses. She noted there seems to be a general consensus that the City Council needs to focus on the larger issues concurrently. She questioned how the Planning Commission wants to present the information to the Council.

Commissioner Kelly suggested separating the list of potential actions, and the stages for the drought contingency plans. Commissioner Johnson opined that the City Council and City staff need to review the actionable priority list as soon as possible. He added that there are significant policy and budgetary issues that need to be considered, so this will give the Council time to discuss the larger issues. Commissioner Hopkins suggested giving the City Council a straightforward document, such a bullet point list of actionable items.

Parker stated she will prepare material and bring it before the Planning Commission at the next meeting to vote on whether to pass it along to the City Council. Commissioners Johnson and Kelly express a desire to get the information to the Council right away. They suggest giving them the information in the plan and bullet list as is with some minor modifications. City Manager Naffah advised he will provide the City Council with an idea of what to expect from the Planning Commission.

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

#### *Staff report*

City Planner Parker summarized the changes she made since the last meeting, and noted a few outstanding items she needs the Planning Commission to address. Parker also mentioned that she found language regarding Program LU-11.2.4 (cannabis) in the Conservation Element, and recognizes that it should be included in the Land Use Element, if it is included at all. She added that she has not made changes to the figures. She received comments from the Rancheria and she included those that were primarily clarifications, but wants the Planning Commission to weigh in on some that could alter the meaning/intent of the existing language.

#### *Commissioner Comments/Questions*

Commissioners discussed multiple ways to present acronyms in each element. All were in favor of making it easy for staff to produce and maintain, as well as making it as accessible to the public as can be. City Manager Naffah opined that it would be beneficial to have one glossary at the end of the General Plan. Parker agreed that it should be understandable for the public first and foremost and pointed out that some readers only read specific elements. Commissioners decided to have the acronym spelled out the first time, then proceed with using the acronym throughout the rest of the element. All acronyms would then be included at the end of the General Plan, so it is more streamlined.

Johnson stated it is important for the City to remind those reading the General Plan that there is a real concern regarding any project due to the limited water supply and other factors, so he was in favor of leaving it in. Commissioner Hopkins echoed Johnson's statement, noting that it adds to the sense that there is an overall concern regarding the entire watershed. Parker cautioned the use of a blanket opposition to commercial cannabis, because the County will be unlikely to disprove projects just because of the City's blanket opposition. There should be specific reasons to object to any projects that could impact water supply, not just cannabis.

A brief discussion regarding the City's cannabis ordinance occurred, noting that the City should revisit the policy and refine it. Parker mentioned that her largest concern is illegal grows, because legal grows are heavily regulated. She added that the City should examine each project based on merit.

R. Clompus (Trinidad resident) asked if the General Plan regulates the growing of medical marijuana for personal use in residential areas. Kelly advised that it does not.

Commissioners discussed LU-6, specifically regarding the Trinidad Rancheria's suggested changes. Commissioner Hopkins advised he was fine with the changes. Johnson suggested the City Council review the new principle added to page 17 to confirm that is the City's intent.

Commissioner Johnson and Commissioner Stockness asked about the maximum densities provide for each land use. Parker clarified that including population densities, as opposed to the previously more common unit density, is required by State law.

Stockness asked about the inclusion of aquaculture in the General Plan. Parker advised the General Plan does not need a detailed section on aquaculture at this time.

Parker briefly discussed changes made to Figure 2. Kelly stated that Figure 2 could be somewhat misleading because there are more commercial locations than indicated. There were no other comments on Figure 2. Hopkins stated Figure 5 lacked clarity subareas (e.g. A and B). Parker stated she will add information for clarification.

*Public Comment*

None

*Commissioner Discussion*

By acclamation, the Planning Commission agreed to recommend the draft Land Use Element to the City Council.

**VI. COMMISSIONER REPORTS**

Commissioner Stockness briefly added, as she wasn't in attendance for the first two agenda items, that she thought the Trails Policy was well done, but requested clarification regarding trail use times. Regarding the Water Shortage Contingency Plan, it was well put together, but she requested that the City work directly with a County employee to be the City's direct contact for referrals. Commissioner Stockness advised that the next STR Committee meeting is April 24<sup>th</sup>.

R. Clompus (Trinidad) requested clarification be made regarding the status and future use of the Van Wycke Trail. He noted the City maintains public access and it has been closed for the past year, which is impacting the fire hydrant's water supply. Commissioner Kelly advised that the Trails policy was composed to address the trail system, not individual trails. City Manager Naffah advised that the City is going to address the Van Wycke trail as part of the Connectivity project. However, in regards to the fire hydrant, the consensus has been to replace it so it will appear as a future Council agenda item. Currently, it has been turned off, and the water source is currently from Edwards.

Kelly disclosed that she, 5<sup>th</sup> District Supervisor Madrone, and City Manager Naffah had a discussion regarding rainwater catchment and water supply.

**VII. STAFF REPORT**

Parker advised that the Housing Element has been certified by HCD and now the City needs to complete the government to government consultation, and engage in discussion with the CCC. In the meantime, the City has been approved for 160K in SB2 funds, which will be used to conduct a parking study and develop a second unit ordinance, etc. Parker also discussed additional grants that will be applied for. She also added that a CDP for temporary closure of the Van Wycke trail will come before the Planning Commission next month.

**VIII. FUTURE AGENDA ITEMS**

- SB18 and AB52 Tribal Consultation Primer
- After-the-fact Permit Processing
- Tsunami Siren Update
- GP Element Status and Scheduling

**IX. ADJOURNMENT**

Adjourned at 8:26 pm. Next regularly scheduled meeting is July 15, 2020.

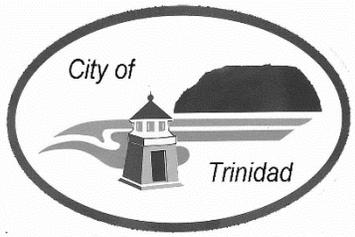
**Submitted by:**

**Angela Zetter  
Administrative Assistant**

**Approved by:**

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**Cheryl Kelly  
Planning Commission Chair**



Application Filed: NA  
Staff: Trever Parker  
Staff Report: July 6, 2020  
Commission Hearing Date: July 15, 2020  
Commission Action:

## **STAFF REPORT: CITY OF TRINIDAD**

APPLICATION NO: 2020-01

APPLICANT / OWNER(S): City of Trinidad

AGENT: NA

PROJECT LOCATION: Unpaved section of the Van Wycke Trail between Edwards Street and Galindo Street

PROJECT DESCRIPTION: Coastal Development Permit for the temporary closure of a portion of the Van Wycke Trail due to unsafe conditions

ASSESSOR'S PARCEL NUMBER: NA (Van Wycke Street right-of-way)

ZONING: NA

GENERAL PLAN DESIGNATION: NA

ENVIRONMENTAL REVIEW: Categorically Exempt per § 15304 of the CEQA Guidelines exempting minor alterations of land, including temporary use of land having negligible or no permanent effects on the environment.

APPEAL STATUS: Planning Commission action on a Coastal Development Permit, Variance, Conditional Use Permit, and/or Design Review approval application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project is X / ~~is not~~ appealable to the Coastal Commission per the City's certified LCP and may be appealable per Section 30603 of the Coastal Act.

## **SITE CHARACTERISTICS:**

The project location is within the unpaved portion of the Van Wycke Street right-of-way where a wooden retaining wall that supports a portion of the Van Wycke Trail is failing due to an active landslide. The site is located on the top of the bluff, approximately half-way between Galindo and the intersection of Edwards Streets with upper Van Wycke Street, about 300' east of Galindo. There is a "slump earthflow" in this area that is slowly and continually moving downslope, that has compromised the integrity of the retaining wall and the trail beyond simple repairs and maintenance.

Bluff instability has led to the need to stabilize the Van Wycke Trail, which connects the upper and lower portions of Van Wycke Street. This trail connects the two sections of Van Wycke Street, and provides a safe path for non-motorized traffic to reach Trinidad Head and Trinidad State Beach while avoiding this section of Edwards Street, most of which lacks shoulders or sidewalks and has steady vehicular traffic. The trail is perched along the upper edge of a steep slope and significant earth movement has occurred in places, resulting in the City having to close the trail. A wooden retaining wall built to stabilize the worst section has been gradually torn apart over the last 10 years by the hillside's movement. The worst stretch has sunk more than five feet in just the last few years. At the east end, the concrete encasing the City's stormdrain is serving as the trail surface.

Land uses adjacent to the project include residences upslope and open space downslope. Launcher Beach is located below the bluff.

## **STAFF COMMENTS:**

The CDP is for temporary closure of the trail for up to two years, with an option to extend that time period for a year, in order to allow the City to seek funding to either repair the trail or develop options for alternative access. Should the City decide to permanently close the trail, another CDP would be required in addition to an LCP Amendment.

The City has previously put up signage warning the public that the trail is unsafe, and use was at their own risk. On the request of the City's insurance company, City staff put up signs closing the trail more than a year ago due to the unsafe conditions. Coastal Commission staff since informed the City that the temporary trail closure requires a Coastal Development Permit (CDP). Trail closure, even temporary, falls under the definition of "development," which includes "change in the ... intensity of use of land." Therefore, the City is processing this CDP in order to comply with requirements of the Coastal Act.

The closure includes small signs mounted on t-posts, less than 2 sq. ft. in size, warning people that the trail is closed. Ropes have been mounted on t-posts across the trail at each end in order to further discourage usage. Currently, there is orange snow-fencing across the trail as well. This fencing was placed more for the COVID trail restrictions than the safety issue, because people were still using it. However, that fencing was not intended to last more than a few months and has already been compromised by vandals. This CDP does not authorize the continued placement of the snow fencing, and it will be removed.

#### *Potential Conflicts of Interest*

There are no known conflicts of interest.

### **ZONING ORDINANCE / GENERAL PLAN CONSISTENCY**

The proposed project is located within the undeveloped portion of the Van Wycke Street right-of-way, and therefore has no zoning associated with the property. The land immediately north of the project is zoned Urban Residential (UR) and the land immediately south is zoned Open Space (OS).

The City's zoning ordinance does not include required findings for projects that require a CDP but no other type of planning approval such as Design Review. Therefore, overall consistency with the City's LCP and Coastal Act have been considered.

The Van Wycke Street Trail is an important and heavily used part of the City's trail system laid out in the 1978 General Plan and is shown on the Circulation Map (Plate 4). Policy 64 of the Trinidad General Plan requires that the trail system be marked and maintained for use by the public. This project is consistent with that requirement, because the closure is only temporary while the City investigates options to improve the trail or provide alternative access.

Policy 5 of the Trinidad General Plan states that: *"Where access trails must traverse steep slopes, they should be located away from unstable areas and improvements should be provided to minimize erosion and slope failures. Existing trails which are creating these problems should either be improved or closed."* The project is consistent with this policy.

In terms of the Coastal Act, the primary standard of review for this project is whether it is consistent with the public access policies of the Coastal Act (Chapter 3).

One of the primary purposes of the Coastal Act is to *"Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principals and constitutionally protected rights of private property owners."* (§ 30001.5), which also carries out a similar principal found within the CA

Constitution. Section 30210 states: *“In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.”* The project is consistent with these sections, because the trail currently poses a risk to public safety and is subject to further erosion and instability. Only the section posing the hazard is being closed and alternative access exists nearby.

Consistent with § 30211, this temporary closure will not interfere with the public’s right to access the sea, because alternative access around the closure will be maintained along Edwards Street between upper Van Wycke and Galindo Streets. From there, Galindo Street can be used to rejoin Van Wycke Street.

Section 30214(a) allows that: *“The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics...”* This temporary closure is necessary due to the unsafe conditions caused by landslide activity that has compromised the integrity of the trail.

A condition has been included as part of the project that the approval is only for a two-year period. The Planning Commission may extend that time limit by one year if found necessary and if progress can be shown in advancing repair or access alternatives.

Although the temporary closure will affect public access during the closure, it is necessary to protect public safety. In addition, due to the unmaintained condition of the trail, foot traffic could exacerbate erosion and vegetation disturbance in that area. In addition, pedestrians are trespassing on private property above the trail to bypass the sunken area. Therefore, the closure is necessary to protect public safety, the environment and the rights of adjacent property owners and the project can be found to be consistent with the City’s certified LCP and other applicable regulations and the public access policies of the Coastal Act.

## **SLOPE STABILITY:**

The project is located outside of the Alquist-Priolo Fault Zone. But the property where the proposed project is located is within an area designated as unstable and questionably stable based on Plate 3 of the Trinidad General Plan. In addition, the closure is located on an active landslide. Several geologic investigations have been completed in order to inform appropriate repair and stabilization options. The City is actively working towards either repairing the trail or finding suitable access alternative(s). The closure will not further impact stability.

## **SEWAGE DISPOSAL:**

The project will not generate wastewater.

## **LANDSCAPING AND FENCING:**

This project does not involve any new landscaping or fencing.

## **DESIGN REVIEW / VIEW PROTECTION FINDINGS:**

Public safety and directional signage, such as what has been placed on t-posts at the trail closure to inform users, are exempt from Design Review per §17.56.160.A.5, exempting public safety and directional signage less than 2 sq. ft. in area. Section 17.60.030 exempts accessory structures less than 500 sq. ft. in area and less than 15 ft. in height from Design Review. Therefore, the t-posts and rope barriers are exempt. No other structures are proposed. No design review findings are required.

## **STAFF RECOMMENDATION**

Based on the above analysis, the project can be found to be consistent with the City's Zoning Ordinance, General Plan, Coastal Act, and other applicable policies and regulations. Therefore, the necessary findings for granting approval of the project can be made. If the Planning Commission agrees with staff's analysis, a proposed motion might be similar to the following:

Based on application materials and information included in this Staff Report, and based on public testimony, I find that the project is consistent with the City's certified LCP and other applicable regulations, and I move to adopt the information in this staff report and approve the project as described in this staff report, and as conditioned herein.

## **PLANNING COMMISSION ALTERNATIVES**

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

- A. Add conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.

- In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.

C. Denial of the project.

- The Planning Commission should provide a motion that identifies the Finding(s) that cannot be made and giving the reasons for the inability to make said Finding(s).

## CONDITIONS OF APPROVAL

1. Because the approval is for a temporary trail closures, the CDP shall expire after two years of going into effect, unless a one-year extension is granted by the Planning Commission based on the need for more time to obtain funding and/or further explore repair and access alternatives if the Planning Commission finds that substantial progress has been made in the initial two years.

## ATTACHMENTS

- Map of closure area
- Photos of closure area



Imagery ©2020 Maxar Technologies, USDA Farm Service Agency, Map data ©2020 100 ft



TRAIL  
CLOSED

PRIVATE  
PROPERTY





## 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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I did not have as much time to work on this item as I would have liked. On the other hand, the Planning Commission has not spent much time discussing the details of the actual WSCP, so it would be good for me to get some additional direction prior to diving in much more. I have pulled the WSCP portions out of the overall plan that we reviewed at the last meeting, and which was provided to the Council for their meeting this week.

I would refer you again to the Water Shortage Toolkit that I provided you in the [May 20, 2020 packet](#), which provides several examples from various Water Shortage Contingency Plans. At the last meeting, there was a request for the appendices to the DWR report to be made available. They can be accessed here: [DWR Report Appendices](#). In addition, I have again provided the Town of Windsor's WSCP, because it is so short and simple and seems like it would provide a good model for Trinidad (many of the other WSCPs that I found are more than 100 pages long).

In the DWR report, Trinidad would fall under the category of small community water systems serving less than 1,000 service connections. DWR estimates that those systems do not have the capacity to develop WSCPs. For small community water systems serving 1,000 to 2,999 service connections, DWR recommends an "abridged WSCP," which would not have to meet all the requirements that urban water suppliers would. That seems to be the route that Trinidad is taking. DWR recommends following the guidance of American Water Works Association (AWWA) M60 Manual (Drought Preparedness and Response). The AWWA is a membership organization, and purchasing the manual costs \$133. Staff plans to work towards finding and identifying grants that might help with this planning and later implementation work.

In the DWR report, they suggest the following water shortage planning process.

- Step 1: Form a Water Shortage Response Team
- Step 2: Forecast Supply in Relation to Demand
- Step 3: Balance Supply and Demand and Assess Mitigation Options
- Step 4: Establish Triggering Levels
- Step 5: Develop a Staged Demand-Reduction Program
- Step 6: Adopt the Plan
- Step 7: Implement the Plan

While we are not ready for the implementing ordinance yet, I found it beneficial to review what those will look like, particularly as we get into enforcement. The following are a few fairly simple ordinances that might provide a good model for what Trinidad will eventually use to implement the WSCP. I printed out Chapter 3 of Santa Cruz's WSCP, because it outlines a water allocation system based on use. This has been discussed previously has having the advantage of not punishing users who already conserve a lot of water.

*City of Santa Cruz:*

<https://www.codepublishing.com/CA/SantaCruz/html/SantaCruz16/SantaCruz1601.html>

*City of South Gate:*

<https://www.codepublishing.com/CA/SouthGate/html/SouthGate06/SouthGate0664.html>

*San Diego County Water Association (model ordinance for member suppliers):*

[https://www.sdcwa.org/sites/default/files/files/droughtordinance\\_03272008.pdf](https://www.sdcwa.org/sites/default/files/files/droughtordinance_03272008.pdf)

*Summary:*

<https://www.sdcwa.org/sites/default/files/files/modelordinance-summary.pdf>

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

Staff's suggestion is to continue to work on the WSCP by determining appropriate stages and responses and giving staff direction as to which of the examples provided to pursue.

### **Attachments**

- a. Draft Trinidad Water Shortage Contingency Plan
- b. Town of Windsor WSCP
- c. Chapter 3 of the City of Santa Cruz WSCP
- d. Consider bringing the materials from the May 20 meeting

## City of Trinidad

### DROUGHT AND WATER SHORTAGE CONTINGENCY PLAN

The City Manager shall be responsible for monitoring all potential water shortage conditions, and shall make recommendations to the City Council regarding the implementation of the Water Shortage Contingency Plan stages 1 through 5. It is the responsibility of the City Council or its designee to declare a water shortage. The specific stages and triggers to activate each stage based on the condition of the water supply will be determined in cooperation with the Public Works Department. Table 1 summarizes the triggers and degree of water shortage for each stage of action based on the stages described below.

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 (see Table 1). 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 Ordinance 20##-##. 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 will occur to let users know about the potential for shortages; conservation is voluntary at this point.

