

PUBLIC REVIEW DRAFT

Sonoma County Local Coastal Plan

PUBLIC ACCESS ELEMENT September 2019



**Local Coastal Program
Permit Sonoma**

2550 Ventura Avenue
Santa Rosa, CA 95403

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PUBLIC ACCESS ELEMENT

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PUBLIC ACCESS ELEMENT

1. INTRODUCTION

1.1 Purpose

The objective of the Public Access Element is to identify and evaluate existing and potential coastal areas suitable for public and private recreation, and the type and scale of such potential development.

Outdoor recreation in Sonoma County contributes to the tourism economy, enhances the quality of life for residents and visitors, and conserves unique natural and cultural resources. The diverse and relatively unspoiled character of the natural and built environment is a major contributing factor that inspires the public to explore the Sonoma County coast. The coast offers a variety of recreational experiences and facilities (public shoreline access, trails, water trails, parks, campgrounds, golf courses, equestrian facilities, boat launches) including the following:

- (1) **Public Shoreline Access** – the public’s right to access tidelands to the mean high tide line, defined and established through a Public Access Plan (**Appendix B**).
- (2) **Trails** – trails for bicyclists, equestrians, hikers, disabled users, either separate use or multiple-use.
- (3) **Recreation Facilities** – public and private parks, campgrounds, golf courses, equestrian facilities, and boat launches.
- (4) **Visitor Serving Facilities** – lodging, restaurants, and other commercial services for tourists.
- (5) **Water Trails** – routes for small boats along navigable waterways in the Coastal Zone.

1.2 Relationship to Other Elements

The Public Access Element is coordinated with the Land Use, Open Space and Resource Conservation, Agricultural Resources, Circulation & Transit, and Public Facilities and Services Elements. Following are the relationships among these Elements:

- (1) The Land Use Element identifies how public access and outdoor recreation facilities will relate to land use types, and provides policies for establishing new park and recreation facilities.

- (2) The Open Space and Resource Conservation Element includes design and planning policies addressing Scenic Resources and protection of natural resources that apply to outdoor recreational facility acquisition and development.
- (3) The Public Facilities and Services Element include policies that address public services related to outdoor park and recreation facilities.
- (4) The Agricultural Resources Element identifies policies that address the protection and enhancement of agriculture that apply to surrounding land uses, including outdoor recreation facilities.
- (5) The Circulation & Transit Element identifies transportation policies for accessing recreational facilities as well as bikeways that are critical transportation and recreational features connecting communities and public facilities.

1.3 Scope and Organization

The Public Access Element establishes goals, objectives, and policies to protect and enhance opportunities for the public to visit, access, and recreate in and along the Sonoma County coast. Programs needed to implement proposed policies are also identified. In addition, the Element calls out ongoing or potential future County initiatives, referred to as "Other Initiatives," that support inter-agency and community collaboration around public access issues.

The Shoreline Access and Outdoor Recreation sections of previous Local Coastal Plans have been combined into one section because of the extensive overlap in the facilities and processes of providing access to the shoreline and providing access to parks. The Public Access Element is divided into the following sections:

Introduction – purpose, relationship to other elements, and scope and organization of the Element.

Background – general overview of recreation and public access and the legal basis for public access.

Public Access Facilities – background and policy for facility classification, acquisition, planning and development, and management and operation of publicly accessible parks, trails, and recreational facilities.

Recreational Boating Facilities – background and policy for continuation and improvement of existing recreational boating facilities.

Visitor-Serving Facilities – background and policy for expansion of existing and new commercial services for visitors at specific locations.

Appendix B: Public Access Plan – list, description, and recommendations for existing and proposed publicly accessible parks, trails, and recreational facilities.

2. BACKGROUND

2.1 Overview of Recreation & Public Access

Sonoma County's coastline stretches over fifty-five miles, and its Coastal Zone reaches inland over 6 miles. More than one-quarter of the land area on the coast is in government ownership, but not all of that land is open to the public with appropriate facilities. The Sonoma County Regional Parks Department (County Regional Parks) and the State Department of Parks and Recreation (State Parks) own the majority of the developed facilities and undeveloped land along the coastline. Several other public agencies and private organizations own land and provide limited public access.

The Sonoma County coast draws visitors from all areas of the county and state, especially the Sacramento Valley and the San Francisco Bay Area. Tourism studies indicate that visitors to the Sonoma wine country frequently also visit the Sonoma County coast. Sonoma County residents enjoy being able to easily visit the coast.

Sightseeing has traditionally been the most popular activity on the Sonoma County coast. Other popular activities based on the Sonoma Coast's unique land and water edge qualities include walking on the beach, hiking on the coastal bluffs and upland trails, sunbathing, picnicking, fishing, clam digging, kayaking, surfing, diving, bird watching, photography, tidepooling, and painting.