*Stage 2* – based on a low flow. The second stage is 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 includes public education and minor mandatory cutbacks to get people ready for the potential 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 continued public education, monitoring and enforcement of water use.

*Stage 4* – critical /emergency. This stage indicates a critical shortage and potential emergency situation. This is based on passing a minimum threshold for pumping

capacity at the plant that would be barely or not sufficient to supply enough water for basic drinking, sanitation and fire protection needs. Substantial cutbacks in water use are required; the water supply may need to be supplemented.

Stage 5 – Catastrophic failure. This stage indicates 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   | Reduced pumping capacity at water plant                                      | 25-50%            | Mandatory water restrictions ...TBD                                    |
| Stage 4   | Insufficient water for sanitation and fire protection.                       | 50-75%            | Water rationing and potential supplementation                          |
| Stage 5   | Emergency water service disruption due to disaster or complete plant failure | 75-100%           | Water supply supplementation   |

Water shortage responses. The City will manage water conservation and cutbacks for each water shortage stage. Several examples are provided below. Public outreach and education are also part of these measures.

*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. (This is not a preferred method, but is still included for context.)

*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 on 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 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.

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

# Water Shortage Contingency Plan



Section 10632 of the California Water Code states that the Urban Water Management Plan shall provide an urban water shortage contingency analysis that includes information on the estimated three-year minimum water supply, actions in the event of a water shortage, water waste prohibitions, non-essential water uses during a water shortage, mechanisms for determining water use reductions, revenue and expenditure impacts and the emergency preparedness and plans for catastrophic events. The Town of Windsor (Windsor) draft water shortage contingency model ordinance to be enacted during a water shortage is provided in Attachment 1. Attachment 2 contains Section 12-3-361 from the Town’s Municipal Code regarding Regulations and Restrictions on Water Use.

## Estimate of Minimum Water Supply for Next Three Years (Water Code §10632(b))

The minimum water supply available during the next few years during a multiple dry year drought, based on historical water supply data, is presented in Section 7 (Table 7-2, which is DWR Table 28) of the Town of Windsor’s 2010 Urban Water Management Plan.

## Stages of Action to be Taken in Response to Water Supply Shortages (Water Code§10632(a))

The Town Manager shall be responsible for monitoring all potential water shortage conditions, and shall make recommendations to the Town Council regarding the implementation of the Water Shortage Contingency Plan stages 1, 2, or 3. It is the responsibility of the Town Council or its designee to declare a water shortage. The specific stages and triggers to activate each stage based on a percentage reduction in water supply will be determined in cooperation with the Sonoma County Water Agency and the other water contractors served by the Russian River aqueduct system. Table 1 summarizes the triggers and degree of water shortage for each stage of action based on the stages defined in the model ordinance (Attachment 1).

| Stage No. | Rationing Stages   | % Shortage |
|-----------|--|------------|
|           | Water Supply Conditions  |            |
| 1         | Disruptions to the Town’s water delivery system or shortages in the amount of water available for delivery by Sonoma County Water Agency and Sonoma County Water Agency has declared a Stage 1 water shortage  | 15         |
| 2         | Disruptions to the Town’s water delivery system or shortages in the amount of water available for delivery by Sonoma County Water Agency and Sonoma County Water Agency has declared a Stage 2 water shortage. | 15-25      |
| 3         | Disruptions to the Town’s water delivery system or shortages in the amount of water available for delivery by Sonoma County Water Agency and Sonoma County Water Agency has declared a Stage 3 water shortage. | 25-50      |

## Water Shortage Contingency Plan

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### Stage 1 – Introductory Stage - Voluntary Reductions

During Stage 1, the Town shall implement a public information campaign to inform customers regarding the special need to conserve water due to drought conditions, or any other factor which would cause a reduction in the Town’s water supply. The public information campaign shall address certain water use restrictions which customers may implement on a voluntary basis. The list of voluntary restrictions is provided in the model ordinance (Attachment 1) and summarized in Table 3.

### Stage 2 – Mandatory Rationing-Community Cooperation Method

In the event that further water conservation is necessary the Town will ask customers to reduce their water consumption by 15 to 25 percent dependent upon the specific water supply conditions. Water allotments may be recommended in a resolution or ordinance depending on alternative supplies and the Town’s needs. The Town shall inform its customers that water shortage conditions have reached a magnitude that requires the implementation of mandatory restrictions on the uses of water. The Town will implement water reductions by user class, in order of importance, for healthcare and public safety, non-residential use, irrigation use, and residential use – percent of water allotted to them.

In addition, further non-essential water use prohibitions are recommended to meet necessary water consumption reductions. For example, it is suggested that restaurants implement a “water on request” program. The list of restrictions on water use are defined as non-essential uses in the model ordinance (Attachment 1) and summarized in Tables 3 and 4.

### Stage 3 – Mandatory Restrictions of Both the Uses of Water and the Amounts of Water Used

If it is determined that further water consumption reductions are necessary or that stage 2 reduction methods are not effective, it may be recommended that water customers implement a water allotment/penalty method. The necessary water consumption reduction will be 25 to 50 percent. Water allotments will be assigned for each water use class depending on the necessary water conservation percent reduction.

To further achieve water consumption reductions the Model Ordinance recommends limits on all new connections, excluding the exemptions listed in the Model Ordinance. Recommendations for construction offset programs are also included in the Model Ordinance. The list of additional nonessential uses for Stage 3 are defined in the Model Ordinance (Attachment 1) and summarized in Tables 3 and 4.

### **Catastrophic Supply Interruption Plan (Water Code §10632(c))**

The Town of Windsor Water System Master Plan describes the mitigation strategies that may be implemented to limit the impact due to catastrophic events resulting in long-term and short-term interruptions of their water supplies, excluding water shortages and interruptions due to drought. Catastrophic events that have been addressed by the Town include toxic spills, earthquakes, floods, fires, and power outages. The preparation actions for these catastrophic events are summarized in Table 2.

## Water Shortage Contingency Plan



In the event of an emergency, a designated Emergency Operations Center (EOC) may be activated to act as a coordination center for all of the District's emergencies. Town personnel will be required to inspect wells, storage tanks, and transmission lines and file a report with the EOC. The EOC would set an order of priority for repair and shut down projects.

| Possible Catastrophe         | Summary of Actions  |
|------------------------------|---|
| Earthquake                   | Shut-off isolation valves and above ground use of flexible piping for ruptured mains                    |
| Floods                       | Use of the Aqueduct, Bluebird Facility, and storage while Russian River Well sites are interrupted      |
| Toxic Spills                 | Use of the Aqueduct, Bluebird Facility, and storage while Russian River Well sites are interrupted      |
| Fire                         | Storage supplies for fire flows   |
| Power Outage or Grid Failure | Portable and emergency generators available for Town, Russian River Well Field, and Aqueduct facilities |
| Severe Winter Storms         | Portable and emergency generators available for Town, Russian River Well Field, and Aqueduct facilities |
| How Weather                  | Portable and emergency generators available for Town, Russian River Well Field, and Aqueduct facilities |

### Prohibitions, Penalties, and Consumption Reduction (Water Code §10632(d)-(f))

Table 3 lists the suggested non-essential water uses and water waste prohibitions. For exceptions to prohibitions or non-essential water uses refer to the Town's Municipal Code Section 12-3-361 which contains regulations and restrictions on water use (Attachment 2). Non-essential water use prohibitions in a subsequent stage include the prohibitions from the previous stage.

# Water Shortage Contingency Plan



**Table 3. Voluntary Restrictions and Mandatory Prohibitions (DWR Table 36)**

| Examples of Water Waste Prohibitions and Non-Essential Water Uses   | Stage When Prohibition Becomes Mandatory |
|---|--|
| Washing of sidewalks, walkways, driveways, parking lots, and other hard surfaces  | Water Waste Prohibition                  |
| Irrigation in a manner that causes run-off or unreasonable overspray  | Water Waste Prohibition                  |
| Washing cars, boats, trailers, or other vehicles without a hose with a shutoff nozzle   | Water Waste Prohibition                  |
| Water for non-recycling decorative water fountains  | Water Waste Prohibition                  |
| Water for non-recycling car and industrial clothes wash systems   | Water Waste Prohibition                  |
| Water for single pass evaporative cooling systems   | Water Waste Prohibition                  |
| Un-repaired leaks   | Water Waste Prohibition, Stage 1         |
| Refilling a swimming pool   | Stage 1                                  |
| Non-commercial washing of motor vehicles, trailers, and boats except with a bucket and a hose with a shut-off nozzle for a rinse                  | Stage 1                                  |
| Use of fire hydrants except for essential needs or by permit  | Stage 2                                  |
| Watering of any existing turf grass, ornamental plant, garden, landscaping or other plants, except using a hand-held container or drip irrigation | Stage 2                                  |
| Watering of new turf grass or landscaping   | Stage 2                                  |
| Initial filling of a swimming pool  | Stage 2                                  |
| <i>Note: Refer to the Town of Windsor's Municipal Code Section 12-3-361 for their Water Waste Prohibition.</i>                                    |  |

The actual percent reductions and the stage of action depend on the total water requirement necessary, available supply, and alternative sustainable local supplies. Consumption reduction methods are listed in Table 4.

**Table 4. Consumption Reduction Methods (DWR Table 37)**

| Consumption Reduction Methods                   | Stage When Method Takes Effect | Projected Reduction (%) |
|---|--------------------------------|-------------------------|
| Water waste prohibitions                        | At all times                   |                         |
| Reduce pressure in the water lines              | Stage 1                        | 15                      |
| Prohibit non-essential water use                | Stage 1                        | 15                      |
| Education and outreach program                  | Stage 1                        | 15                      |
| Water conservation plumbing fixture replacement | Stage 1                        | 15                      |
| Voluntary rationing                             | Stage 1                        | 15                      |
| Water shortage pricing, rate adjustments        | Stage 2                        | 15-14                   |
| Mandatory rationing                             | Stage 2, 3                     | 15-50                   |
| Restrict use for irrigation                     | Stage 2, 3                     | 15-50                   |
| Restrict new water connections                  | Stage 2, 3                     | 15-50                   |
| New construction offset programs                | Stage 2, 3                     | 15-50                   |
| Per capita allotment by customer type           | Stage 3                        | 25-50                   |

Table 5 summarizes suggested penalties when the violation has not been remedied or is repeated. Depending on the extent of the water waste the Town may, after written notification to the customer and a reasonable time to correct the violation, as solely determined by the Town, take some or all of the actions in Table 5. The Stage when the penalties take effect is based on the model ordinance (Attachment 1).

**Table 5. Penalties and Charges (DWR Table 38)**

| Penalties or Charges   | Stage When Penalty Takes Effect |
|------------------------|---------------------------------|
| Termination of service | Stage 2                         |
| Flow restriction       | Stage 2                         |
| Reconnection fee       | Stage 2                         |
| Water waste fee        | Stage 3                         |

*Note: Penalties and charges in this table are based on the Town of Windsor's Municipal Code Section 12-3-361, Regulations and Restrictions on Water Use.*

## Analysis of Revenue Impacts of Reduced Sales During Shortages (Water Code §10632(g))

Measures available to the Town to offset impacts during water shortages would include rate adjustments, or revision of the tier levels, and use of financial reserves including the general fund. Due to reduction in water sales the revenue obtained from water sales will be reduced, however much of the operations and maintenance expenses for the Town will remain the same. The Town may experience increased expenditures for public information and outreach campaigns and staffing. A “Revenue Impact Model – Step by Step Instructions” (Attachment 4)

# Water Shortage Contingency Plan



was supplied to the Town by the Agency to assist the Town in analyzing the financial impacts during a water shortage and make decisions on actions to be taken. In the event of a water shortage, the Town would evaluate the financial impact for the needed percent water consumption reduction. Tables 6 and 7 list suggestions to overcome the revenue and expenditure impacts.

| <b>Table 6. Proposed Measures to Overcome Revenue Impacts</b> |                           |
|---|---------------------------|
| <b>Names of Measures</b>                                      | <b>Summary of Effects</b> |
| Rate adjustment   | Offset loss in revenue    |
| Use of financial reserves                                     | Offset loss in revenue    |

| <b>Table 7. Proposed Measures to Overcome Expenditure Impacts</b> |                                     |
|---|-------------------------------------|
| <b>Names of Measures</b>  | <b>Summary of Effects</b>           |
| Reconnection fees   | Support water conservation programs |
| Excessive use charges   | Support water conservation programs |
| Construction offset programs                                      | Support water conservation programs |

## Water Shortage Contingency Draft Ordinance and Use Monitoring Procedure (Water Code §10632(h) and (i))

As noted above, the Sonoma County Water Agency Board has approved an allocation methodology for use by the Town in the event of a water supply shortage. The draft model ordinance and allocation methodology are provided as Attachments 1 and 3, respectively. It is recommend by Sonoma County Water Agency that the Town utilize a chart depicting actual community water use compared to overall rationing goal and provide this information to the media and the public to encourage water conservation. Sonoma County Water Agency developed recommendations for the Town to monitor water use reductions as shown in Table 8.

| <b>Table 8. Water Use Monitoring Mechanisms</b>     |   |
|---|---|
| <b>Mechanisms for Determining Actual Reductions</b> | <b>Data Expected</b>  |
| Continuous system data collection                   | Normal water usage  |
| Review of water use data                            | Percent reduction based on weather and growth normalized projected demand     |
| Review of production data                           | Percent reduction based on historical usage normalized for growth and weather |
| Increased meter reading (Stage 3)                   | Regular water usage information during shortage                               |
| Agency supply meters                                | Quantity of delivered water   |

## Section 3 DEMAND REDUCTION PROGRAM

This section describes how the City will respond to future water shortages and discusses the various actions it would take to reduce water demand under different shortage scenarios.

### 3.1 Staged Demand Reduction Approach

The recommended Water Shortage Contingency Plan uses a staged approach that classifies a shortage event into one of five levels spanning a range from less than 5 percent up to 50 percent. Each stage has been ascribed a specific title to describe and convey the severity of the water shortage to the public.

**Table 3-1. Five Stage Structure to Water Shortage Contingency Plan**

| Stage | Magnitude of Water Shortage | Stage Title                       |
|-------|-----------------------------|-----------------------------------|
| 1     | 0-5%                        | Water Shortage Alert              |
| 2     | 5-15%                       | Water Shortage Warning            |
| 3     | 15-25%                      | Water Shortage Emergency          |
| 4     | 25-35%                      | Severe Water Shortage Emergency   |
| 5     | 35-50%                      | Critical Water Shortage Emergency |

To put these different levels into context, the City water system normally produces a total of about 2.5 to 2.6 billion gallons of water from April through October. This is the time period when water production is typically the most constrained by shortages and when consumption would need to be reduced. Normal daily usage during this period varies seasonally from 10 to 14 mgd and averages about 12 mgd. Table 3-2 below shows the amount of reduction in demand that would need to be achieved system-wide, on both a seasonal and a daily basis, which corresponds with the upper end of each stage.

The overall concept of this approach is that water shortages of different magnitudes require different measures to overcome the deficiency. As explained in further detail below, each stage includes a set of demand reduction actions and measures which become progressively more stringent as the shortage condition escalates.

**Table 3-2. System-wide Demand Reduction Volumes**

| Stage | Magnitude of Water Shortage | Seasonal Demand Reduction (million gallons) | Average Daily Demand Reduction (mgd) |
|-------|-----------------------------|---|--------------------------------------|
| 1     | 5%                          | 125   | 0.6                                  |
| 2     | 15%                         | 375   | 1.8                                  |
| 3     | 25%                         | 625   | 3.0                                  |
| 4     | 35%                         | 875   | 4.2                                  |
| 5     | 50%                         | 1,250                                       | 6.0                                  |

Normally, only one of these five stages would be put into effect early in the year at the recommendation of the Water Director and remain in force for the entire dry season. Which one would depend on the water supply outlook at the beginning of the dry season. However, conditions and circumstances will vary with each shortage event. Although it would not be desirable to do so for sake of consistency, the City might be forced to transition to the next higher stage mid-season if the reduction efforts at the initial stage do not achieve the needed result.

There is an important distinction between the lower two stages (1 and 2), designated above in shades of yellow, and the upper three stages (3, 4, and 5) designated in shades of red, with the break point occurring at the 15 percent shortage level. The lower two stages (1 and 2) represent the **anticipated curtailment** that is envisioned as being necessary to balance water supply and demand from time to time under the City's Integrated Water Plan. Shortages of 15 percent or less, while inconvenient, do not directly threaten public safety or pose undue economic impact.

The upper three stages (3, 4 and 5), conversely, are all characterized as **emergency water shortages** since they result in more widespread hardships being felt throughout the community, may threaten public health and welfare, and cause considerably more economic harm. For these reasons, the City is making considerable effort and investing substantial capital to avoid shortages of this magnitude in the future. Nevertheless, as a public water supplier, the City must still prepare and plan for the possibility of experiencing such large deficits under state law.

## **3.2 Overview of Demand Reduction Strategy**

The City's strategy for dealing with water shortages of all levels involves the following four interrelated components:

- An allocation system to establish reduction goals for different customer groups
- Demand reduction measures
- Publicity and communications
- Operating actions

These four components are summarized below.

### **3.2.1 Allocation System**

A fundamental issue any water supplier faces in managing a water shortage involves the allocation of water and how to distribute the available supply among customer categories when supplies fall short. In the process of updating this plan, staff and the City Water Commission examined various options and alternatives and selected a priority-based system. This allocation system produces specific demand reduction goals for each major customer category at various levels of shortfall based on the unique usage characteristics of each customer category. It is one of the key mechanisms to ensure that the overarching goals of: 1) conserving the water supply of the City for the greatest public benefit and 2) mitigating the effects of a water shortage on public health, safety, and economic activity, are achieved. It also provides the means for determining whether demand reduction goals are being met or, if not, making needed adjustments. The allocation system is described in more detail below.

### **3.2.2 Demand Reduction Measures**

There are a variety of demand reduction techniques that can be used to curtail customer water use during a supply shortfall. These techniques fall into the following general categories:

Voluntary Water Use Reductions This approach would include issuing guidelines and suggestions to conserve water, encouraging installation or active distribution of conservation devices, stepping up financial incentives for fixtures and

appliances that reduce per capita water use, discouraging installation of new landscape, or encouraging replanting with low water materials. Offering technical assistance in the form of water audits for various types of customers would fall into this category.

Prohibitions on Certain Uses This technique includes banning nonessential uses not required for protection of public health and safety that are not normally prohibited by definition under the city's water waste ordinance. Examples include prohibition on the use of potable water for washing sidewalks and paved surfaces, dust control, or the draining and refilling of private swimming pools. Included in this category would be serving of water in restaurants or other places where food is served unless expressly requested by the customer.

Limits on Certain Uses This approach involves placing mandatory restrictions such as watering only between certain hours or on specific days, watering of landscape only by certain methods (sprinkler ban), or restricting the manner in which vehicles or buildings may be washed.

Mandatory Requirements This technique includes adopting regulations mandating that certain measures be taken by selected customers ranging from the posting of signage in various establishments to save water to requiring the preparation and filing of site-specific conservation plan or requiring an audit of company water use demonstrating conservation efforts.

Rationing This approach involves establishing a fixed volume or allocation for individual customers or for groups of customers that is intended to reduce water use to a certain level commensurate with the seriousness of the situation. Possible methods that can be used to assign customer allotments include setting a uniform or flat amount, applying a percentage reduction from past use (or other benchmark), establishing a ration on a unit basis (per capita, per dwelling unit, per connection) or using a hybrid approach that is based on a combination of factors.

In updating this plan, staff and the City's Water Commission identified and reviewed available options for application to various customer groups and inclusion at different stages, and took into consideration the following factors:

- Water savings
- Seasonality
- Time frame and procedural requirements to implement the measure
- Administrative burden
- Applicable sector (residential, commercial, irrigation)
- Measures used by other water agencies

### **3.2.3 Publicity and Communications**

Effective communication is essential to the success of any water shortage contingency plan in achieving the desired water use reductions. All customers need to be adequately informed about water supply conditions, understand the need to conserve, and know what actions they are being requested or required to take to mitigate the shortage. The Water Department naturally assumes a central role in publicizing the extent of the water shortage problem and in advising and assisting customers to conserve. The more severe the shortage, the more vigorous the public information campaign will need to be. No matter what the situation though, any public communications strategy undertaken in connection with water shortage ideally should contain the following fundamental attributes:

Timely – information should be disseminated well in advance of voluntary and mandatory actions that are to take effect, repeated often, and updated at regular intervals.

Credible – public information efforts should strive to be clear, professional, consistent, straightforward, reasoned, and honest to build trust and community support.

Multimodal – information should be made available to the public using a variety of methods, including the internet, newsletters and newspapers, radio, television, special events, visual displays, public meetings, speaking engagements, and other techniques to maximize reach.

Open – the Department will actively listen to, engage, and involve its customers, solicit feedback, address identified concerns, and respond to public input in a manner that is respectful, appreciative, welcome to creative solutions, and acknowledges each individual's sacrifice, inconvenience, and contribution to the situation.

Coordinated – the Department should collaborate with other City departments, affected public agencies and organizations, its own employees, interest groups, and the news media to ensure that everyone is on the same page and working together.

Action Oriented – information should always contain positive action steps people can take to help foster a spirit of cooperation and create an overall atmosphere that encourages the public to save water for the common good.

There are a number of **key groups** to whom water shortage communications will need to be aimed. These include, but are not limited to the following:

City Council and other local elected officials The Council authorizes the use of emergency powers and funds, adopts water shortage regulations, and makes appointments to a special appeals board. As the City's governing body, it will have to deal with frequent inquiries from the media and constituents. It will need to know about possible impacts on citizens and the City's own municipal water use. The City Council will be provided in-depth information for its decision-making. The Water Commission, which advises City Council, is a primary forum where policy issues are discussed and the public is able to make its voice heard. The County Board of Supervisors, Capitola City Council, and governing bodies of adjoining water districts also will need to be kept informed.

City Departments and other governmental bodies All City departments, including Parks, Fire, Public Works, as well as other public institutions will be asked to provide leadership and present a good example to the community by reducing their own water demand. The Water Department will need to work closely to promote and ensure such interdepartmental and government cooperation.

News media The media has a key role to play in helping communicate timely and accurate information to the public, especially when water restrictions or regulations are initially announced. The Water Director or Water Conservation Manager (as alternate) serve as official spokespersons to television and print media, answering questions and explaining reasons for certain actions. Because the news media is such a powerful force, care always must be given to deliver accurate and consistent messages and to maintain good relationships with the media. Feature reporters and editors can also be instrumental in writing about personal interest stories and alternative approaches to help people deal with water shortage in a positive way.

Large water users and groups most affected by water shortage The local landscaping and hospitality industries, along with other high water using businesses, University, and special needs customers (hospitals, nursing care facilities, etc) will need additional information about water shortage restrictions or regulations that affect their business or clients more than average.

City water customers/general public All 90,000 City water users, regardless of whether they are the customer of record, will need to be properly notified so that everyone understands the reasons for voluntary or mandatory cutbacks, what is expected in terms of usage restrictions, and the consequences of failing to abide by any adopted regulations. The Department will need to step up distribution of conservation tips and water saving ideas and respond to an increasing number of individual customer contacts. Special efforts also will need to be made to translate copies of all public notices, regulations, and outreach materials into Spanish and other appropriate languages for non-English speakers.

There are various methods the Department could employ to carry out added communications and public outreach responsibilities that become necessary in a water shortage situation. The menu of possible techniques is listed in Table 3-3.

**Table 3.3 Communications and Public Outreach Methods**

|  |   |
|--|---|
| • Press releases                               | • Public meetings, forums   |
| • Press conferences                            | • Publish figures and charts of actual water supply and demand on graph, comparing system use against daily, weekly, or monthly water budgets |
| • Opinion page coverage                        | • Presentations at neighborhood, homeowner's associations, service, and community meetings  |
| • Paid advertising (print, radio, television)  | • Telephone hotline   |
| • Community television                         | • Fliers at schools, churches, libraries, grocery markets, and other social gathering places  |
| • Radio interviews                             | • Outdoor signs for visitors  |
| • Public service announcements                 | • Conservation events, contests, booths   |
| • Internet                                     | • Lead or participate in regional drought awareness media campaigns   |
| • Bill inserts                                 |   |
| • Utility bill messages                        |   |
| • Revisions to utility bill layout             |   |
| • Direct mail                                  |   |
| • Printed material (posters, banners, signage) |   |
| • E-mail                                       |   |
| • Utility newsletter                           |   |

In reviewing other agency's contingency plans, one feature that was considered valuable to have prepared in advance was a concise public message for each

stage of the Water Shortage Contingency Plan. These statements, set forth below, are intended to help communications stay on message and set the tone for subsequent communications through the duration of the incident.

A working list of contacts for major public agencies, media contacts, business organizations, landscape interests, and large customers is provided in Appendix D for reference.

### **3.2.4 Operating Actions**

The Water Department must be flexible in the use of its own workforce and adaptable in realigning its priorities when a water shortage arises. The added responsibilities change what must be done in both field and office operations on a daily basis compared to usual duties under normal water supply conditions. These actions begin early in the water year with monitoring and forecasting water supply conditions and quickly ramp up in spring as the likelihood of a shortage increases. Many will represent increased costs to the Department for additional personnel, services, and supplies.

An important initial step is to designate a working group consisting of the Water Director and senior staff to lead and manage the Department's internal and external water shortage response. The size and composition of the group and frequency of meetings (monthly, weekly, daily) would vary depending on the severity of the shortage.

The Water Department must then mobilize the necessary personnel, resources, and equipment to undertake the various activities that are critical to implementing an effective response. These initial actions may include, among other things:

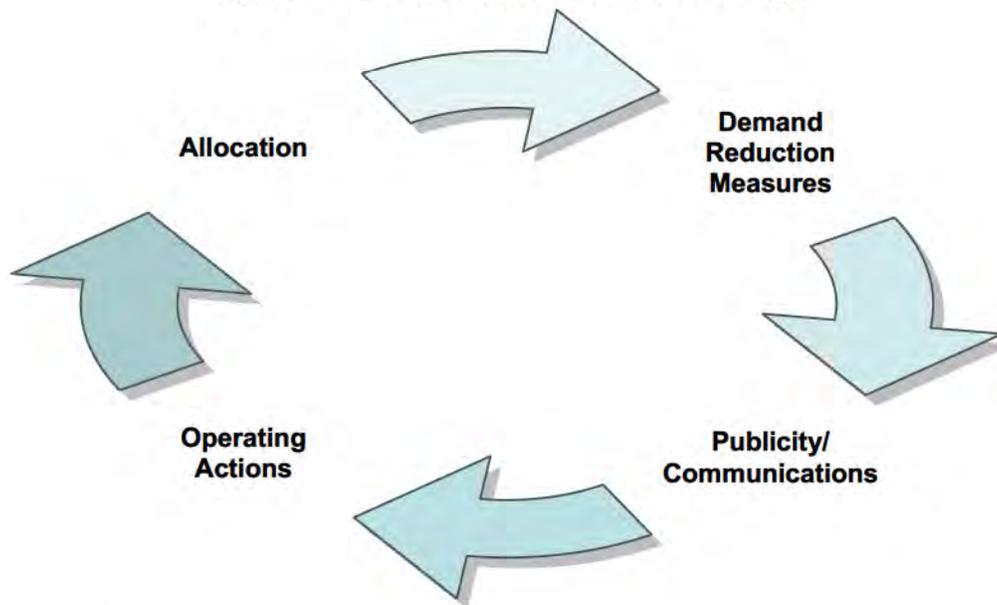
- Establishing water production budgets
- Coordinating with other city departments and affected public agencies
- Establishing a public communications program to publicize use restrictions and to engage and involve the community and key water-using sectors in curtailing their demand
- Ensuring adequate staff and training to effectively respond to customer inquiries and enforce water shortage regulations
- Adapting utility billing format and database capabilities
- Expanding water conservation assistance, outreach, and education

- Instituting a system for processing exception requests and appeals
- Addressing policy issues and updating status with decision makers
- Implementing monitoring mechanisms to track actual usage and measure performance

These and other operating actions are described further below and in Section 4 covering plan implementation.

Together, these four demand reduction strategy components can be thought of as a system whose parts function together to accomplish change; change in customer understanding and awareness, change in their behavior and actions, and fundamentally change in how much water residents, businesses, and visitors use in times of water shortage. As illustrated in Figure 3-1, these interrelated components provide the standards and feedback mechanism to ensure that water consumption is reduced to the level that the system can safely support.

**Figure 3-1. Demand Reduction Strategy**



### **3.3 Priority-Based Water Shortage Allocation**

The recommended allocation system is based on the premise that, when water is in short supply, certain end uses should have a higher priority than others. Using a priority-based approach, the normal water demands of each major customer category are first classified into three basic priorities, as follows:

1. **Health and safety.** This is the highest priority use, which includes residential and non-residential interior domestic and sanitary uses.
2. **Business.** This category is the second highest priority and includes all non-sanitary usage related to commercial and industrial activity.
3. **Irrigation.** This is the lowest priority and includes all irrigation and outdoor usage in the single family, multiple residential, UC and irrigation categories.

Table 3-4 shows the normal water use for each of the City's major customer groups during the April to October peak season and the composition of that demand according to usage priority. These figures are based on an analysis of actual consumption records for the three-year period from 2002 through 2004, which was selected as being representative of typical water consumption patterns in a stable period marked by normal weather and water conditions.

**Table 3-4. Composition of Peak Season Water Use, by Usage Priority**  
(Million gallons)

| Customer Class:                                  | Usage Priority:        |               |                 | Total        | Percent of Total |
|--|------------------------|---------------|-----------------|--------------|------------------|
|  | 1<br>Health/<br>Safety | 2<br>Business | 3<br>Irrigation |              |                  |
| Single Family Residential                        | 660                    |               | 371             | 1,031        | 42%              |
| Multiple Residential                             | 382                    |               | 142             | 524          | 21%              |
| Business   | 165                    | 273           |                 | 438          | 18%              |
| University of California                         | 91                     |               | 41              | 132          | 5%               |
| Other Industrial                                 |                        | 23            |                 | 23           | 1%               |
| Municipal  | 18                     |               | 30              | 48           | 2%               |
| Irrigation                                       |                        |               | 110             | 110          | 4%               |
| Golf Course Irrigation                           |                        | 32            | 74              | 106          | 4%               |
| Coast Agriculture                                |                        | 59            |                 | 59           | 2%               |
| Other  |                        | 2             |                 | 2            | 0%               |
| <b>SUBTOTAL</b>                                  | <b>1,316</b>           | <b>389</b>    | <b>768</b>      | <b>2,473</b> | <b>100%</b>      |
| <b>Percent of Total</b>                          | <b>53%</b>             | <b>16%</b>    | <b>31%</b>      | <b>100%</b>  |                  |
| System uses/losses                               |                        |               |                 | 168          |                  |
| <b>TOTAL SYSTEM PRODUCTION (million gallons)</b> |                        |               |                 | <b>2,641</b> |                  |

Metered water use by all customers during this 7-month period averages 2,473 million gallons, or roughly 2.5 billion gallons. In terms of the breakdown by usage priority, water used for health and safety purposes amounts to 1.3 billion gallons or just over half (53%) of the total demand during the peak season. Water used for business-related purposes amounts to less than 400 million gallons (16%) and the volume of water used for irrigation and associated outdoor purposes totals 768 million gallons (31%). Expressed on a daily basis, this breakdown equates to an average of 6.3 mgd for to satisfy health and safety needs, 1.9 mgd for business activities, and 3.7 mgd for irrigation/outdoor purposes.

To arrive at demand reduction goals for each customer group, the normal year demands shown in Table 3-4 are scaled back by usage priority in accordance with the schedule shown in Table 3-5.

**Table 3-5. Reduction in Water Delivery by Usage Priority**  
(percent of normal deliveries)

| Stage | Overall System Shortfall: | Health/Safety | Business | Irrigation |
|-------|---------------------------|---------------|----------|------------|
| 2     | 15%                       | 95            | 95       | 64         |
| 3     | 25%                       | 95            | 90       | 34         |
| 4     | 35%                       | 90            | 85       | 12         |
| 5     | 50%                       | 75            | 67       | 0          |

In essence, this allocation system strives to balance available supplies in times of drought as much as possible through cutbacks in outdoor water use. At each level of shortfall, public health and sanitation usage is afforded the highest priority by cutting back on interior usage the least<sup>1</sup>. The importance of water in protecting the City's employment base is also acknowledged through proportionately modest cutbacks to the commercial sector as compared to the overall system shortfall. Irrigation and other outdoor uses in all cases is cutback the most. The larger the water shortage, the greater the cutbacks, but this system of priorities is maintained throughout the range of potential shortages. The heavy reliance on outdoor use reductions makes sense, both from a water system perspective because it reduces peak demands, which is important to preserving storage in Loch Lomond Reservoir, and from a public health and

<sup>1</sup> No separate allocation was developed for Stage 1 shortfall due to the minimal level of demand reduction needed, voluntary nature of conservation measures requested, and regulations that affect all customer groups equally.

welfare perspective, because irrigation and other outdoor use are the most discretionary of all uses when drinking water is in short supply.

Under this system, a systemwide water shortage of 15 percent - the maximum unserved demand envisioned in the Integrated Water Plan - can be addressed through modest cutbacks (5%) in both indoor and business water uses, combined with an approximately one-third reduction in outdoor water use. Emergency water shortages would involve far deeper cutbacks. A 25 percent systemwide shortage requires slightly greater reduction in business water use combined with a harsher two-thirds reduction in outdoor watering. A 35 percent systemwide shortage requires reducing health/safety and business uses somewhat more, combined with drastic reductions, amounting to almost 90 percent, in outdoor water use. To achieve a 50 percent reduction would take nothing less than a significant reduction in both health/safety and business usage, combined with the elimination of all outdoor water use.

The resulting water supply allocation is shown in Table 3-6. The figures are expressed as a percent of normal delivery and by volume in million gallons for each sector. For example, an allocation of 80 percent means a 20 percent cutback from normal use. Single family residential customers are cut back in all stages slightly more than the overall system shortfall and more than the multifamily customers due to their relatively higher proportion of outdoor to indoor use. Business and industrial customers are also cut back, but by less than the system deficit. The University's cutback would be equal or close to system shortfall, while municipal facilities would be cut back substantially greater due to the high percentage of water use that goes to outdoor purposes. Dedicated landscape/irrigation customers suffer the deepest cutbacks of any single group.

The contribution of each customer category to the overall demand reduction goal is shown in Table 3-7. Approximately two-thirds of the total cutback would be realized through reductions at single and multifamily residential accounts, which is roughly proportional to their overall percentage of normal system demand.

This allocation system is the one recommended by the City's Water Commission after considering several options, and is based on current patterns and composition of water consumption. As demand level changes over time, it should be reviewed and possibly revised. In addition, alternative allocations may always be considered at the time a given stage is implemented.