The summer from June through August is the busiest season for coastal parks, and more than one-third of the visitor days occur during this period, which corresponds to the warmer outdoor camping season. Peak use occurs during holiday weekends (Memorial Day, Fourth of July, and Labor Day) and summer weekends. State parks have over four and one-half million visitors, and County Regional Parks exceed one million visitors.

According to 2011-2012 County Park visitor data, the North Coast and South Coast receive 20 and 80 percent of coastal park visitors (about 150,000 and 600,000 visitors) per year, respectively. The most heavily used beaches are almost all located on the South Coast – Doran Beach, Salmon Creek Beach, Wright's Beach, Goat Rock Beach, and Jenner Beach. At peak use times parking areas for these beaches become full, and visitors have to go to other access points to park.

2.1.1 North Coast

The availability of public access to the Coastal Zone from Gualala to Jenner is quite varied. Some large sections of the coastline and upland areas of the Coastal Zone are

open to the public, including Gualala Point Regional Park, Salt Point State Park, Fort Ross Historic State Park, and North Jenner Beach. At other large sections of the coast public access is limited, including in the area of Stewarts Point, Timber Cove, High Cliffs, and The Sea Ranch community.

There are about 40 miles of trail and over 80 parkland public access points and easements on the North Coast. The use levels tend to drop off from Russian Gulch to the north. Jenner, the southernmost area in California where recreational abalone diving is legal, is a significant recreational draw.

The California Coastal Trail on the North Coast is planned to be a continuous trail alignment extending over 40 miles, connecting Mendocino County with the Russian River. Approximately half of the California Coastal Trail alignment is in public ownership and developed, with numerous gaps in the trail alignment, including the gap between Gualala Point Regional Park and Salt Point State Park.

Access to the Russian River between Duncans Mills and the river mouth is limited to certain areas, with the mouth accessible from Jenner and the Goat Rock area. From the Bridgehaven bridge to Duncans Mills river access is limited to small informal turnout areas. One fee public access point is available in Duncans Mills at the private Cassini Ranch Campground.

In 2009, Sonoma Land Trust acquired the Jenner Headlands, adding a total of 5,630 acres of open space to its conservation lands and further enhancing and expanding recreational opportunities in the North Coast region. The Jenner Headlands are located directly north of the community of Jenner and include approximately 2.5 miles of coastline. Sonoma Land Trust has since transferred the property to The Wildlands Conservancy. The Wildlands Conservancy is developing public access facilities which are anticipated to be open in 2017.

Figures C-PA-1a-g show the Public Accessways in SubAreas 1 through 7 (The Sea Ranch North through Duncans Mills) of the Sonoma County coast.

2.1.2 South Coast

The South Coast is very accessible to the public in the Bodega Bay area, although the upland areas of the Coastal Zone are mostly private. There are about 21 miles of trail and over 60 parkland public access points and easements on the South Coast.

The majority of the coastal property from the Russian River to Bodega Head is a part of Sonoma Coast State Park and provides numerous developed and informal access points. The acquisition of the majority of Willow Creek, Wright Hill Ranch, and the Carrington

Ranch will eventually provide extensive public access to the upland areas north of Salmon Creek in the Coastal Zone. Private landholdings in the town of Bodega Bay complicate public access to tidelands in numerous cases, although there are several points at commercial locations where the public can view the tidelands. Public access to the tidelands is available at the County-owned facilities of Spud Point Marina, Westside Park, Bird Walk Coastal Access Trail, and Doran Regional Park. Two public access trails in the Bodega Harbor Subdivision were dedicated to County Regional Parks, and public trails have been developed.

Further south, the Sonoma Land Trust and The Wildlands Conservancy own property adjacent to the Estero Americano and allow very limited access primarily for interpretive hikes and interpretive paddles. The most eastern access point to the Estero Americano is located in Marin County and supports a prescriptive access for canoe/kayak based recreation.

The California Coastal Trail in the South Coast is planned to be a continuous trail alignment over 25 miles long, connecting Marin County with the Russian River, including the Bodega Bay Bike and Pedestrian Trail and the Kortum Trail. More than half of the trail alignment is in public ownership and developed.

Figures C-PA-1h-k show the Public Accessways, Parks, and Trails in SubAreas 8 to 10 of the Sonoma County coast (Pacific View/Willow Creek through Valley Ford).

2.1.3 Public & Private Recreation

Public recreation facilities include developed State and County Regional Parks and beaches; and recent undeveloped parkland acquisitions. Public facilities include beaches, parkland east and west of State Highway 1, and a natural reserve. State and County parklands are almost equally divided between the North Coast (north of the Russian River) and South Coast (south of the Russian River). State and County parklands account for about one-quarter of the land area on the Sonoma County coast, with almost half of the coastline in parks (about 30 miles under State ownership and 3 miles under County ownership).