**Table 3-6. Water Supply Allocation and Customer Reduction Goals**

|   | No Deficiency |                     | Stage 2<br>15% Deficiency |                     | Stage 3<br>25% Deficiency |                     | Stage 4<br>35% Deficiency |                     | Stage 5<br>50% Deficiency |                     |
|---|---------------|---------------------|---------------------------|---------------------|---------------------------|---------------------|---------------------------|---------------------|---------------------------|---------------------|
|   | Delivery      |                     | Delivery                  |                     | Delivery                  |                     | Delivery                  |                     | Delivery                  |                     |
|   | %             | Volume<br>(mil gal) | %                         | Volume<br>(mil gal) | %                         | Volume<br>(mil gal) | %                         | Volume<br>(mil gal) | %                         | Volume<br>(mil gal) |
| Normal Peak Season<br>Demand = 2,473 mg |               |                     |                           |                     |                           |                     |                           |                     |                           |                     |
| Single Family Residential               | 100           | 1,031               | 84%                       | 864                 | 73%                       | 753                 | 62%                       | 639                 | 48%                       | 495                 |
| Multiple Residential                    | 100           | 524                 | 87%                       | 454                 | 78%                       | 411                 | 69%                       | 361                 | 55%                       | 287                 |
| Business                                | 100           | 438                 | 95%                       | 416                 | 92%                       | 402                 | 87%                       | 381                 | 70%                       | 307                 |
| UC Santa Cruz                           | 100           | 132                 | 85%                       | 113                 | 76%                       | 100                 | 66%                       | 87                  | 52%                       | 68                  |
| Other Industrial                        | 100           | 23                  | 95%                       | 22                  | 90%                       | 21                  | 85%                       | 20                  | 67%                       | 15                  |
| Municipal                               | 100           | 48                  | 76%                       | 36                  | 57%                       | 27                  | 41%                       | 20                  | 28%                       | 14                  |
| Irrigation                              | 100           | 110                 | 64%                       | 70                  | 34%                       | 37                  | 12%                       | 13                  | 0%                        | 0                   |
| Golf Course Irrigation                  | 100           | 106                 | 73%                       | 78                  | 51%                       | 54                  | 34%                       | 36                  | 20%                       | 21                  |
| Coast Irrigation                        | 100           | 59                  | 95%                       | 56                  | 90%                       | 53                  | 85%                       | 50                  | 67%                       | 40                  |
| Other                                   | 100           | 2                   | 95%                       | 2                   | 90%                       | 2                   | 50%                       | 1                   | 50%                       | 1                   |
| <b>Total</b>                            | <b>100</b>    | <b>2,473</b>        | <b>85%</b>                | <b>2,111</b>        | <b>75%</b>                | <b>1,861</b>        | <b>65%</b>                | <b>1,607</b>        | <b>50%</b>                | <b>1,247</b>        |
| Demand Reduction<br>%, Million gallons  | <b>0</b>      | <b>0</b>            | <b>15%</b>                | <b>-362</b>         | <b>25%</b>                | <b>-612</b>         | <b>35%</b>                | <b>-866</b>         | <b>50%</b>                | <b>-1,226</b>       |

**Table 3-7. Contribution of Each Customer Category to Toward Overall Cutback Goal**

| Demand Reduction:             | Stage 2<br>15% Deficiency |                  | Stage 3<br>25% Deficiency |                  | Stage 4<br>35% Deficiency |                  | Stage 5<br>50% Deficiency |                  |
|-------------------------------|---------------------------|------------------|---------------------------|------------------|---------------------------|------------------|---------------------------|------------------|
|                               | Million gallons           | Percent of total |
| Single Family Residential     | 167                       | 46%              | 278                       | 45%              | 392                       | 45%              | 536                       | 44%              |
| Multiple Residential          | 70                        | 19%              | 113                       | 18%              | 163                       | 19%              | 238                       | 19%              |
| Business                      | 22                        | 6%               | 36                        | 6%               | 57                        | 7%               | 131                       | 11%              |
| UC Santa Cruz                 | 19                        | 5%               | 32                        | 5%               | 45                        | 5%               | 64                        | 5%               |
| Other Industrial              | 1                         | 0%               | 2                         | 0%               | 3                         | 0%               | 8                         | 1%               |
| Municipal                     | 12                        | 3%               | 21                        | 3%               | 28                        | 3%               | 35                        | 3%               |
| Irrigation                    | 40                        | 11%              | 73                        | 12%              | 97                        | 11%              | 110                       | 9%               |
| Golf Course Irrigation        | 28                        | 8%               | 52                        | 9%               | 70                        | 8%               | 85                        | 7%               |
| Coast Irrigation              | 3                         | 1%               | 6                         | 1%               | 9                         | 1%               | 19                        | 2%               |
| Other                         | 0                         | 0%               | 0                         | 0%               | 1                         | 0%               | 1                         | 0%               |
| <b>Total Demand Reduction</b> | <b>362</b>                | <b>100%</b>      | <b>612</b>                | <b>100%</b>      | <b>866</b>                | <b>100%</b>      | <b>1,226</b>              | <b>100%</b>      |

A prime concern of any water shortage contingency plan is maintaining sufficient water for public health and sanitation. Table 3-8 below presents the health and safety allocation for residential customers in terms of gallons per person per day under the four deficit conditions. Current indoor water use averages 58 gallons per person per day for single residential accounts and about 50 gallons per person per day for multifamily accounts. In all but the most extreme case, there is enough water to meet essential health and safety needs, which is considered to be between 45 and 50 gallons per person per day for single family homes, assuming they have been fitted with water conserving fixtures and leakage is minimized. At a 50 percent deficiency, even highly water-efficient households would have to take additional actions to get their usage down to the upper 30 or low 40 gallons per person per day.

**Table 3-8. Health & Safety Indoor Residential Use**

| <b>Deficiency condition</b> | <b>Health / Safety Allocation</b> | <b>Single Residential (gal/person/day)</b> | <b>Multiple Residential (gal/person/day)</b> |
|-----------------------------|-----------------------------------|--|--|
| No deficiency               | 100%                              | 58   | 50   |
| 15%, 25%                    | 95%                               | 55   | 47   |
| 35%                         | 90%                               | 52   | 45   |
| 50%                         | 75%                               | 43   | 37   |

### **3.4 Water Shortage Response Actions**

The allocation system described above serves to establish demand reduction goals for each of the City's major customer groups. The challenge in crafting this contingency plan is to select the most appropriate set of measures that logically correlate with these targets for each sector and stage of shortfall, acknowledging the inherent uncertainties involved and difficulty in predicting their effectiveness in advance.

The recommended menu of actions to cut water use is presented below. It is meant primarily to help inform the public and decision-makers about the types of measures the Water Department would take under various water shortage scenarios and to aid in structuring an updated water shortage ordinance, but should not be construed as limiting other possible options. Specific circumstances will vary with each shortage and decisions about the most appropriate response should be based on the water supply and demand

conditions at the time, and the collective judgment of staff, Water Commission, and City Council, with ample public input. These actions are thus intended as a list of probable measures for advance preparation purposes rather than a set script to be strictly followed, recognizing that as supply and demand change over time, or as a shortage evolves, the ultimate choice of options and actions to best address the shortage also may change.

It is also important to recognize that flexibility in selecting the most appropriate stage may be needed. In the case of a borderline situation, for instance, where there is reasonable likelihood that system demand could be curtailed sufficiently with the lesser restrictions, it may be advantageous to initially choose the lower stage, conditioned with a well publicized caveat that, if water use exceeds targets, the more restrictive regulations would kick in.

Each section that follows includes:

- an overview of the response,
- a discussion of any key issues involved in that stage,
- the prepared public message, and
- a list of the recommended demand reduction measures, communications actions, and operating actions applicable to that stage

### **3.4.1 Stage 1 – Water Shortage Alert**

Stage 1 applies to relatively minor water shortages that can be accommodated with a combination of voluntary conservation measures and minimal usage restrictions, combined with enhanced enforcement of the City's ongoing ordinance prohibiting water waste. Except for a few instances, all demand reduction measures apply uniformly to nearly all customers, therefore no specific allocation is proposed during this stage.

A Stage 1 response may also be appropriate in other situations. It may be prudent as a precautionary measure during an unusually dry year in advance of a declared water shortage to help preserve reservoir storage, or during the winter season following an actual shortage event if needed to maintain a continuing level of awareness among customers until normal water conditions are restored.

The Stage 1 public message is as follows:

*“Due to abnormally dry conditions this winter, we’re asking all customers to voluntarily cut back water use this summer by 5 percent to stretch the available water supply. City water users should stop using water for non-essential purposes and conserve where possible in case the dry period experienced this past winter continues into next year. If everyone cooperates, we may avoid imposing more stringent watering restrictions. As always, wasting water is prohibited by law”*

**Table 3-9. Stage 1 Water Shortage Alert Response Measures**

| <b>System-wide Reduction Goal: 0-5% 0.6 mgd or less</b>   |
|---|
| <p><b>Demand Reduction Measures:</b></p> <ul style="list-style-type: none"> <li>• Request voluntary water conservation by all customers</li> <li>• Step up enforcement of water waste</li> <li>• Restrict the time of landscape irrigation to early morning and evening</li> <li>• Prohibit non-essential water use:                             <ul style="list-style-type: none"> <li>– serving drinking water by restaurant or food service establishments except upon request</li> <li>– use of potable water for washing driveways, patios, parking lots or other paved surfaces</li> <li>– require hotel, motel, and other commercial lodging establishments to offer option of not laundering towels and linen daily</li> <li>– draining and refilling of swimming pools</li> </ul> </li> <li>• Require hoses used for any purpose to have shut off nozzles</li> <li>• Encourage use of drip and other low volume irrigation systems</li> </ul> <p><b>Publicity/Communications</b></p> <ul style="list-style-type: none"> <li>• Conduct press conference to announce water conditions, request cooperation</li> <li>• Initiate public information campaign through media, utility newsletter, website</li> <li>• Develop regular advertising campaign to remind consumers of the need to conserve water</li> <li>• Prepare and disseminate suggestions/requirements to reduce water use</li> <li>• Inform large landscape/property managers/green industry of irrigation restrictions</li> <li>• Implement customer meter reading program</li> </ul> <p><b>Operating Actions</b></p> <ul style="list-style-type: none"> <li>• Coordinate water conservation actions with other City Departments and public agencies</li> <li>• Adopt water shortage ordinance prohibiting non-essential water use</li> <li>• Eliminate system water uses deemed non-essential</li> <li>• Delegate water waste patrol duties to all field personnel</li> <li>• Institute regular monitoring and reporting of water production and consumption</li> <li>• Undertake contingency planning for continuing/escalating shortage</li> </ul> |

### 3.4.2 Stage 2 – Water Shortage Warning

Stage 2 applies to moderate water shortages. This condition requires more vigorous public information and outreach and an expansion of mandatory water restrictions and prohibitions, particularly on outdoor water uses. The primary methods to meet target consumption levels are to limit irrigation to specified days of the week and to institute water budgets for large landscapes and parks.

The recommended approach to reducing outdoor water use in this stage would be to restrict watering of all lawns and established landscapes to twice weekly during specified hours and to disallow any watering with automatic sprinkler systems on certain days to maximize reduction. Exact schedules would be developed with public input.

Large landscape users, including parks, residential and commercial landscapes, and golf courses with separate irrigation accounts would be required to complete on-site water audits, adhere to monthly water budgets based on their irrigated area and plant materials, and modify their irrigation schedules to achieve the equivalent of a one-third reduction in site water use. The lead time to develop landscape water budgets is long due to the need to collect site specific information, implement billing system changes, and to educate people and transform standard irrigation practices. However, development of water budgets for large users is the next major priority for the City's long-term conservation program, and once they become implemented as an ongoing program, they may be quickly adapted as a shortage management tool. Professional water budgets for dedicated irrigation accounts are typically tied to real-time weather data and tiered pricing systems or surcharges to be effective.

Other measures that would be imposed under Stage 2 would include mandatory leak inspection and repair for large customers and to expand restrictions on exterior washing to dwellings, buildings, and structures.

The Stage 2 public message is as follows:

*"It is necessary to impose mandatory restrictions on water use to ensure that throughout the duration of this water shortage an adequate supply of water is maintained for public health and safety purposes. Our overall goal is to reduce water use by 15 percent, which can be achieved if everyone cuts back their*

*outdoor watering by one-third the normal amount. We are relying on cooperation and support of all water users to abide by all restrictions and to reach this goal. Otherwise, the shortage could deteriorate into a more serious emergency that requires rationing household water use to avoid depleting the available water supply.”*

**Table 3-10. Stage 2 Water Shortage Warning Response Measures**

| <b>System-wide Reduction Goal: 5-15% 0.6 to 1.8 mgd</b>   |
|---|
| <p><b>Demand Reduction Measures:</b></p> <ul style="list-style-type: none"> <li>• Continue all measures initiated at Stage 1</li> <li>• Restrict landscape irrigation to designated watering days and times</li> <li>• Require large landscapes to adhere to water budgets</li> <li>• Prohibit exterior washing of dwellings, buildings, or structures (with exceptions for window washing or in preparation for painting)</li> <li>• Reduce time allowed to resolve water waste</li> <li>• Require large users audit premises and repair leaks</li> <li>• Continue to promote meter reading and regular leak detection by all customers</li> </ul> <p><b>Publicity/Communications</b></p> <ul style="list-style-type: none"> <li>• Intensify public information campaign with regular media updates, direct notices to all customers, paid advertising, billing inserts.</li> <li>• Generate publicity about individuals and businesses demonstrating leadership to save water</li> <li>• Consult with major customers to develop conservation plans</li> <li>• Publish weekly consumption graph in daily newspaper</li> <li>• Inform large landscape/property managers/green industry of additional irrigation restrictions</li> <li>• Conduct workshops on large landscape requirements for property owners, contractors, maintenance personnel</li> </ul> <p><b>Operating Actions</b></p> <ul style="list-style-type: none"> <li>• Coordinate with all City Departments and public agencies to reduce water use</li> <li>• Optimize existing sources (increase groundwater production, reduce transmission losses)</li> <li>• Suspend main flushing except as required for emergency and essential operations</li> <li>• Intensify distribution system leak detection and repair</li> <li>• Hire, train, dispatch water waste patrol</li> <li>• Establish water conservation “hot line” to respond to questions and reports of waste</li> <li>• Expand home water survey program and offer large landscape water audits</li> <li>• If necessary, use City Water Commission to process requests for exceptions</li> <li>• Continue regular monitoring and reporting of water production and consumption</li> <li>• Undertake contingency planning for continuing/escalating shortage</li> <li>• Develop strategy to mitigate revenue losses</li> </ul> |

### 3.4.3 Stage 3 – Water Shortage Emergency

This level of water shortage constitutes an emergency situation requiring significant actions by the public to achieve up to a 25 percent reduction in normal water use to avoid depleting limited water storage. It requires the equivalent of 5 to 10 percent reduction in all indoor use and a drastic two-thirds reduction in outdoor use systemwide. The three primary measures being recommended to meet this emergency reduction goal are:

1. Residential water rationing
2. Required water shortage signage in all nonresidential establishments
3. Reduced landscape water budgets for large landscapes

The basic concept of water rationing is that each utility customer is given a certain allocation of water, expressed in billing units, to use in a billing period<sup>2</sup>. If they use the amount they are allocated or less, charges for water are calculated at the normal rate. If they exceed their allocation, the portion in excess of their allocation is charged a penalty rate. The penalty rate may be broken into multiple tiers so the more the excess usage, the higher the penalty price per CCF used. The purpose is not to generate revenue but rather to use water pricing as a way to motivate the customer to modify their usage to stay within their allocation and avoid being penalized, which most customers do. Those that don't reduce are charged for their overuse at the penalty rates.

The method to allocate water when rationing is instituted varies according to customer type. It may be based on the number of people in a home, the number of dwelling units in a multifamily complex, or set as a percentage of past use during some prior year. Staff and the Water Commission reviewed the water shortage contingency plans of many other water agencies to identify the methods used elsewhere to ration water and considered the advantages and disadvantages of various methods.

For single family residential customers, the **per capita approach** is probably the fairest practical method, easiest to communicate, would be best understood and accepted by the general public, and is effective in achieving cutbacks where they are needed most, in outdoor water use. In addition, past experience

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<sup>2</sup> One billing unit equals one hundred cubic feet (CCF) or 748 gallons.

demonstrates that this method was very successful in reducing outdoor water demand for the single residential category when rationing was last instituted in 1990 and in 1977.

One of the key challenges to implementing water rationing using a pure per capita approach is the need to perform a census of household size at over 18,000 single family accounts and to maintain information on household size as number of residents changes over time. In lieu of performing a census, Staff and the Water Commission recommend using a modified per capita rationing system developed by the Goleta Water District. Under this system, all households are given a default allocation sufficient for a family of 4 persons. Households that have more than four persons would be required to contact the Water Department and verify household size in order to be granted an increased allocation, which would depend on the actual number of persons living at the residence.

Recent census data for the City of Santa Cruz indicate that only 17 percent of all occupied households within the City have four or more persons per household. Assuming this figure is similar for the unincorporated part of the City's water service area, establishing a default allocation for a family of four would more than satisfy the 83 percent majority of households that have three or fewer persons per household. This method is similar to that last used by the City to ration water in 1990, which provided a baseline allocation for households of three or less, except that a census was undertaken then to survey the actual number of persons living at each household.

The Goleta rationing model is considered to be preferable because it eliminates the significant work associated with carrying out an occupancy census and alleviates concerns about potential for inaccurate responses. The principle drawback is the problem of equity, since there will be less "cushion" in the allocation for households with four residents than there is for homes with fewer number of residents, and an increased possibility of exceeding their allocation. Whatever method is selected, allocation disagreements are to be expected and procedures need to be put in place to handle valid appeals and exceptions.

Table 3-11 below shows a typical rationing calculation for a single family residence in Stage 3.

**Table 3-11. Water Rationing Schedule:  
Single Family Residential Account**

|   | <u>Ccf/month</u> | <u>Gallons per day:</u>       |
|---|------------------|-------------------------------|
| Up to four persons:   | 11               | 265                           |
| Each additional person:                                     | 2                | 50                            |
| <i>Example monthly allocation for a 6-person household:</i> |                  |                               |
| Base allocation:  | 11 ccf           |                               |
| 2 additional persons x 2 ccf per person                     | <u>+ 4 ccf</u>   |                               |
| Monthly Allocation  | = 15 ccf         | = 374 or 62 gpcd <sup>3</sup> |

What makes multifamily customers more challenging for developing a water rationing system are the large differences in housing types, the presence or absence of irrigation meters at a complex, and the fact that many larger accounts are handled by an independent property management firm on behalf of the homeowner's association. These companies typically do not track how many people reside in each unit or in the complex as a whole.

It is recommended that multiple-residential accounts be rationed based on the **number of dwelling units** associated with the water service account. The number of dwelling units is the best starting point since that data is available on the utility billing system and, in the absence of information about the number of people living on the property, it is the next best driver for indoor water demand. It is further recommended that multiple-residential accounts be allowed alternative rationing options that reflect the heterogeneous nature of building types on multifamily properties and the fact that some of these properties have separate irrigation accounts while others don't. These wide differences in user characteristics cause inequities in allocation based solely on the number of dwelling units. Offering alternatives allows the customer choose for themselves the option that works best in their particular case. These options include:

- an allocation based on the number of persons residing at the property
- an allocation based partly on the number of persons residing at the property and partly on landscape water needs at the property that reflect the same cutback to irrigation that other customers would experience (for properties without irrigation accounts)

<sup>3</sup> gpcd = gallons per capita per day

- the same allocation per dwelling unit as single family accounts would receive for certain properties that resemble single family lots in terms of lot coverage

Recommended rationing allotments for single and multiple residential accounts are presented in Appendix E.

If water rationing becomes necessary, it is also recommended that all outside city customers be converted from bimonthly to monthly billing. This change will enhance the customer's ability to monitor their water usage, enable them to detect and repair leaks quicker, and help them stay within their allocation.

The main obstacle in implementing water rationing at this time is the uncertainty about the capability of the new EDEN utility billing system. The system has been in use only since September 2008 and its ability to calculate rationing allocations and excess use charges is unknown. In the event rationing becomes necessary before the billing system can be adequately programmed and tested, other options could be considered to achieve substantial outdoor use reductions in the residential sector in lieu of water rationing. Although not ideal, these include:

- Restricting watering to once weekly, or
- Banning sprinkler irrigation

This problem is discussed further in Section 4.

It should be reiterated that **water rationing is a situation that the City is seeking to avoid** through long-term conservation efforts and the development of an additional water supply. It is, however, necessary to have a contingency plan in place should the need arise.

Commercial customers would be exempted from individual water rationing in Stage 3. Instead they would be expected to meet their collective 8 percent reduction goal by adhering to continuing water restrictions, and by being required to prominently post "**SAVE WATER – REPORT LEAKS AND WATER WASTE**" signs at the entrance and in every bathroom of commercial, industrial and institutional buildings, including:

- Hotels, motels, lodging
- Restaurants, cafeterias, cafes, and all food service establishments

- Offices and government buildings
- Hospitals and health care centers
- Schools

Large landscape customers would be held to water budgets as described in Stage 2, reduced in accordance with the allocation for irrigation customers in Stage 3.

One charged policy issue that often arises in connection with a water shortage emergency is the question of whether or not to continue allowing new connections on the system. In the past, it has been the City's policy to continue allowing new connections mainly because the demand they add in any one year is so negligible. The water that would be made available to existing customers by banning new water connections, therefore, would not make any real difference in terms of increasing the existing customers' allocation. This issue is typically driven by customers who are called on to make sacrifices and feel that water agencies should concentrate on fulfilling present obligations rather than accepting new customers. A number of agencies, however, do have provision for a temporary ban or place a low priority on new connections in later stages of their drought plans.

The Water Commission considered this issue carefully and recommended giving the public a one-year advance notice, beginning in Stage 3, stating that a temporary water service connection ban would be strongly considered if the shortage emergency continues or escalates into the following year. This notice would allow those people with plans and projects already underway time to complete work or make arrangements, and those considering future construction projects to make timely decisions about proceeding with the knowledge that they risk not being able to secure a water service connection until the shortage is over.

The Stage 3 public message is as follows:

*"The City faces a serious water shortage emergency due to prolonged drought. To conserve the available water supply for the greatest public benefit while minimizing impacts on our local economy, it has become necessary to institute a water rationing program for all residential customers. Our goal is to reduce system water demand by \_\_\_\_%. While rationing amounts are adequate for*

*normal domestic needs, significant cuts to outdoor water use may be necessary to remain within set allocations. All customers are urgently asked to make every effort to conserve water and abide by watering restrictions or face further reductions in water allotments.”*

**Table 3-12. Stage 3 Water Shortage Emergency Response Measures**

| <b>System-wide Reduction Goal: 15-25% 1.8 to 3.0 mgd</b>   |
|--|
| <p><b>Demand Reduction Measures:</b></p> <ul style="list-style-type: none"> <li>• Institute water rationing for residential customers</li> <li>• Continue landscape irrigation restrictions to designated watering days and times</li> <li>• Require large landscapes to adhere to reduced water budgets</li> <li>• Require all commercial customers to prominently display “save water” signage with specified language at specified locations</li> <li>• Maintain restrictions on exterior washing of surfaces and structures</li> <li>• Continue to promote meter reading and regular leak detection by all customers</li> </ul> <p><b>Publicity/Communications</b></p> <ul style="list-style-type: none"> <li>• Expand, intensify public information campaign focused on 2/3 reduction in outdoor use</li> <li>• Provide regular media briefings, manage media coverage</li> <li>• Provide regular information reports to Water Commission, City Council and other agencies</li> <li>• Consult with major customers to develop conservation plans</li> <li>• Publish weekly consumption graph in daily newspaper</li> <li>• Enlist support of business groups: chamber, CVC, lodging association, etc.</li> <li>• Inform large landscape/property managers/green industry of reduced allocations</li> <li>• Conduct workshops on large landscape requirements for property owners, contractors, maintenance personnel</li> <li>• Prepare public notice regarding possible future service connection moratorium</li> </ul> <p><b>Operating Actions</b></p> <ul style="list-style-type: none"> <li>• Modify utility billing system and bill format to compare actual use with customer allocation</li> <li>• Adopt penalty rates</li> <li>• Increase customer service training to address high bills, irate customers</li> <li>• Convene and staff appeals board to process requests for exceptions and appeals of penalties</li> <li>• Expand size and coverage of water waste patrol</li> <li>• Expand, strengthen water conservation education, activities, and program</li> <li>• Continue all operating actions listed under Stage 2</li> <li>• Increase frequency of monitoring and reporting of water production and consumption</li> <li>• Convert outside City customers from bimonthly to monthly billing</li> <li>• Undertake contingency planning for continuing/escalating shortage</li> <li>• Develop strategy to mitigate revenue losses</li> </ul> |

### 3.4.4 Stage 4 – Severe Water Shortage Emergency

The water supply conditions that would trigger Stage 4 parallel the difficult situation the City experienced in the drought of late 1970s. Under this scenario, virtually all available water must be reserved either for health and safety purposes or to sustain local business.

Achieving a 35 percent systemwide reduction would require expanding water rationing to cover all water customers, including business. Residential customers would continue to be rationed as described in Stage 3, but with reduced monthly allotments.

Unfortunately, there is no practical way to assign a commercial water budget based on variables like the number of employees, square footage, etc. given the variety of usage characteristics in this sector. Every business (or group of businesses sharing a single water account, as is often the case in shopping centers) is unique. They include laundries, restaurants, health care facilities, retail outlets, hotels, car washes, and office buildings. We see no choice other than to ration business customers individually based on a **percent of prior use in a normal year** that is consistent with the overall allocation for Stage 4. Where essential water use at a business establishment involves a public health service, including hospitals, doctor's offices, medical laboratories, and skilled nursing facilities, or where a business can demonstrate it has already achieved maximum practical water conservation, provision for additional water could be made on a case by case basis through an exceptions process.

Other actions/restrictions that likely would be necessary in a severe water shortage emergency, in addition to those previously described, include the following:

- Prohibition on lawn/turf irrigation and on installation of new landscaping in new development
- Prohibition on potable water in fountains and ornamental water features
- Prohibition on on-site vehicle washing, including dealer lots, company fleets
- Rescinding hydrant and bulk water permits
- Suspending water main replacement program

Gray water use can be allowed and should be promoted for saving valuable landscape trees and shrubs. It includes drain water from showers, bathtubs,

bathroom sinks, and clothes washers. It does not include water that has come in contact with toilet waste, water from kitchen sinks and dishwashers, or laundry water used for washing diapers. There are no restrictions on the use of gray water if it is carried in a bucket. Plumbed gray water systems can also be built to convey drain water and provide subsurface irrigation to trees and shrubs.

The Stage 4 public message is as follows:

*“Due to continuing deterioration in storage and overall scarcity of available supply, all customers, residential and business alike, are now unavoidably subject to water rationing. The current water shortage is among the most severe ever faced in modern times. We must all continue to conserve water to the maximum extent possible and strive to maintain water use within our established rationing limits as long as the drought endures in order to avert a water crisis.”*

**Table 3-13. Stage 4 Severe Water Shortage Emergency Response Measures**

| <b>System-wide Reduction Goal: 25-35% 3.0 to 4.2 mgd</b>   |
|--|
| <p><b>Demand Reduction Measures:</b></p> <ul style="list-style-type: none"> <li>• Reduce residential water allocations</li> <li>• Institute water rationing for commercial customers</li> <li>• Minimize water use by large landscape customers – only for most valuable plant and tree survival</li> <li>• Prohibition on lawn/turf irrigation and on installation of new landscaping in new development</li> <li>• Prohibition on on-site vehicle washing, including dealer lots, company fleets</li> <li>• Rescind hydrant and bulk water permits, prohibit use except by special permission</li> </ul> <p><b>Publicity/Communications</b></p> <ul style="list-style-type: none"> <li>• Contract with outside advertising agency to carry out major publicity campaign</li> <li>• Continue to provide regular media briefings, manage media coverage</li> <li>• Provide regular information reports to Water Commission, City Council and other agencies</li> <li>• Publish daily consumption graph in all local newspapers</li> <li>• Prepare public notice regarding possible service connection moratorium</li> <li>• Publish information on ways to minimize most valuable landscape damage and loss, including promote appropriate use of gray water</li> </ul> <p><b>Operating Actions</b></p> <ul style="list-style-type: none"> <li>• Scale up administrative appeals staff and increase frequency of hearings</li> <li>• Expand water waste enforcement to 24/7</li> </ul> |

- Delegate field staff to assist in enforcement (shut offs, flow restrictors)
- Open separate, centralized drought information center
- Hire temporary staff to conduct conservation training
- Continue all applicable operating actions listed under Stage 3
- Increase frequency of monitoring and reporting of water production and consumption
- Undertake contingency planning for continuing/escalating shortage
- Revise Department operating budget to address revenue shortfall
- Defer portions of capital improvement program
- Consider surcharges, rate changes

### **3.4.5 Stage 5 – Critical Water Shortage Emergency**

Stage 5 represents an imminent and extraordinary crisis threatening health, safety, and security of the entire community. Under this dire situation, extreme measures are necessary to cut back water use by up to half the normal amount. Not enough water would exist even to meet the community's full health and safety needs, the top priority. All water should be reserved for human consumption, sanitation, and fire protection purposes and any remaining amount allocated to minimize economic harm. A shortage of this severity could be expected to generate stress, confusion, and chaos much the same as any major emergency and at some point could transform into a full blown natural disaster that can no longer be governed by local ordinance and may need to be managed by the same basic principles and command structure under the state Standardized Emergency Management System that other natural disasters are. The City has experienced water shortages in the past but never one of such large proportion.

This fifth stage would involve nothing less than rationing all customer groups and instituting a prohibition on residential outdoor use for any reason (e.g., garden, car-washing, cleaning, maintenance, etc.) It may also require shutting down or severely restricting use at certain public facilities, like local parks and school play fields. Some businesses may be forced or required to either partially or completely close.

The planned response for a shortage of this magnitude would involve reducing rationing allocations for residential customers to minimal levels and reducing commercial rationing amounts in accordance with their overall allocation. All

outdoor irrigation would be prohibited (other than by hand-held container and what has been captured or collected from another non-prohibited use). No water would be available for public showers or private, community, or public pools and hot tubs. These facilities likely would be forced to close.

A shortage of this magnitude could affect other local water suppliers as people substitute normal activities, such as laundry, showers, etc. from their home to other locations not so affected. The City’s response would therefore involve greater coordination at a regional and perhaps even statewide level.

The Stage 5 public message is as follows:

*“The City of Santa Cruz is confronted with a critical water shortage emergency of unprecedented proportions. At this time, there exists barely enough drinking water for the most essential human health, sanitation, and safety needs. As a result, all outdoor watering is now prohibited. We understand the hardship this extraordinary condition poses to every resident and business in the City and appreciate the sacrifices people are making to ensure that water system does not run dry. Everyone is urgently requested to do whatever necessary to maintain water use within or below their allotted amount.”*

**Table 3-14. Stage 5 Critical Water Shortage Emergency Response Measures**

| System-wide Reduction Goal: 35-50% 4.2 to 6.0 mgd   |
|---|
| <p><b>Demand Reduction Measures:</b></p> <ul style="list-style-type: none"> <li>• Further reduce residential water allocations</li> <li>• Reduce commercial water allocation</li> <li>• Prohibit all outdoor irrigation</li> <li>• No water for outdoor washing or recreational purposes; close pools, public showers</li> <li>• Continue all measures initiated in prior stages as appropriate</li> </ul> <p><b>Publicity/Communications</b></p> <ul style="list-style-type: none"> <li>• Contract with crisis/emergency communications consultant to develop crisis communications plan and major publicity campaign</li> <li>• Assign Public Information Officer to communicate with media</li> <li>• Set up emergency notification lists for medical/dental facilities, public facilities, large users, food and beverage facilities, and critical businesses</li> <li>• Promote appropriate use of gray water for reuse</li> </ul> |

**Operating Actions**

- Consider shifting to EOC model of command management for overall policy guidance and coordination
- Coordinate with CA Dept of Public Health, District Engineer and other emergency response agencies regarding water quality, public health issues
- Coordinate with law enforcement agencies to address enforcement challenges
- Continue water waste enforcement 24/7
- Delegate field staff to assist in enforcement (shut offs, flow restrictors)
- Continue all applicable operating actions listed under Stage 4
- Coordinate with local sanitation agencies regarding sewer line maintenance
- Continue close monitoring and reporting of water production and consumption
- Investigate potential for reduced in-stream release
- Procure resources to utilize dead storage, if needed
- Undertake emergency planning for continuing/escalating shortage

**3.5 Enforcement, Exceptions, and Appeals**

An important part of a water shortage plan is to have the appropriate authority and a combination of methods to enforce mandatory measures such as water restrictions or rationing in order to protect public health and safety. General authority and powers of the City to enforce ordinances is contained in Chapter 4 of the Santa Cruz Municipal Code. In addition, the City's water shortage ordinance contains specific language regarding enforcement of water use rules and regulations and includes provisions for issuing exceptions and hearing appeals. These provisions were reviewed by staff and the Water Commission, which put forth several recommendations to be incorporated into the updated water shortage ordinance.

**3.5.1 Enforcement Methods**

Enforcement is carried out in a number of ways during a water shortage. In cases such as a report of water waste, the first step is to communicate with the customer by telephone, letter, door tag, or by making personal contact in the field to educate them about regulations. Many times this contact is all that is required to get the problem resolved. If not, enforcement progresses to a written notice of violation. Beyond this, there are several methods in the City's existing water conservation and water shortage ordinances that can be used to enforce water restrictions and rationing regulations. These methods are described below.

**Penalty fees** This method would apply in situations involving violation of water restrictions, if, after multiple warnings had been given, a violation continued to occur at an account. The fee would be added to a customer's utility bill along with a written notice sent to the customer in advance. The penalty fee would increase with subsequent violations, as follows:

- 1<sup>st</sup> Violation \$100
- 2<sup>nd</sup> Violation \$250
- 3<sup>rd</sup> Violation \$500
- 4<sup>th</sup> Violation \$1,000

The Water Commission recommended that additional, higher penalty fees also be established and applied to large users that willfully violate water restrictions.

**Excess use fees** Excess use fees are the primary method for enforcing water rationing and are imposed on customers whose water use exceeds their allocation when rationing is in effect. The purpose of the excess use fee is to make the consequences of exceeding one's rationing allocation so severe that the customer is induced to keep their water use within their allocation and avoid being fined. Like water rates, there are two components to setting excess use fees: 1) the way they are structured, and 2) the dollar amount.

Staff and the Water Commission looked at several models from other agencies and recommend maintaining the same excess use fee structure as in the existing water shortage ordinance, for billing reasons and for clarity in communicating penalties to the public. It is, however, recommended that the penalty amount be increased to bring it more in line with current rates, as shown below:

**Table 3-15. Proposed Excess Use Fees**

| Excess Use Range | Percent of water used in Excess of Allotment | Excess Use Charge per 100 Cubic Feet for all Water Used in Excess of Allotment<br>(in addition to ordinary water consumption charges) |
|------------------|--|---|
| A                | 0% to 10% over allotment                     | \$25.00   |
| B                | More than 10% over allotment                 | \$50.00   |

For example, in Table 3-11 above, a 4-person household is provided an allocation of 11 CCF per month in Stage 3. At 2008 rates, the normal water charges for an inside city customer using 11 CCF would total \$51.37, including the \$16.58 readiness-to-serve charge for a 5/8" meter. Under water rationing, if that same customer used 18 CCF, their normal water charges would amount to \$92.88, and excess use fees would cost \$325 (1 ccf @\$25 and 6 ccf @ \$50), for a total of \$417.88.

The purpose of a two-tier excess use structure is to avoid very large penalties for households that make a good faith effort to stay within their allocation but wind up going over a little. If a customer's water use exceeds one's allocation by a large amount, though, the penalty should be very steep.

Flow restriction Some customers will continue to exceed their allotment regardless of the amount of their water bill. In such instances, the Water Department is authorized to install a flow restricting device to provide minimal water flow, just enough for health and safety purposes. In these cases the customer is charged a fee to cover the staff time needed to install the flow restrictor and another fee for its removal. The Water Department would not use this method where fire suppression sprinklers are on the same supply line as domestic water.

Disconnection/reconnection fees Water suppliers have the legal authority to enforce water shortage regulations by terminating service for egregious violations. In such cases, the customer would be charged for both disconnection and reconnection.

Citation Finally, the City's water shortage ordinance authorizes staff to issue citations that would have to be paid or challenged in court. This method could be used in cases like a multifamily property where terminating service or restricting flow to all households may not be an option.

### **3.5.2 Exceptions**

No water shortage plan can account for all situations. The exception procedure allows the Water Department to provide for special or exceptional circumstances that otherwise would create undue hardship for an individual customer or class of customers.

An exception allows a customer to be relieved of a particular regulation or receive an increased allocation for the duration of the shortage. Therefore, it should be granted only when justified on specific grounds that warrant allocating more water than other similarly situated customers and when consistent with the intent of the water shortage regulations, while providing equal treatment of all customers.

The City's existing ordinance includes an exception process. Some of its features are as follows:

- Under water restrictions, an exception application is not accepted unless the customer alleges unfair treatment.
- Under water rationing, an exception application is not accepted unless an excess use fee has been assessed.
- Leaks do not qualify for an exception.
- It allows a resident who is not an account holder to force the customer of record to appeal.
- The process is administered by the Water Director.

This policy is to make the customer first demonstrate the demand reduction efforts taken to meet the restriction or allocation, and places responsibility for managing and monitoring water use on the customer, where it belongs. It also serves to minimize the number of exception applications from those merely seeking more water without having gone to the effort to try to live within their given allocation.

#### Recommendations Regarding Exceptions

It is recommended that the updated water shortage contingency ordinance be amended to include a process that requires the Director make a formal finding to authorize an exception. This change is proposed to better articulate the standard that must be met in order to receive relief. The suggested language for such findings is as follows:

- Failure to do so would cause a condition affecting the health, sanitation, fire protection, or safety of the applicant or the public;

- Strict application of the allotment provisions imposes a severe or undue hardship on a particular business, or render it infeasible for a business or class of business to remain in operation;
- Alternative restrictions which achieve the same level of demand reduction as the restrictions from which an exception is being sought are available and are binding and enforceable;
- The customer has demonstrated to the Director's satisfaction that circumstances have changed warranting a change in the customer's allocation.
- Hospitals and health care facilities using industry best management practices are eligible for an exception.
- Demonstration by a business of actions already taken to increase environmental sustainability that have reduced water consumption to the maximum extent feasible, as determined by the Water Director.