Private recreation facilities serve a recreation function and are operated by private business for profit, including campgrounds, trailer parks, stables, golf courses, and boat launches. Private facilities comprise about eight miles of coastline and one mile of Russian River frontage, and are important in that they provide a significant portion of the camping on the Sonoma Coast.

2.2 Legal Basis for Public Access

2.2.1 California Constitution

The public's right of access to the tidelands is guaranteed by the California Constitution. This constitutional right was reaffirmed and clarified by the people of California through the passage of Proposition 20 in 1972. Article X, Section 4 of the California Constitution provides:

"No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof."

Known as the public trust lands, all submerged lands and all lands lying beneath inland non-tidal navigable waters are owned by the State of California and are subject to the Common Law Public Trust Doctrine. The public trust is a sovereign public property right held by the State for the benefit of all people. The State Lands Commission has jurisdiction and management authority over these lands, which are to be used for public trust uses such as navigation, fisheries, commerce, public access, water-oriented recreation, open space, and environmental protection.

2.2.2 California Coastal Act

The California Coastal Act of 1976 further defines shoreline access policies and establishes a framework for achieving the goal of providing maximum opportunities of public use and enjoyment of the coast.

The California Coastal Act favors enhancing recreational use. The policies address the priorities of different recreational uses on the coast and the amount, location, and distribution of these uses.

The California Coastal Act was amended in the 1979-80 legislative season by the Bane Bill. The Bane Bill addressed water supply, septic issues, transportation, visual impacts, public access, and the build out of The Sea Ranch development. Several sections relate directly to providing public access within the private development. The Bane Bill establishes certain provisions for public access, including parking, access easements, and trails, at specific locations along the Sonoma County coast. These specific requirements are reflected in **Appendix B**, Public Access Plan. The Bane Bill also includes provides for scenic view easements, which are not identified in **Appendix D**.

Scenic view easements allow for the removal of trees in order to restore and preserve scenic views from Highway 1.

2.2.3 California Coastal Trail Act

The Coastal Trail Act requires that the California Coastal Trail be incorporated into regional transportation plans and appoints the State Coastal Conservancy as the lead agency in coordinating the development of the Coastal Trail in consultation with local jurisdictions.

In 2003, the State Coastal Conservancy published *Completing the California Coastal Trail*, a programmatic planning guide. Most of the Sonoma County coast is identified as needing Coastal Trail improvements.

2.2.4 Other Guiding Policy Documents

In 2007 the State Coastal Conservancy and the California Coastal Commission adopted *Standards and Recommendations for Accessway Location and Development*. This document provides general guidelines for the location, size, and type of coastal access facility to ensure that a consistent approach is used along the California Coast. The standards are intended to be flexible to accommodate the variation in sites and circumstances. The standards address hazards, access easements, privacy, environmentally sensitive areas, construction, location, trails and bikeways, scenic overlooks, hostels, and barrier-free facilities. These standards have been incorporated into the public access policies and have guided access recommendations.

The Caltrans *Deputy Directive DD-64-R1 Complete Streets – Integrating the Transportation System* policy directs Caltrans to maximize bicycle, pedestrian, and transit safety and mobility needs during system and corridor planning, project initiation, scoping, and programming. DD-64 is anticipated to facilitate public access in the Highway 1 corridor and may be critical to providing connectivity between coastal resources and public recreation facilities. In addition, Caltrans is preparing several policy documents that will have a bearing on public access, including the California Bike & Pedestrian Plan, and State Route 1 North: Marin and Sonoma Counties Transportation Concept Report.

Other policy documents pertinent to public access and outdoor recreation include the General Plans for State Park Units, California Outdoor Recreation Plan, Sonoma County General Plan 2020, Sonoma County Bike and Pedestrian Plan, Sonoma County Draft Outdoor Recreation Plan (2003), and Sonoma County Agricultural Preservation & Open Space District's Connecting Communities with the Land Plan. The proposed public access facilities within the Coastal Zone Sonoma County General Plan 2020 contains

Mitigation Measure 4.9-7 and Policy PF-2cc requiring adoption and implementation of the Draft Outdoor Recreation Plan. The proposed public access facilities within the Coastal Zone in the above policy documents have been incorporated into the Public Access Plan. In 2002 the Sonoma Land Trust published the Russian River North Coast Parcel Analysis to identify properties with significant recreational value and provide a strategic approach to land and resource preservation.

Accessibility at public outdoor recreation facilities is addressed by several documents. The State and County both have separate system-wide facility planning documents (*Access to Parks Guidelines*) and County (*Countywide ADA Transition Plan*). The *Federal Access Guidelines for Outdoor Accessibility* and the California Building Code are used by the State and County for facility design.