Additional recommendations regarding the exception process are as follows:

- That the denial of an exception may be appealed to an Appeals Board;
- The Department adopt administrative procedures similar to those used by the City of Tampa Bay for including appropriate information on an exception application, including the requirement that the applicant must demonstrate maximum practical reduction in water consumption;
- That a policy be added allowing the Director to impose conditions requiring long-term water efficiency changes from customers as part of the exception process.

### **3.5.3 Appeals**

The City's existing ordinance allows any water service customer who considers an enforcement action to have been erroneously undertaken to appeal their case before a City Council appointed ad hoc Drought Appeals Board. The Appeals

Board considers the evidence presented by the customer and decides whether to uphold the enforcement action or to provide relief.

The difference between an exception and an appeal is that an appeal gives an individual the opportunity to challenge an official decision about an enforcement action. It is not the primary means to secure a larger allocation or get an exception to a water use regulation. However, as mentioned above, customers should be able to appeal a denial by the Water Director of such an exception request to the Appeals Board.

From past experience, the most common reason for filing an appeal was to contest large excess use fees that were levied while under water rationing, often due to a leak in the customers' plumbing fixture or system. This resulted in a large and difficult backlog of cases for the Appeals Board. The Water Department would continue to follow its existing water leak rebate policy that provides administrative relief, including forgiveness of excess use fees, for certain types of leaks that are considered to be beyond the customer's control, such as a leak that develops in an underground pipeline serving a property. Common maintenance items, such as a leaking toilet or failing automatic irrigation valve, that are considered to be customer's responsibility to control, are not eligible for such forgiveness.

One feature of the existing ordinance was to allow a resident who is not a customer of record to force the account customer to appeal the excess water use fee. The ordinance also allowed a customer to request to use a portion of the excess use fee, on a one-time only basis, toward the installation of water conservation equipment in lieu of paying it to the Water Department.

### Recommendations Regarding Appeals

It is recommended that the provisions included in the existing ordinance regarding appeals be continued. The Water Commission felt that a formal Appeals Board would not need to be convened until Stage 3, and felt it could serve in that capacity instead during the early stages (1 and 2), if necessary. Furthermore, as an alternative enforcement approach, we recommend adding a new process that would provide one-time forgiveness of excess use charges while under water rationing. To be considered for such forgiveness, the customer would be required to sign up and complete a short weekend or evening course

covering basic meter reading, leak detection, and other topics relevant to the water restrictions in place at the time. This approach (like traffic school) would help reduce the number cases heard by the Appeals Board, provide financial relief to customer receiving the high bill, and most importantly, would give them the opportunity, education, and tools they need to achieve ongoing compliance with water use rules and regulations for the remainder of the shortage.

### **3.6 Water Shortage Recovery and Plan Termination**

A water shortage ends when local rainfall, runoff, and reservoir storage levels improve to the point where the water system is once again capable of supporting unrestricted water demand. Any water use rules and regulations in effect at the time are officially rescinded by City Council and public notice is given that the water shortage is over. The Water Director would then oversee any remaining termination and plan review activities. These activities could include:

- Publicize gratitude for the community's cooperation
- Restore water utility operations, organization, and services to pre-event levels
- Document the event and response and compile applicable records for future reference
- Continue to maintain liaison as needed with external agencies
- Collect cost accounting information, assess revenue losses and financial impact, and review deferred projects or programs
- Debrief staff to review effectiveness of actions, to identify the lessons learned, and to enhance response and recovery efforts in the future
- Complete a detailed evaluation of affected facilities and services to prepare an "after action" report
- Update the water shortage contingency plan as needed.



## AGENDA MEMORANDUM

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**TO:** Trinidad Planning Commission  
**FROM:** Trever Parker, City Planner  
**DATE:** July 6, 2020  
**RE:** Trails Plan/Policy

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Now that you have had some time to review the draft Trinidad Trails Policy, we can have a more in-depth discussion. I have made some edits to the document, but primarily I have focused on comments and questions in order to get some input from the Planning Commission prior to making wholesale changes. Some of the primary topics for discussion are included in more detail below.

### Overall purpose and content

The current draft is very broad and covers a lot of topics. The purpose section of the trails policy document references a general plan policy calling for the development of a trails plan but doesn't actually define a purpose for the document. I think this would be important to develop in order to help guide the discussion of and amendments to the policies. The Planning Commission drafted a "trails plan" in 2001, but it was never formally adopted and does not include much beyond the trail descriptions and descriptions of trail markers. That trails plan was intended to implement current General Plan Policy 64, which states: "*A formal pedestrian trail system shall be marked out around Trinidad...*"

The current draft Trails Policy covers substantially more issues than the 2001 draft. It sets forth general policies, but not specific recommendations for individual trails. The Planning Commission should consider how this document will fit in within the hierarchy of the general plan, City policies, regulations and the LCP. At a minimum, the trails policy document needs to be consistent with the general plan. To that end, I have provided you with Section F (Recreation and Public Access) from the draft Conservation, Open Space and Recreation Element and Section F (Alternative Modes of Transportation) from the draft Circulation Element. I thought I recalled a policy to develop a trails plan, but I could not find such a policy, even in older general plan drafts, though program CIRC-4.2.3 directs the City to continue updating the trails plan. Keep in mind that these are still draft and are currently being edited by staff, so they can and will be updated.

In many ways this policy document is similar to a Trails Master Plan, which is a little more specific than a general plan, but still fairly general. However, a Trails Master Plan tends to be primarily focused on new and improved trails and connections, which the Trinidad's draft trails plan is lacking. But they also include design and improvement standards. Often these types of documents are used to apply for grants to acquire land and build more trails. They are also used in the review of development projects and to require easements or trail construction as conditions of project approvals. Here is a link to the City of Carlsbad Master Trails Plan as an example and a description from Alta's website is below: <https://www.carlsbadca.gov/services/depts/parks/open/trails/docs.asp>

*A trails master plan explores opportunities to enhance and expand multimodal facilities, for both recreation and transportation purposes within a community. A trails master plan aims to improve connectivity to local destinations, close gaps in the trail system, increase safety and accessibility for all trail users, support economic development, and enhance the quality of life for area residents. Additional major considerations also include American Disability Act (ADA) accessibility, connectivity to future community development, and connectivity to corporate campuses and businesses. The purpose of a trails master plan is to provide clear direction to the community and its elected officials to invest in future trail connections while fostering additional opportunities to extend and expand the trail network. (Alta website)*

On the other hand, the draft Trinidad Trails Policy document includes a lot of rules, many of which would need to be codified in an ordinance in order to be enforceable. In addition, it includes a lot of specific policies and recommendations for maintenance and improvements that would also need to be implemented through other means. I do think the City Council hoped to get some specific recommendations on existing trail maintenance, repair and management priorities. Two of the purpose of the Trails Advisory Committee are: 1) to advise on matters relating to policies affecting trails in the City of Trinidad and 5) make recommendations to City Manager and City Council on the maintenance and repair of trails in the City of Trinidad.

We need figure out how this plan/policy document will fit in with other City documents. Policies can be adopted by Resolution but generally would not have the force and effect of law. However, such policies would be easy to amend and adapt in the future. If this becomes an ordinance or a part of the general plan (e.g. some kind of specific plan), then it would have to go through the ordinance or general plan process, plus certification by the Coastal Commission, which makes it much less adaptable.

Specific Plans are hybrid documents that act as a bridge between the General Plan and Zoning Regulations for future development of a particular area. Government Code section 65450 states that a city may prepare a specific plan "for the systematic implementation of the general plan..." A Specific Plan is adopted in the same manner as a General Plan (Gov. Code section 65453) and is considered a legislative act. But specific plans govern the development of specific areas; I'm not sure they can be used for trails.

Chapter 12.20 (Trails) of the Trinidad Municipal Code (TMC) includes the following language in §17.20.030 (Regulations – Administrative): *“The Trinidad city council may adopt policies, rules and regulations regarding trails as it deems appropriate from time to time by Trinidad city council resolutions or other actions.”* A non-binding policy document may be the best option, but it should also include guidance for codifying and implementing important parts of it, such as trail rules.

The following language from the Carlsbad Trails Master Plan may be useful to include in Trinidad’s policy document: *“The California Coastal Act places a high priority on maximizing public access to and recreational opportunities along the coast. Implementation of Trails Master Plan projects in the Coastal Zone can go a long way toward realizing these twin goals. Although not a direct component of it, the Trails Master Plan has been developed to be consistent with and complementary to the city’s certified LCP. Within the Coastal Zone, should any conflict arise between the Trails Master Plan and certified provisions of the LCP, the provisions of the certified LCP shall prevail.”*

### Trail Descriptions

Another priority should be to ensure that trail descriptions are consistent with other City documents, particularly the general plan. How trails are mapped is important, because certain regulatory provisions can apply along trails (e.g. requirements for easements). I have provided a copy of the latest version of the draft general plan trails map (Figure 10), and we should discuss trails, groups of trails, and trail connections and how they are mapped and described. I suggest including as much connectivity as possible utilizing City streets as well as trails. The more specific the recommendations for connections, improvements, new trails etc., the more useful the document would be for applying for grants.

### Definitions and Code References

The document includes a number of definitions, both in a definitions section and in footnotes. I would suggest that only one or the other form be used, not both. In addition, many of the definitions are directly from the zoning ordinance definitions. I would also suggest that those be removed from the document and a general statement added that unless otherwise noted, definitions are as set forth in Chapter 17.08 of the TMC.

In addition, some definitions or word use are inconsistent (e.g. access v. accessibility). Some of the definitions include words that aren’t found in the document, and some words used in the document need definitions. For now, I have removed the footnotes, because definitions are more commonly found in a definitions section, particularly when words are used several times. Generally, that is a more user-friendly format. I have included the list of footnotes at the end of this memo for reference.

Also, there are lot of code references in the document. And many of the references are very general. For example, a reference to Title 9 of the TMC (Public Peace, Morals, Welfare) includes the following chapters (ordinances): 9.04 – Offences Against Public Decency; 9.06 – Open Alcohol Containers; 9.08 – Offences Against Property; 9.12 – Weapons; 9.16 –

Curfew; and 9.20 – Abatement of Drug Houses. Most of these ordinance provisions are not going to apply to trail users and visitors, and so that is a confusing reference for people. I would suggest one overall reference to the TMC, and then just including specific rules (and their code references) that are particularly relevant to trail users.

### Footnotes

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

“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.

“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).

“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).

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

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

“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

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

“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).

### Recommended Action

I would suggest that the first step would be to develop a purpose for this document and to determine how it will fit within the other plans, policies and regulations of the City. That direction would really help staff with how to edit and amend the document to achieve that purpose and result. The next step should be to agree on the trail descriptions. Then we can go through the document addressing my other comments and questions as time allows.

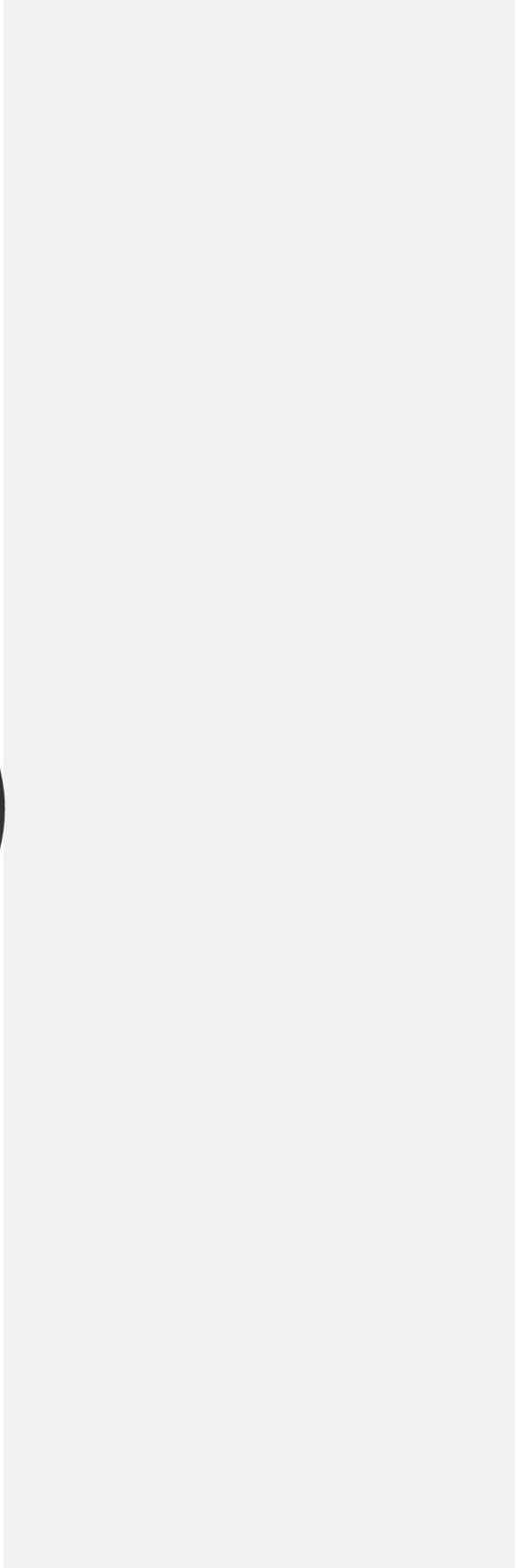
### Attachments

- June 2, 2020 draft Trails Plan with edits, and unresolved comments and questions
- Public Recreation section of the draft Conservation, Open Space and Recreation Element
- Alternative Modes of Transportation section of the draft Circulation Element
- Draft GP Figure 10 (trails map)

# 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~~ must manage trails consistent with the California Coastal Act, which governs public access, recreational opportunities, and marine and ~~land-coastal~~ resources.

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

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

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

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

Commented [TP2]: I don't think this is public access policy; that sounds pretty formal and is likely what is contained in the general plan. But we do have to figure out how this plan/policy is going to fit within City documents/procedures. (See memo for more info.)

Commented [CK3]: 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?

<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 517.08.700). [Ord. 166 Appx. A, 1979]

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

## Purpose

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

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.

<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 517.08.490).

Commented [CK4]: Trever Parker (5/29/2020): This seems like a specific policy that doesn't belong in the background section.

Commented [TP5]: This section really does not include a purpose statement for this document. I think this is important to develop.

Commented [TP6]: Neither the current or draft GP call for a trails plan (though I think the draft did at one point).

Commented [TP7]: What is this reference to?

Commented [CK8]: 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 [TP9R8]: Let's discuss this with the current GP map.

*Harbor Trail:*

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

Commented [CK10]: Trever Parker (5/29/2020) : Some recent documents (e.g Van Wycke pedestrian connectivity project) show this trail starting at Ocean and Edwards.

Commented [CK11]: Trever Parker (5/29/2020): What about the boardwalk along lower Edwards?

*Axel Lindgren Memorial Trail:*

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

*Old Wagon Road Trail:*

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

*Parker Creek Trail:*

The trailhead begins at the intersection of View Avenue and Parker Creek Drive, which is parallel to Main Street behind Murphy’s Market. Parking is available along View Avenue. This trail begins off Parker Creek 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 DriveRoad.

*Groth Lane Trail:*

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

## B. PUBLIC ACCESS

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

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

Encourage trail usage for education, exercise and enjoyment.

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

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

Commented [CK12]: Trever Parket (5/29/2020):  
Also suggest adding something like to provide or maximimize 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).

Commented [TP13]: This is probably covered by the first line now.

### Trail Use

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

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

- Public access is granted to all pedestrians.<sup>5</sup>
- Disabled trail users, pursuant to the Americans with Disabilities Act (42 U.S. Code § 12101), will be accommodated to the extent that existing infrastructure, landscape qualities, and budgetary constraints allow.
- Trail users must stay on system trails. Off-trail use, including the use of non-system trails (sometimes referred to as "social trails"<sup>6</sup>) ~~by pedestrians~~ is prohibited.
- Trail users are subject to TMC 12.20, Trails. Trinidad Head hikers are also subject to the Trinidad Municipal Code Chapter 12.12, Trinidad Head. Old Wagon Road Trail also has special restrictions as outlined in TMC §12.20.040 and §6.06.010.
- Trails on City property are considered public grounds and therefore subject to Trinidad Municipal Code Chapter 12.18, Public Grounds.

Commented [CK14]: Trever Parker (5/29/2020):  
Only trails on City property. And what about Chapter 12.20 - Trails?

<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.

- 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.
- No trails are currently ADA accessible, but portions may be.

- Commented [TP15]: This is primarily the licensing law, most of which would not apply to visitors/trail users, so this reference would be confusing. (As an aside, the ordinance is definitely in need of an update.)
- Commented [TP16]: Noe of this is codified. The only general reference to leashes is in regards to a definition of "at large" dogs (§6.04.020) and a prohibition of at larger dogs (§6.04.050)
- Commented [CK17]: Trever Parker (5/29/2020) : At least on City property.
- Commented [CK18]: 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 [CK19]: Trever Parker (5/29/2020): citation? This is not codified.
- Commented [TP20]: Could reference Title 9 for this one (Public Peace, Morals and Welfare).

**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 social management consistent with the policies and procedures of the Trinidad LCP, purposes following the California Coastal Act guidelines.
- ~~Hazardous substances, as defined in the Trinidad Municipal Code, (§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.

- Commented [CK21]: TP (5/29/2020): subject to CDP, etc.
- Commented [TP22]: Which refers to CA Health and Safety Code §25316.
- Commented [TP23]: The reference is way too broad. Really none of Title 8 would apply. Even Chapter 8.08 deals with facilities that handle hazardous substances. So not allowing such materials on trails (which could include household and garden chemicals) is not currently codified.
- Commented [CK24]: 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 on trails).
- Commented [CK25]: TP (5/29/2020) : Some of these provisions apply to trails, but some don't appear to.
- Commented [CK26]: 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 [TP27R26]: Also, it seems like that's what this is doing. We need to have a general discussion about how to deal with rules.
- Commented [TP28]: It seems like all the rules so far are directed at users, and this one is directed at the City. **This should be moved to the maintenance section.**
- Commented [CK29]: 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 [CK30]: TP (5/29/2020) : This seems like a different idea / process than the first 2 sentences.

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

Commented [TP31]: Yes, they are. Should this be a directive of some kind? And moved to a different section?

Commented [TP32]: This is a very generic definition. Maybe this document should define different types of trail signs.

Commented [CK33]: TP (5/29/2020) : We do have mapping and numbering of the trail markers, not all of which have been installed.

Commented [TP34]: Should this be a recommendation/policy for future action?

### 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.

Commented [TP35]: If these policies are going to be included, they should have more specificity. What does "work to preserve" mean? And how does that fit with the CA and LCP?

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

Commented [TP36]: I would suggest adding specific connections so that they can be identified as priorities in future grant applications (though the general plan should also do this). E.g. CA Coastal Trail, Hammond Trail connection.

Commented [CK37]: Trever Parker (5/29/2020): This seems like a specific policy that doesn't belong in the background section. (moved)

### Relationships with Private Landowners

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

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

Commented [CK38]: TP (5/29/2020) : Dept. of Parks and Recreation, or Trinidad State Beach (there is no such thing as a State Park Service).

<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]

- ~~The trails are also shared by local entities such as the Trinidad Coastal Land Trust (TCLT), CA State Parks, and private landowner easements.~~

Commented [CK39]: TP (5/29/2020) :  
What is the intent of this, and how is it different from the bullet above?

### C. MAINTENANCE AND OPERATIONS

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

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

Commented [TP40]: This should be added to policies for future trails.

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

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

Commented [CK41]: 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 [CK42]: TP (5/29/2020) :  
?? Permits may also be required for repairs and even maintenance.

Commented [TP43]: Should this be maintenance or improvements?

Commented [CK44]: TP (5/29/2020) :  
Possibly use 5 or 10 year CDP like was done for Trinidad Head trail maintenance.

#### Maintenance and Operations Activities

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

Commented [CK45]: TP (5/29/2020) :  
Has Public Works been consulted or reviewed this section?  
CK (6/11/2020):  
Sent to Public Works subsequent to Trevor's question.

Commented [TP46R45]: And did they respond?

Commented [TP47]: Get a copy.

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

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

Commented [TP48]: Needs a definition

Commented [TP49]: What is this?

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

Commented [CK51]: 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.

Commented [TP52]: What does this refer to, is this the same as social trails?

Commented [TP53]: This may need its own description. Depending the type of work, a permit could be needed.

### Maintenance Frequency and Scheduling

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

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

Commented [CK54]: 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.

Commented [TP55]: Any policies or recommendations for this?

Staff should:

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

### D. SIGNAGE AND KIOSKS

Trail signage provides the information necessary to enhance trail user safety and enjoyment, promote the use of trails, provide cultural and historical background, and to protect the surrounding environment.<sup>2</sup> 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.

Commented [TP56]: Wouldn't this be part of "Infrastructure"?

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

- Sign Inventory and Assessment (Carson Welte, n.d.): locations and maintenance priorities.

Commented [CK57]: TP (5/29/2020) :  
What is this? (I'm interested in seeing it.)

- California Coastal Trail Signage Project (2010): description, geographic coordinates, photos, comments, placement, insignia size, fastener type.

Commented [TP58]: This only applies to the CCT, and the 3" circular plaques have already been installed.

- ~~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.

Commented [TP59]: Is this an existing or planned document?

#### Types of Trail Signs:

Commented [CK60]: TP (5/29/2020) : Why aren't all of these in the reference list?

- 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.

Commented [TP61]: Signs have been very controversial, and this section should be approached with caution. This section should be specifically discussed.

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.

Commented [CK62]: TP (5/30/2020) : Needs a definition

Commented [TP63]: How feasible is this? Most trails have the same or similar rules. Maybe a brochure and/or centralized kiosk is better.

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

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

Commented [CK64]: 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-Interpretive signage may be placed at scenic view areas or in relation to specific elements being interpreted. They may take on many forms including textual messages, plaques, markers, panels, and demonstrations.

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 [CK65]: 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).

Kiosk(s) should be centrally located and readily accessible to the public.

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

Commented [CK66]: 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 or railings 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 [CK67]: TP (5/30/2020): Railings can be used for most of the purposes listed for fences and are generally more desirable.

Commented [CK68]: TP (5/30/2020) : I think this description should be more general and just refer to applicable regulations.

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

Commented [CK69]: 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 [CK70]: TP (5/30/2020) : What park? Should this be trail use?

Commented [CK71]: 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 [CK72]: TP (5/30/2020) Where is this referring to? Most trail parking is on streets, where overnight parking is allowed.

Commented [CK73]: 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

Commented [CK74]: TP (5/30/2020) I don't think this is necessary or appropriate for Trinidad.

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

fountains, interpretive and directional signage, trash receptacles, pet waste stations, and restrooms.

Commented [CK75]: 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 [CK76]: 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-requirements set forth by the California Coastal Commission Act, the City's LCP, the Tsurai Management Plan, and applicable court rulings.
- Trails will be located adequate distance from streams to protect riparian and aquatic habitat and wildlife corridors. Trails may occasionally diverge close to the top of the bank to provide visual access and opportunities for interpretive displays on the environmental sensitivity of creek habitats.
- Riparian Zones<sup>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 Parker Creek. Structures and activities will be sited outside the riparian protection zone whenever possible. If not possible, areas that must be disturbed will be kept to a minimum and be replanted with appropriate vegetation.
- The City will partner with public agencies, non-governmental organizations, and landowners in regional and countywide efforts to inventory special status species (endangered, threatened) and to develop regional habitat conservation management plans that protect special status species, wildlife corridors, ecosystems, and biodiversity.
- The presence of rare plants ESHA will be considered in the development of any trails.

Commented [TP77]: Is there a document that could be referenced?

Commented [CK78]: TP (5/30/2020) Trail maintenance is not set by the CCC. Should be something like "consistent with Coastal Act and Trinidad LCP."

Commented [CK79]: TP (5/30/2020) ???

Commented [CK80]: TP (5/30/2020) Not if the disturbance is permanent.

Commented [CK81]: TP (5/30/2020): This is not realistic or necessary.

Commented [CK82]: 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.

<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 517.08.770) (Ord. 166 Appx. A, 1979)

- 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 [TP83]: There may be a broader, more appropriate reference.

Commented [TP84]: Prescriptive rights and the Coastal Act are two different legal doctrines. The CCC does not manage or implement prescriptive rights.

Commented [CK85]: TP (5/30/2020) This is not the correct reference.

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

Commented [CK86]: TP (5/30/2020) Consulting the plan won't help. Consult with Rancheria, Yurok and TAS.

#### E. PUBLIC OUTREACH

The City Council 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 [CK87]: TP (5/30/2020); Council?

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

Commented [CK88]: 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.

Commented [TP89]: How binding is the language in this document? May want some qualifying language like "as feasible" or change to "should."

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

## G. PERMITTING AND LIABILITY

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

### Insurance and Indemnity Policies

#### Liability

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

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

#### Government code and minimization of liability.

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

~~“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~~

Commented [CK90]: TP (5/30/2020) I don't see any permitting information or references in this section.

Commented [CK91]: TP (5/30/2020): What is the purpose of posting this entire code section here, but others are just referenced in the document?

~~provide adequate warnings of the existence of any condition of the paved trail, walkway, path, or sidewalk which constitutes a hazard to health or safety. Warnings required by this subdivision shall only be required where pathways are paved, and such requirement shall not be construed to be a standard of care for any unpaved pathways or roads. (Amended by Stats. 1979, Ch. 1010.)"~~

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

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

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

### **Liability for Volunteers**

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

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

## APPENDIX

### DEFINITIONS

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

Useful definitions for trail planning and design include the following:

~~“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 [CK92]: TP (5/30/2020):  
Are these all used in the document? Are any new definitions needed (e.g. tread width)

Commented [CK93]: TP (5/30/2020):  
Could also just refer to Chapter 17.08 (definitions in the zoning ordinance).

Commented [CK94]: 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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Commented [CK95]: TP (5/30/2020): I don't think any of these are actually cited in the document. If some of these were used in the development of the document, list them that way.

[https://www.marincountyparks.org/~media/files/departments/pk/projects/open-space/rtmp-eir/rtmp\\_lowres\\_3615\\_bookmarks.pdf?la=en](https://www.marincountyparks.org/~media/files/departments/pk/projects/open-space/rtmp-eir/rtmp_lowres_3615_bookmarks.pdf?la=en).

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Sawyer Jr., J.O. (1982). A Management Plan for Maintaining Vegetation Diversity within Patrick's Point State Park. Provided by Trinidad City Staff.

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Trinidad Recreation and Trail Maps (see Trinidad General Plan)

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Trinidad Head Study Committee. (2013). Trinidad Head Vegetation Management Plan: Final Report. Retrieved from [http://trinidad.ca.gov/sites/trinidad.ca.gov/files/library/PlanningDocs/20131009\\_trinidad%20head%20final%20report\\_with%20attachments.pdf](http://trinidad.ca.gov/sites/trinidad.ca.gov/files/library/PlanningDocs/20131009_trinidad%20head%20final%20report_with%20attachments.pdf).

centerline of intermittent streams are placed in the Open Space or Special Environment designations and by definition are to be designated as a Riparian Corridor. These corridors may vary in width depending on site specific criteria and the existence/absence of naturally occurring (not artificially manipulated) riparian habitat.

*Program CONS-8.7.1* Adopt a public education program that educates residents and visitors how and why to minimize impacts on Open Space resources. This includes, but is not limited to, landscaping and chemical use, water use, OWTS maintenance, tide pool etiquette, etc.

*Program CONS-8.7.2* Monitor beach and bluff erosion for impacts from sea level rise.

## **F. RECREATION AND PUBLIC ACCESS**

### **1. Public Recreation**

Activities available to local residents include recreational and educational programs at the elementary school, social events, sport fishing, hiking, beachcombing and a myriad of other activities. Tourists primarily come to Trinidad to enjoy the coastal resources and the local lifestyle. Visitors are able to enjoy sport fishing shopping, sightseeing, berry picking, eating out, beachcombing, hiking, picnicking, visiting the marine lab, whale or bird watching, and just relaxing at their lodgings or campsites.

Publicly accessible recreation areas, other than beaches and coastal trails (see Public Access section), include the Trinidad Elementary School and its playground and track areas, the Town Hall (which is used for social and fraternal functions), and the adjacent tennis court, Trinidad Cultural Center, which includes the Museum (the BLM has chosen to locate their Offshore Rocks National Monument information here), Library and Saunder's Park, the Memorial Lighthouse, the pier, Trinidad Head and the Harbor Area.

In addition, there are several areas nearby the City where people can enjoy coastal recreation. Luffenholtz Beach County Park, Houda Point, Baker Beach, Moonstone Beach, and Clam Beach County Park are located south of the City. The College Cove/Elk Head area is located a few miles to the North. Patrick's Point State Park is seven miles north of the City. Trinidad State Beach is located partially within City limits and continues north of the City.

Certain aspects of public safety and environmental protection are affected by public recreation. There are a number of hazards that can impact public recreation and access, including large wave events, tsunamis, steep slopes and unstable bluffs. In addition, public recreation can affect plants and animals and habitat, including riparian areas, coastal bluffs, bird and wildlife use/activities, rare plants and intertidal zones.

**Goal CONS-9: Provide a variety of quality public recreational opportunities for both residents and visitors.**

## Public Recreation Policies

CONS-9.1 Public restrooms are encouraged to be available in the harbor area, Saunder's Shopping Center, near the Trinidad Cultural Center, and at Trinidad Town Hall.

CONS-9.2 Continue to cooperate with the local Chamber of Commerce and the Humboldt County Convention & Visitors Bureau in providing visitor service information at City Hall and other appropriate locations.

CONS-9.3 Continue to provide adequate litter control programs, including dog waste stations in areas open to the public, particularly at the beach parking area(s).

CONS-8.4 Maintain Town Hall as a center for community functions.

CONS-9.5 Trinidad Head will be maintained with public hiking trails, benches and vista points. Public vehicular access will be controlled by a locked gate and vehicles will only be allowed on Trinidad Head with permission from the City or the Federal Government.

CONS-9.6 Encourage the State to improve the restrooms at the College Cove/ Elk's Head parking area.

CONS-9.7 Connect State Park Trails (and related signs) to the City's Trail System.

CONS-9.8 Monitor and maintain parking at recreation areas to ensure maximum access.

CONS-9.9 *Development shall be sited and designed to protect views to and along the ocean and scenic coastal areas.*

CONS-9.10 Ensure the safety of recreationalists by providing readily accessible information regarding the dangers of large waves, tsunamis and steep slopes in the form of signage, brochures, etc. as needed.

CONS-9.11 Ensure that the impacts of public recreation on ESHAs is minimized by providing information to the community and the public about avoiding and protecting key resources.

## **2. Public Access**

Public access to and along the shoreline is guaranteed by the California Constitution and is further defined by standards established by the Coastal Act to recognize the shoreline as a public resource which is available for viewing, recreation, and scientific research at the water's edge and along tidal rivers. Access to the shoreline is

dependent on the right of the public to cross public and private land. Access across private land is generally obtained through purchase of an easement, or obtained as a condition of development approval.

There are a variety of public access points in Trinidad (see Figure 10). A portion of the California Coastal Trail runs along Scenic Drive and then through town to the Harbor Area and then up through Trinidad State Beach. Trinidad Beach State Park maintains a variety of trails, including some in City limits. Trinidad City trails include connections to the Trinidad State Beach trails from Underwood and the Harbor Area. The Trinidad Head Trail loop is accessed from the Harbor Area. The Galindo and Van Wycke Street trails connect Edwards to the Harbor. The Axel Lindgren Memorial Trail provides access to Old Home Beach (formally known as Indian Beach) and the CA Coastal Trail. The Parker Creek Trail provides access to Old Home Beach from behind the Saunders Shopping Center. The Old Wagon Road (Wagner Street) connects the CA Coastal Trail and Edwards Street to the Parker Creek Trail, and the Groth Lane Trail provides a connection to the Parker Creek Trail from Scenic Drive.

For the most part, there is ample public coastal access in Trinidad. Together these trails provide a variety of public access points to and from the coast, all within  $\frac{1}{4}$  mile of each other. The one exception is the southeastern part of town; there is more than  $\frac{1}{2}$  mile between the southeastern City limits and the nearest trail access at Groth Lane. And the nearest public access south of the City limits is at Baker Beach, another 0.7 miles to the south. Although Scenic Drive is not particularly safe for pedestrians due to very narrow stretches and sharp curves, is part of the officially designated CA Coastal Trail. The City has proposed an additional access from Scenic Drive to the coast along McConnahas Mill Creek to help fill this gap. The Trinidad Coastal Land Trust has also expressed an interest in developing a trail from Scenic Drive that connects to the Parker Creek Trail between Groth Lane and Main Street through a parcel they own. These are the only additional accesses proposed at this time. There are no known informal, unmapped accesses currently being utilized.

In accordance with the Coastal Act, the City requires dedication of access easements along and adjacent to designated trails and beaches as a condition of approval of coastal development permits. These easements and other legal forms of land restrictions are granted in the form of Offers to Dedicate (OTDs), and the Trinidad Coastal Land Trust (TCLT) has been the entity that has accepted most of those easements, with the City holding a few as well. The TCLT has expressed a willingness to continue to accept these easements, and the City will continue to maintain the ones that are designated public trails.

The City also has a responsibility to ensure that public access is not impeded or discouraged by private development. There is not much potential for additional development along or near the shoreline in Trinidad, but impediments can also include discouraging signage, lack of signage, and vegetative growth. Trail signage has been a controversial topic in Trinidad in several locations due to concerns of private property

owners as well as impacts to unstable slopes and cultural resources from pedestrian traffic.

The portion of Trinidad Head not needed by the Coast Guard was transferred to the City of Trinidad and annexed within the City limits in 1984. [Amended Ord. 166; 12-12-84]. Trinidad Head Trail provides a view to the Trinidad Harbor and the Pacific Ocean. The Trinidad Trails Plan is available with the City Clerk at City Hall. The U.S. Coast Guard recently transferred its ownership of 13 acres of the southern portion of Trinidad Head to the BLM. The land was added to the California Coastal National Monument in January 2017.

**Goal CONS-10: Maximize public access to and along the coast consistent with sound resource conservation principles and the constitutionally protected rights of property owners.**

Public Access Policies

*CONS-10.1* The public shall have access to trails and coastal resources; existing and proposed trails are shown on Figure 10. Advertise the trail system, including connections to State Park trails, in visitor information and current maps that will be kept on file at City Hall and made available to the public at a Visitor Information Center and / or the Chamber of Commerce kiosk.

*Program CONS-10.1.1* Pursue opportunities to provide transportation corridor linkages for pedestrian trails and bike routes as well as scenic recreational routes. In particular, consider linkages to the California Coastal Trail, Hammond Trail and Pacific Coast Bicycle Route (CIRC-4.9)

*CONS-10.2* Provide maximum access and recreational opportunities consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Provide public open space and shoreline access in the Coastal Zone.

*Program CONS-10.2.1* Provide shoreline access in the Coastal Zone along the vertical and lateral access routes as shown on Figure 10.

*Program CONS-10.2.2* Acquire additional public access to the shoreline by:

- a) requiring public access as a condition of development consistent with the Coastal Act, the Coastal Commission's Statewide Interpretive Guidelines, and the findings required to support recorded Grants of Easements, Offer to Dedicate (OTD), or other comparable documents, as determined by the City;
- b) Accepting, or facilitating acceptance of, Offers to Dedicate (OTDs) that will increase opportunities for public access and recreation; and
- c) create partnerships with the community, agencies, and organizations to maintain and improve public access to and along the coast.

**CONS-10.3** Development in the Coastal Zone shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Protect public prescriptive accesses wherever they exist.

**CONS-10.4** Require formal access offers of dedication where necessary and feasible to assure continued public use of designated trails.

**CONS-10.5** Require public access easements or similar agreement to assure public use of both proposed and existing designated trails when approving permits for allowable development. Such agreements on beaches shall cover the area from the ambulatory mean high-tide line to either the ambulatory base of the bluff or to the first line of vegetation. Interior trail easements shall include enough area to provide for adequate public access, appropriate improvements and maintenance while minimizing the amount of private land encumbered.

**CONS-10.6** Require public access from the nearest public roadway to the shoreline and along the coast, as shown in Figure 10, in new development except where it is inconsistent with public safety, other LCP policies, or the protection of fragile coastal resources and environmentally sensitive habitat areas.

**CONS-10.7** Require access easements along designated trails, consistent with the California Coastal Act and the City's LCP and Zoning Ordinance, as a condition of approval of applicable development projects, in order to mitigate the project's impacts on public access.