3. PUBLIC ACCESS FACILITIES

3.1 Facility Classification

3.1.1 Parks and Preserves

State Park System. There are numerous classifications for properties within the State Park system. These classifications include State Parks, State Reserves, State Natural Reserves, State Wilderness Areas, State Recreation Units, State Beaches, and State Historical Units. Most of the State facilities within the Sonoma County Coastal Zone are classified as State Parks. There are three State Marine Reserves (Del Mar Landing, Bodega Bay, and Gerstle Cove) and one State Marine Conservation Area (Russian River) in the Coastal Zone that support scientific research, education, and recreation. State Marine Reserves, State Marine Conservation Areas, and some other forms of marine conservation designations are types of Marine Managed Areas (California Fish and Game Code Section 36602) jointly designated by State Parks and the State Fish & Wildlife Department. For a complete description of the State Park System Classification, see Public Resources Code Sections 5019.50-5019.80; and for a complete description of the State Marine Protected Area Classification, see California Fish and Game Code Sections 2850-2863.

State Parks "consist of relatively spacious areas of outstanding scenic or natural character, oftentimes also containing significant historical, archaeological, ecological, geological, or other similar values. The purpose of state parks shall be to preserve outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California... Improvements undertaken within state parks shall be for the purpose of making the

areas available for public enjoyment and education in a manner consistent with the preservation of natural, scenic, cultural, and ecological values for present and future generations.” (Public Resources Code Section 5019.53)

State Marine Reserves are a type of State Recreation Unit and State Recreation Area which contain “*ecological, geological, scenic, or cultural resources of significant value...situated seaward of the mean high tide line.*” (Public Resources Code Section 5019.56). They are also a type of Marine Protected Area (MPA), “*a named, discrete geographic marine or estuarine area seaward of the high tide line or the mouth of a coastal river, including any area of intertidal or subtidal terrain, together with its overlying water and associated flora and fauna that has been designated by law, administrative action, or voter initiative to protect or conserve marine life and habitat. MPA classifications include marine life reserves (the equivalent of the state marine reserve classification), state marine parks, which allow recreational fishing and prohibit commercial extraction, and state marine conservation areas, which allow for specified commercial and recreational activities, including fishing for certain species but not others, fishing with certain practices but not others, and kelp harvesting, provided that these activities are consistent with the objectives of the area and the goals and guidelines of this chapter.*” (California Fish and Game Code Section 2852 [c])

The Del Mar Landing State Marine Reserve is located on the Sonoma County coast, approximately 3 miles south of Gualala. Established in 2010, the 140-acre marine reserve spans 0.6 miles of shoreline and extends to a depth of 87 feet. The area was designated as a marine reserve due to its value among the local community and serves to protect abalone and finfish and their habitat. Take of all living marine resources is prohibited within the Del Mar Landing State Marine Reserve.

County Regional Open Space Parks and Regional Open Space Preserves.

Regional Open Space Parks and Regional Open Space Preserves are resource-based properties that support passive recreation. These facilities are typically hundreds of acres in size and have few developed facilities (e.g. parking lots, trail heads, and restrooms). Passive recreation may include hiking, mountain bike riding, horseback riding, and picnicking. As larger facilities, they also play a greater role in preserving functioning ecosystems.

County Regional Recreation Areas. These park areas serve regional needs with active recreational uses such as swimming, sport fields, tennis, boating, and other active sports. The facilities are more highly developed, such as play areas, turf meadows, food concessions, vehicular camping facilities, and equestrian facilities such as arenas. Generally, Regional Recreation Areas are more highly developed facilities.

They are typically less than 200 acres in size. River access facilities, while generally smaller in size, are also included in this category. The majority of coastal campground facilities are included in this category.

Community and Neighborhood Parks. Community and Neighborhood Park needs are based on population-acreage ratios and described further through policies in the Public Facilities and Services Element. Most of the population on the Sonoma County coast is served by private active recreation facilities, decreasing the need for public agencies and special districts to provide similar facilities. The population in the Coastal Zone outside planned communities such as The Sea Ranch, Bodega Harbor Subdivision, and other Bodega Bay subdivisions is relatively low, under 950. In some cases, active recreation facilities are provided to the public at public schools adjacent to the Coastal Zone.

3.1.2 Regional Trails

Regional Trails are trails that provide recreation and transportation connections between protected accessible lands, communities, and/or other points of interest. They provide access and opportunities to experience cultural and natural areas, and generally accommodate non-motorized access for pedestrians, bicycles, equestrians, or multi-use. Trails traverse a variety of terrain, ranging from wide paved surfaces on relatively level ground to narrow, steep, and rocky with minimal improvement. Segments of regional trails can be inside and outside the boundaries of public protected land.

California Coastal Trail. Policy makers and coastal managers have long planned for a continuous coastal trail in California. In 1972, Proposition 20 provided that "A hiking, bicycle, and equestrian trail system shall be established along or near the coast" and that "ideally the trail system should be continuous and located near the shoreline." The California Coastal Act of 1976 required local jurisdictions to identify an alignment for the California Coastal Trail in their Local Coastal Programs. In 2001, Senate Bill 908 was passed, which requires the Coastal Conservancy, in consultation with State Parks, the Coastal Commission, and other agencies, to complete the trail. The bill was also added to the Public Resources Code as Sections 31408 and 32409.

Although planning for the trail is a statewide effort, the Coastal Commission recommends that local governments include mechanisms for planning and implementation in their Local Coastal Plan, and that the exact location and alignment will still need to be determined locally through community input and consultation with public agencies responsible for implementation. The Coastal Commission is the body responsible for the final determination of the alignment.

The California Coastal Commission and the State Coastal Conservancy define the California Coastal Trail as follows:

"The California Coastal Trail is a continuous interconnected public trail system along the California coastline. It is designed to foster appreciation and stewardship of the scenic and natural resources of the coast and serves to implement aspects of Coastal Act policies promoting non-motorized transportation. The Trail system is to be located on a variety of terrains, including the beach, bluff edge, hillsides providing scenic vantage points, and within the highway right-of-way. It may take many forms, including informal footpaths, paved sidewalks, and separated bicycle paths. When no other alternative exists, it sometimes connects along the shoulder of the road. While primarily for pedestrians, the Trail also accommodates a variety of additional user groups, such as bicyclists, wheelchair users, equestrians, and others as opportunities allow. The CCT consists of one or more parallel alignments."

The California Coastal Commission has identified the following goals and objectives for the Coastal Trail:

- (1) Provide a continuous walking and hiking trail as close to the ocean as possible;
- (2) Provide maximum access for a variety of non-motorized uses by utilizing parallel trail segments where feasible;
- (3) Maximize connections to existing and proposed local trail systems;
- (4) Ensure that the trail has connections to trailheads, parking areas, transit stops, inland trail segments, etc. at reasonable intervals;
- (5) Maximize ocean views and scenic coastal vistas; and,
- (6) Provide an educational experience where feasible through interpretive programs, kiosks, and other facilities

Figures C-PA-1a-k show the Existing, Planned, and Future alignments of the California Coastal Trail System in the nine SubAreas. Existing means the trail has been constructed. Planned means the approximate location of the trail alignment has been identified as described in the Public Access Plan (**Appendix B**). Future means the alignment between two end points is unknown. In some cases, where the alignment of the Coastal Trail segments has not been identified, the beginning and end points of the trail are shown and the future alignment is illustrated along State Highway 1, although alternative alignments should be considered. The intent of the Local Coastal Plan is to provide a continuous braided trail system that contains parallel routes and point access to accommodate a wide range of users.

Update of Figures C-PA-1a-k of the Public Access Element and the Public Access Plan (**Appendix B**) after dedication of new public and private access facilities shall be accomplished through technical corrections to the Public Access Element and Plan.

Bodega Bay Bicycle and Pedestrian Trail. The 1981 Local Coastal Plan recommended improvements through the town of Bodega Bay to safely accommodate bicyclists and pedestrians, based on community concerns about the inability to walk to various locations in town, particularly as tourism increased. In 2002 the Bodega Bay Bicycle and Pedestrian Trail Advisory Committee was formed comprised of various State and County agencies. After community and Advisory Committee meetings, in 2005 the Sonoma County Transit Agency issued the *Bodega Bay Bicycle and Pedestrian Trails Study, Feasibility Study, and Conceptual Plan*.

The primary objective of the Plan is to find the best route for a separate paved trail to accommodate bicyclists and pedestrians traveling to and through central Bodega Bay. The preferred routes consist of a number of interconnecting trail segments of various types which combined provide alternative routes through central Bodega Bay from the community of Salmon Creek south to the Bodega Harbor subdivision. In 2010 most of the preferred routes were adopted in the County General Plan as part of the update of the County Bikeways Plan. Some of the adopted segments are designated as part of the California Coastal Trail in the Public Access Plan (**Appendix B**).

Waterway Trails. Public access to navigable waterways is protected by the State and Public Trust Doctrine. Navigable waterways support recreational use, are classified as waterway trails, and provide boating and canoeing activities. Support facilities may include designated launch sites, restrooms, parking, and signage. Navigable waterways within the Coastal Zone include all of or portions of the Russian River, Gualala River, Salmon Creek, Bodega Harbor, and Estero Americano.

Other Trails. The *Draft Sonoma County Outdoor Recreation Plan* contains recommendations for other regional trails, some of which are only partially in the Coastal Zone. These recommendations have been incorporated into the Public Access Plan (**Appendix B**).

3.1.3 Coastal Access Trails

Coastal Access Trails, also called vertical accessways, are trails that provide access to the shoreline from roads or other trails. They allow pedestrians, and sometimes equestrians and bicyclists to reach the shoreline. They may have staircases, steps, switchbacks, retaining walls, or other structures to provide safe access.