*Program CONS-10.7.1* Revise the Zoning Ordinance to provide specific regulations for public access easements, OTDs, direct dedications, and other legal mechanisms to protect and provide public access.

**CONS-10.8** Implement mitigation measures required for impacts to public access and recreational opportunities prior to or concurrent with construction of the approved development. Mitigation is not a substitute for implementation of a feasible project alternative that would avoid impacts to public access.

**CONS-10.9** Public accessways and trails to the shoreline and public parklands are a permitted use in all land use and zoning designations. Where there is an existing, but unaccepted and/or unopened public access Offer to Dedicate (OTD), easement, or deed restriction for lateral, vertical or trail access or related support facilities (e.g. parking), construction of necessary access improvements shall be permitted to be constructed, opened and operated for its intended public use.

**CONS-10.10** Dedicated accesses are not required to open for public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access. Open the easement to the public as soon as is feasible and accept the responsibility for operation and maintenance of the accessway for

easements to the City, or grant the easement to a private nonprofit association that is willing to accept, maintain and operate the accessway.

*CONS-10.11* For all grants of easement required by the City and accepted by a private non-profit association, the Executive Director of the Commission and the City Manager must review and approve a management plan submitted by the private non-profit association that indicates that the association will open, operate, and maintain the easement in accordance with terms of the recorded grant of easement, and that the association will open the easement to the public as soon as is feasible.

*Program CONS-11.11.1* Work with the Trinidad Coastal Land Trust and other organizations and agencies to accept liability for and maintain public accesses.

*Program CONS-10.11.2* Facilitate the acceptance of Offers to Dedicate (OTDs) as a means of obtaining additional public access.

*CONS-10.12* Develop and promote a continuous interconnected trail system throughout the City which connects to and includes the California Coastal Trail system.

*CONS-10.13* Require an amendment to the Local Coastal Program for the permanent closure of any existing public accessway. Temporary closures due to emergencies or to perform necessary maintenance and repairs shall be the minimum duration necessary, and alternative access shall be provided where feasible. Temporary closures over two weeks in length require a coastal development permit.

*CONS-10.14* *Unobstructed access to all Trinidad Trails shall be maintained.* Develop ordinances and policies to ensure unobstructed public access to all Trinidad Trails, including restrictions on vehicles, vegetation, or other obstructions so they aren't allowed to block or hinder pedestrian access to trails.

*CONS-10.15* Pursue opportunities to provide transportation corridor linkages for pedestrian trails and bike routes as well as scenic recreational routes. In particular, consider linkages to the California Coastal Trail, Hammond Trail and Pacific Coast Bicycle Route (CIRC-4.9)

*CONS-10.16* Support the Coastal Conservancy's Completing the California Coastal Trail project (SB 908) and encourage trails and connectors (CIRC 4.8).

*CONS-10.16* Develop policies and requirements for temporary events to ensure that adequate public access, including parking, is maintained. Temporary events with the potential to adversely impact public access shall develop a public access management plan to identify and limit impacts to public access, including parking. Plans shall identify peak use times and measures to avoid disruption during those times, minimize road and trail closures, identify alternative access routes, and provide for public safety.

*CONS-10.17* Require public access easements as part of any street abandonment or property transfer where public access currently exists.

*CONS-10.18* Prohibit posting of misleading signs, markings and other structures that discourage appropriate use of legal public accessways. Identify and remove all unauthorized structures, including signs and fences, which inhibit public access.

*CONS-10.20* Encourage a shuttle system with a fixed route to the Trinidad Harbor. This would reduce individual vehicle use and provide easy access to the Harbor (CIRC-3.3).

*Program CIRC-3.1.2:* Support a commuter route so the existing Trinidad-Eureka trips have consolidated stops and take less time.

*CIRC-3.2:* Public transportation should support access to social services and mitigate the impacts of service changes to social service clients.

*Program CIRC-3.2.1:* Promote a Trinidad dial-a-ride service for the elderly and disabled.

*CIRC-3.3* Encourage a shuttle system with a fixed route to the Trinidad Harbor. This would reduce individual vehicle use and provide easy access to the Harbor (CONS-10.20).

## F. ALTERNATE MODES OF TRANSPORTATION

The community desires transportation alternatives to the automobile and the same time, solutions to present-day congestion. Citizens want traffic in residential neighborhoods to be slower, less disruptive and less dangerous to pedestrians. Feasible alternatives to traditional automobiles are bicycle and pedestrian ways—including trails, paths, sidewalks, bike lanes and similar facilities—and facilities for alternative vehicles, such as charging stations or ecologically-friendly fuel stations, such as biodiesel or petroleum. Trinidad is open to offering their community resources that align with the Energy goals and Climate Action Plan goals found in the Land Use Element.

The City implemented a previous General Plan policy requiring that the City formalize its trail system. This system included the “beaches, the existing Trinidad Beach State Park trails, and ascends the bluff at Galindo Street to provide convenient pedestrian access from Edwards Street to the Harbor, the Old Wagon Road from Wagner Street to Parker Creek Trail, the private road extending from Scenic Drive along the East branch of Parker Creek to the beach, and the beach extending Southeasterly from Parker Creek to the City limits.” This was completed through the development of the “Trinidad Trails Plan.” This draft document describes each of the existing trails and their history and conditions. The City has approved trail marker descriptions so a uniform method for trail identification is implemented on all these trails.

The City also installed benches through a grant from the Air Quality Control Board to increase both pedestrian traffic and reduce local reliance on automobiles. The Trinidad Planning Commission established a priority ranking for locating benches. And the plan for placement of these amenities can be reviewed in the Trinidad Trails Plan.

The Humboldt County Association of Governments maintains a *Regional Bicycle Plan* for Humboldt County. The plan designates one Class III route (shared road with signs) from Highway 101 to the end of Edwards Street. The following are general policies related to pedestrian and bicycle facilities. Additional related policies are also found in the Recreation section.

**Goal CIRC-4: Provide a pedestrian, bike and equestrian-friendly environment that allows Trinidad residents and visitors reasonable access to the City and its views, but also preserves the characteristics of Trinidad and the surrounding area.**

Alternative Transportation Policies

*CIRC-4.1* Provide for and develop pedestrian and bicycle facilities to serve the transportation and recreational needs of the residents. Where feasible, these can include benches and attractive, secure and accessible bike parking, etc.

*Program CIRC-4.1.1:* Use traffic calming measures, where appropriate, as a means of providing safe pedestrian and bicycle access. Traffic calming measures include, but are not limited to, roundabouts, horizontal traffic diversions that create curves in the road, curb extensions, and traffic circles. These can be used to encourage the safety awareness and cycle and pedestrian education of drivers.

*Program CIRC-4.1.2:* Review land development along and adjacent to designated pedestrian and bicycle routes to ensure that adjacent new development is consistent with established right-of-ways and compatible with the safety and capacity of the corridor.

*Program CIRC-4.1.3:* Encourage the placement of secure, weather-protected bicycle parking and/or storage facilities at bus stops, businesses, and public buildings.

*CIRC-4.2* Provide safe and convenient pedestrian access to all areas of the City through routine maintenance and repair of sidewalks on the main arterial routes, so that visitors are encouraged to park vehicles in a centralized area and walk.

*Program CIRC-4.2.1:* Complete an assessment of pedestrian and bicycle needs as background information to prioritize allocation of funds consistent with the goal of increasing the safety, functional efficiency, interconnectivity, and capacity of pedestrian and bike routes. The level, design and quality of service for pedestrians and bicycles should be increased when expanding roadway capacity for motorized circulation. If road expansion is infeasible, the City should consider shared lane markings (sharrow). Road resurfacing projects should provide improved access and safety for bicycles.

*Program CIRC-4.2.2:* Published design standards, such as the Caltrans Highway Design Manual or equivalent, shall be used by the City Public Works Department for the design and construction of pedestrian and bicycle paths. All new hard surfaced walkways shall be ADA accessible. Existing hard surfaced walkways should be improved to be ADA accessible when funding is available or when development projects occur on adjacent parcels.

*Program CIRC-4.2.3:* Continue to update the City's Trails Plan, where necessary, to encourage pedestrian and / or non-motorized vehicular access to appropriate areas open to the public.

*CIRC-4.4* Install sidewalks only where necessary for pedestrian safety. Limiting sidewalk installation and street improvements helps retain the present undeveloped right-of-ways and will preserve its rural character.

*CIRC 4.5* Apply special paving at major intersections and crosswalks along enhanced corridors to create a visual focal point and slow traffic speeds. (CD-9.5)

*CIRC-4.6* Design new and, when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration; strengthen connectivity; and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture. (CD-9.6)

*CIRC-4.7* Promote horseback riding as a form of recreation and transportation by providing equestrian trails, where feasible.

*CIRC-4.8* Support the Coastal Conservancy's Completing the California Coastal Trail project (SB 908) and encourage trails and connectors. (CONS-10-16)

*CIRC-4.9* Pursue opportunities to provide transportation corridor linkages for pedestrian trails and bike routes as well as scenic recreational routes. In particular, consider linkages to the Hammond Trail and Pacific Coast Bicycle Route (CONS-10.15)

## **G. ENERGY**

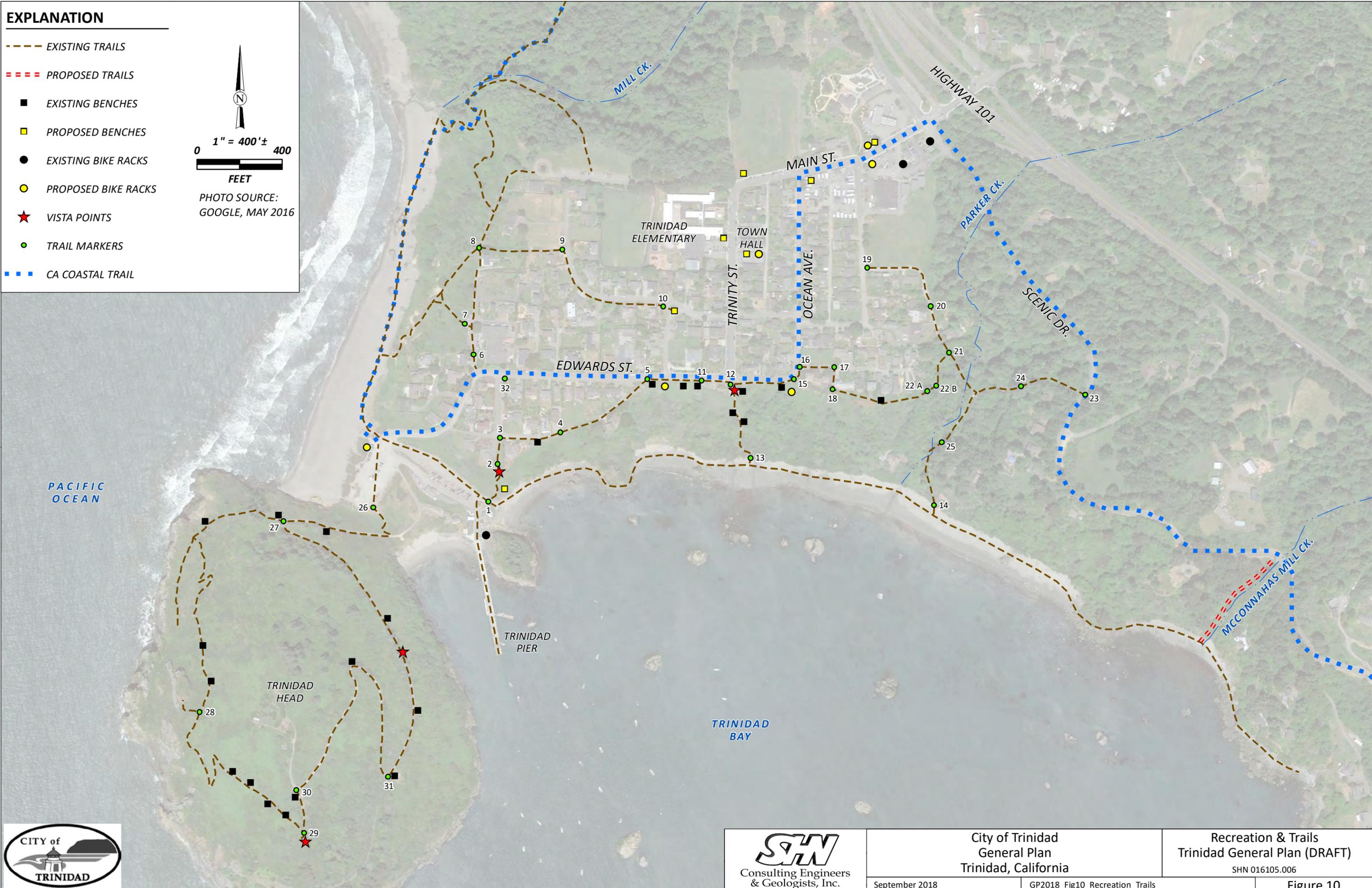
Energy consumption and production are closely linked to the physical development of land. Land use development policies strongly impact how much energy is consumed, and zoning and development strategies can affect the ability to develop and transport future energy resources. The majority of the energy consumed in the county is imported, with the exception of biomass energy and a small amount of natural gas, as per the findings of the Background Technical Report for the Humboldt County General Plan 2025 Energy Element dated October 2005. There are also several potential local renewable energy resources that are as yet mostly untapped, including wind, wave, biomass, solar and micro-hydroelectric. Conservation and increased efficiency are also ways in which to essentially boost energy capacity by reducing demand.

In 2003, the Redwood Coast Energy Authority (RCEA) was formed as a joint powers authority (JPA), representing seven municipalities, including Trinidad, and Humboldt County. A JPA is an entity where two or more public authorities work together to exercise a power common to them. As a JPA, RCEA is governed by a board composed of a representative from each jurisdiction. RCEA's mission statement is:

**EXPLANATION**

- - - EXISTING TRAILS
- - - PROPOSED TRAILS
- EXISTING BENCHES
- PROPOSED BENCHES
- EXISTING BIKE RACKS
- PROPOSED BIKE RACKS
- ★ VISTA POINTS
- TRAIL MARKERS
- - - CA COASTAL TRAIL

  
 0 1" = 400' ± 400  
  
 FEET  
 PHOTO SOURCE:  
 GOOGLE, MAY 2016



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City of Trinidad  
 General Plan  
 Trinidad, California  
 September 2018

Recreation & Trails  
 Trinidad General Plan (DRAFT)  
 SHN 016105.006  
 GP2018\_Fig10\_Recreation\_Trails  
 Figure 10



## MEMORANDUM

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**TO:** Trinidad Planning Commission

**FROM:** Trever Parker, City Planner

**DATE:** June 12, 2020

**RE:** Status of the various draft Trinidad General Plan elements

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There was previously a request to include this information as an agenda item so the Commission can discuss next steps and timelines. In terms of my work, I have most recently been working my way through the Coastal Commission comments on the Conservation, Open Space and Recreation Element, and I still need a little more time to complete that. Earlier this year I was also working on the coastal hazards assessment, which will be critical for updating the Public Safety Element. But I have had to put that on hold for the time being.

### Introduction

- Most current version: September 2019 (Approved/Recommended by PC)
- Reviewed by CCC staff: Preliminary comments received on August 2018 version; all comments have been incorporated
- Reviewed by PC: Complete
- Action by PC: Approved/Recommended September 2019
- Current Status: Need to add Figure 1 (CCC jurisdictional boundaries) and send to City Council.

### Required Elements

#### Land Use

- Most current version: June 2020 (Approved/Recommended by PC)
- Reviewed by CCC staff: Preliminary comments received on April 2018 version; all comments have been incorporated (CCC did not include in-document comments and revisions, but some specific comments in a letter)
- Reviewed by PC: Complete
- Action by PC: Approved Recommended June 2020
- *Previous Version Approved by PC: September 2009*
- *Previous Version (Sept. 2009) Reviewed by CC: Yes*
- Current Status: Sent to CC for their initial review on July 14, 2020

## Conservation and Open Space

- Most current version: April 2018
- Reviewed by CCC staff: Preliminary comments received on April 2018 version; comments are currently being addressed.
- Reviewed by PC: Last reviewed October 2018
- *Previous Version Approved by PC: December 2009*
- *Previous Version (Dec. 2009) Reviewed by CC: Yes*
- Current Status: Needs to be updated based on PC's October 2018 comments and CCC comments; will come back to PC within the next couple of months (pending other tasks (e.g. WSCP and Trail Policies) and permit applications)

## Circulation (includes Energy)

- Most current version: October 2018
- Reviewed by CCC staff: Preliminary comments received on October 2018 version; comments are fairly general and likely incomplete.
- Reviewed by PC: Yes, October - January 2019 (except for section I.5 – Water Service).
- *Previous Version Approved by PC: July 2012*
- *Previous Version (July 2012) Reviewed by CC: Yes*
- Current Status: Needs to be updated based on PC's October - January 2019 comments, CCC comments, and the recent water reports and policy discussions

## Noise and Safety

- Most current version: December 2012
- Reviewed by PC: Not recently
- Reviewed by CCC staff: No
- *Previous Version Approved by PC: December 2012*
- *Previous Version (Dec. 2012) Reviewed by CC: Yes*
- Current Status: Staff is currently updating as time allows based on new information, including climate change report (done in 2016 and may need updating based on new information), and coastal hazards assessment (in progress).

## Housing

- Most current version: March 2020
- Reviewed by CCC staff: No
- Approved by PC: April 1, 2020
- Approved by CC: April 14, 2020
- Approved (conditionally) by HCD: April 2, 2020
- Current Status: Needs to be submitted CCC staff for review and to determine what of it needs to be certified as part of the LCP.

## **Optional Elements**

### **Community Design**

- Most current version: February 2017
- Reviewed by PC: Last time was in January 2017
- Reviewed by CCC staff: No
- Approved by PC: No
- Reviewed by CC: No
- Current Status: Needs updating and further review.

### **Cultural & Historic Resources**

- Most current version: October 2018
- Reviewed by PC: Not current version
- Reviewed by CCC staff: No
- Approved by PC: No
- Reviewed by CC: No
- Current Status: Ongoing informal consultation with interested tribal entities. Good progress was being made in 2018, particularly with the Rancheria, until other priorities and/or staffing changes sidetracked those efforts.

### **Suggested Actions**

Discuss next steps and timeline. Suggest considering restarting second monthly meetings to discuss the general plan update.

### **Attachments**

None.