3.1.4 Bikeways

Bikeways serve both transportation and recreation functions. Bikeways in the Coastal Zone are classified into three classes as defined below. All Class 1 Bikeways in the Coastal Zone included in the *2010 Sonoma County Bikeways Plan* have been incorporated into the Public Access Plan (**Appendix B**). Because Class II and III Bikeways emphasize transportation values, they are described and mapped in the Circulation and Transit Element of the Local Coastal Plan.

Class I Bikeways. Class I Bikeways are also known as multi-use paths. They provide bicycle travel on an all-weather surface within a right-of-way that is for exclusive use by pedestrians and bicyclists. Class I bikeway surfaces must be compliant with provisions of the Americans with Disabilities Act (ADA). These bikeways are intended to provide superior safety, connectivity, and recreational opportunities as compared to facilities that share right-of-way with motor vehicles.

Class II Bikeways. Class II Bikeways are often referred to as bike lanes, and provide a striped and stenciled lane for one-way travel on either side of a street or highway. Unlike Class III Bikeways, Class II Bikeways have to meet specific width and geometric standards.

Class III Bikeways. Class III Bikeways share travel lanes with motor vehicles and are intended to provide continuity to the County bicycle network. They are established along through routes not served by or to connect discontinuous segments of Class I or II Bikeways.

3.2 Facility Acquisition

3.2.1 Methods

Acquiring public access facilities can be accomplished in several ways including fee title purchase, requiring fee or easement dedication as a permit condition, establishing prescriptive rights, donation, and cooperative agreements.

Purchase. Public access can be acquired through fee title purchase or purchase of an access easement. State Parks, Sonoma County Regional Parks, and the Sonoma County Agricultural Preservation and Open Space District (Open Space District) regularly apply for and receive grant funding for property acquisition from numerous sources. Sources of funds can be federal, state, and local agencies, private foundations and non-profit organizations, or a combination. Some agencies which administer acquisition funds that include access as a component are the California Coastal Conservancy (Coastal Conservancy), State Parks, National Parks, National Oceanic and Atmospheric Agency

(NOAA), Wildlife Conservation Board, and the Open Space District. Acquisition may also be accomplished by private organizations such as the Sonoma Land Trust before being deeded to a public agency for development, operations, and maintenance.

Dedication. In order to fulfill the access provisions of the California Coastal Act, the County requires that public access be provided or enhanced as part of new development. When a permit is requested on property with a designated access facility in the general area as described in the Public Access Plan (**Appendix B**), access dedication would be required as a condition of the permit.

The Coastal Act requires for all new development, specifically between the first public road and the ocean shoreline (i.e., west of the first public road), granting of lateral and/or vertical easements to allow for public access along and to the shoreline, coastal bluffs, and other coastal resources.

Section 30212(a). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with the public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Development projects must be sited and designed to either avoid or mitigate all impacts to the public's ability to reach and use tidelands, the shoreline, coastal bluffs, and other coastal resources and facilitate public access to these areas. Where the coastal bluffs exceed five feet, all beach seaward of the base of the bluff shall be dedicated. Where coastal bluffs are less than five feet, the area to be dedicated shall be determined by the County. In no case shall the dedicated easement be required to be closer than 10 feet to an existing or proposed residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.

The Coastal Act does not specifically require granting of public access for all new development east of the first public road. However, Coastal Act Sections 30212 and 30604(c) imply public access is required for such development where such development may impede access to any body of water within the Coastal Zone. Section 30212 not only states that public access shall be provided from the nearest public roadway to the ocean, but also between the nearest public road and "the shoreline of any body of water located within the coastal zone", which includes the Russian River and other perennial streams. Therefore, the Coastal Act requires for all new development between

the first public road and any body of water within the Coastal Zone, granting of easements to allow for public access to the shoreline, coastal bluffs, Russian River and other perennial streams, and other coastal resources.

Section 30604(c). Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).

Offers to Dedicate. Beginning in 1981, the County has required conditions of approval on Coastal Permits for irrevocable Offers to Dedicate an access easement. Offers to Dedicate are required for future sites when there is no plan to immediately develop access easements for public use. Offers to Dedicate will be evaluated for development at some future time as opportunities arise to link the easements with other public land and trails nearby.

The Coastal Commission's required procedures for Dedication of Access Easements are in California Code of Regulations Title 14, Division 5.5, Section 13574 (Procedures for Open Space Easements and Public Access).

Prescriptive Rights. Section 30211 of the California Coastal Act requires the California Coastal Commission to protect public access when acquired by use. The public may acquire a prescriptive right to use property either by permission of the owner or by using the property without permission. A right of access through use is essentially an easement over real property which comes into being without the explicit consent of the owner. Acquiring such an easement by the public is referred to as an implied dedication or public prescriptive easement. In California, the use must continue for five years before an easement comes into being. If the use meets certain legal criteria, then the historically used area must be kept open for public use in perpetuity.

For the public to obtain an easement by way of implied dedication, it must be shown that the public has used the land for the prescriptive period of five years as if it were public land: 1) without asking for or receiving permission from the owner, 2) with the actual or presumed knowledge of the owner, and 3) without significant objection or bona-fide attempts by the owner to prevent or halt such use.

Prescriptive easements can be established through litigation or Coastal Permit conditions, although proving implied dedication through litigation is a very complex procedure. Prescriptive litigation can be initiated by a public agency or a member of the public.

According to California Coastal Act Section 30211, a permit cannot be issued that might interfere with prescriptive rights. The Public Access Plan (**Appendix B**) identifies access points which may be prescriptive, although research has not been conducted to corroborate this information. The Public Access Plan was developed without prejudice to the existence or absence of prescriptive rights. There may be additional access points that are prescriptive that are not listed in the Public Access Plan.

In addition to the Coastal Act provisions, the Public Trust Doctrine also protects public prescriptive access to navigable waterways within the Coastal Zone.

3.2.2 Acquisition Priority

All proposed accessways in the Public Access Plan (**Appendix B**) have been designated from the highest to lowest priority for acquisition as Acquisition Priority I, II, or III. Acquisition criteria include public safety, quality of destination, bluff stability, distance from other access points, public prescriptive rights, public need, environmental suitability, compatibility with agricultural and residential uses, and ease of development and operation. Some of these criteria conflict; the acquisition priority designations reflect a balancing of all these criteria.

GOAL C-PA-1: Maximize public access to and along the Sonoma County coast. Minimize adverse impacts from public access to cultural resources, public safety, public health and the environment; and minimize adverse impacts from development on public access.

Objective C-PA-1.1: Acquire public access to and along the Sonoma County coast through dedication of land, easements, or rights-of-way; fee purchase, or donation.

Objective C-PA-1.2: Acquire public accessways in a distributed network throughout the Sonoma County coast so as not to overburden any one area.

Objective C-PA-1.3: Acquire private accessways through easements and develop them into public accessways.

Objective C-PA-1.4: Prioritize acquiring specific public access facilities within the Sonoma County Coastal Zone.

The following policies shall be used to achieve these objectives:

Land Acquisition Priorities

Policy C-PA-1a: Implement the Public Access Plan as the set of primary policies for acquisition of public access on the Sonoma County coast. (**Existing LCP Revised**)

Policy C-PA-1b: Implement the Acquisition Priorities for the Public Access Plan as follows:

- (1) **Acquisition Priority I:** Begin or continue efforts to acquire through purchase, permit requirements, donation, or other negotiations as necessary to implement the Public Access Plan.
- (2) **Acquisition Priority II:** Require an offer of dedication or dedication of an easement as a condition of any Coastal Permit.

When all available Priority I properties have been acquired, take positive steps toward acquiring Priority II properties. If a time sensitive Priority II property is available, consider pursuing it before all Priority I properties have been acquired.

- (3) **Acquisition Priority III:** Require an offer of dedication or dedication of an easement as a condition of any Coastal Permit. Offers of dedication for some Priority III properties may never be exercised because adequate access is provided by private owners, there is inadequate funding, or it is determined to not be in the public's interest to open access.

When all available Priority I and II properties have been acquired, take steps toward acquiring Priority III properties. If a time sensitive Priority III property is available, consider pursuing it before all Priority I and II properties have been acquired. **(Existing LCP Revised)**

Policy C-PA-1c: Encourage acquisition and development of additional access trails that integrate with the Coastal Trail System where feasible. In the event that an opportunity arises for acquisition of property that is not identified in the Public Access Plan, the agency proposing the acquisition shall conduct an analysis covering the following points:

- (1) The relationship of the unforeseen opportunity to the recreational opportunities identified in the Public Access Plan, including analysis of how the unforeseen acquisition would meet those needs compared to facilities identified in the Plan; and
- (2) An analysis of the opportunity costs of the acquisition, including whether the proposed acquisition is intended to replace or supplement a facility identified in the Public Access Plan. This analysis may consider how the unforeseen opportunity may impact the acquisition of facilities identified in the Plan. **(New)**

Development Review

Policy C-PA-1d: Require dedication of a public access easement, right of way, or fee title as a Condition of Approval for a Coastal Permit for new development requested on property along the alignment of the California Coastal Trail or containing a planned access facility described in the Public Access Plan, for new development located

between the first public road and the shoreline (i.e., west of the first public road); and for any new development located east of the first public road. The dedication shall be reviewed and approved by the Sonoma County Regional Parks Department as sufficient to support the planned public access facility. The dedication shall be granted to the County of Sonoma or a State agency. **(Existing LCP Revised)**

Policy C-PA-1e: Protect areas where public prescriptive rights to the coast may exist by identifying all known routes historically used by the public in the project area when processing Coastal Permits or where public prescriptive rights to the coast appear to be threatened. Work with the California Coastal Commission to ensure that any access rights that the public may have acquired are preserved.

To approve either a permit or Coastal Permits for private development on lands that may have public prescriptive rights to the coast or where these rights appear to be threatened, the following actions must be taken:

- (1) A finding made that the project would not interfere with public prescriptive rights to the coast.
- (2) Formalization of the public prescriptive rights to the coast, which may involve development of new or expanded improvements.
- (3) Dedication of an access easement or fee title as a condition of project approval.

Provide appropriate assistance with State or private legal action to acquire access easements to access corridors for which prescriptive rights to the Sonoma County coast may exist. **(Existing LCP Revised)**

Policy C-PA-1f: Use the California Coastal Commission's *Standards and Recommendations for Accessway Location and Development* (2007) or successor document in siting and locating new or expanded public accessways and other recreation facilities. **(New)**

Determining Access and Recreation Needs

Policy C-PA-1g: Use the Public Access Plan as the guide for determination of undeveloped (passive) park needs in the Coastal Zone, including County Regional Open Space Parks, Regional Trails, and State Parks in order to support coastal recreation. **(New)**

Policy C-PA-1h: Use the following standards for determination of developed (active) park needs: 5 acres of Community Parks, Neighborhood Parks, and Regional Recreation Areas per 1,000 residents in the Coastal Zone. Developed park acreage within private residential areas shall count towards meeting the acreage standard. **(New)**

Maintaining and Managing Public Access

Policy C-PA-1i: Sonoma County shall either accept or assist in finding another public agency to accept Offers of Dedication which increase opportunities for public access to the coast consistent with the County's ability to assume liability and maintenance costs. **(New)**

Policy PA-1j: Encourage owners of fee and non-fee private accessways which provide access to the public to continue to provide access to the public. If a landowner closes an access point to the public, measures to maintain the maximum amount of public access shall be assessed and feasible measures to maintain equivalent access implemented, including but not limited to negotiating an easement. Closures of public access must be consistent with **Policy C-PA-5e. (New)**

Policy C-PA-1k: All Offers to Dedicate easements for public access shall be subject to the procedures in the California Code of Regulations Title 14, Division 5.5, Section 13574 (Procedures for Open Space Easements and Public Access Documents). **(New)**

Policy C-PA-1l: A lateral accessway shall extend from the mean high tide line landward to a defined line, such as the intersection of the sand with the toe of a revetment, vertical face of a seawall, toe of a bluff, or other feature. **(New)**

GOAL C-PA-2: **Create a continuous braided California Coastal Trail system of walking, hiking, and cycling access routes and trailhead connections that maximizes coastal access, ocean views, and educational opportunities while minimizing adverse environmental impacts.**

Objective C-PA-2.3: Identify, prioritize, and develop California Coastal Trail sections as described in the Public Access Plan.

Objective C-PA-2.4: Provide a safe, continuous walking and hiking trail as close to the ocean as possible.

Objective C-PA-2.5: Provide maximum access to the California Coastal Trail for a variety of non-motorized uses by using alternative trail segments where feasible.

Objective C-PA-2.6: Maximize connections to existing and proposed regional and local trail systems.

Objective C-PA-2.7: Ensure the California Coastal Trail has connections to trailheads, parking areas, interpretive kiosks, and inland trail segments at reasonable intervals.

Objective C-PA-2.8: Maximize ocean views and scenic coastal vistas from the California Coastal Trail where possible.

Objective C-PA-2.9: Provide an educational experience through interpretive facilities where feasible.

The following policies shall be used to achieve these objectives:

Trail Location and Alignment

Policy C-PA-2a: Provide a safe, continuous walking and hiking trail as close to the ocean as possible. Where it is not feasible to locate the trail along the shoreline due to natural landforms or legally authorized development that prevents passage at all times, inland bypass trail segments located as close to the shoreline as possible should be used. Shoreline trail segments that may not be passable at all times, or that are not passable by bicycles, should be augmented by inland alternative routes that are passable and safe for pedestrians and bicycles. **(New)**

Policy C-PA-2b: Where gaps in a continuous alignment are identified, employ interim trail alignments to ensure continuity of the California Coastal Trail. Interim segments should be noted as such, with provisions that as opportunities arise, the trail shall be realigned to its optimum location. Interim segments should meet as many of the California Coastal Trail objectives and standards as possible. **(New)**

Policy C-PA-2c: Avoid locating the California Coastal Trail along or on roads with motorized traffic where feasible. In locations where it is not possible to avoid siting the trail along or on a roadway, the trail should be located off of the pavement, and separated from traffic by a safe distance or by physical barriers that do not obstruct, or detract from, the scenic views and visual character of their surroundings. In locations where the trail must cross a roadway, safe under- or over-crossings or other alternative at-grade crossings should be considered in connection with appropriate directional and traffic warning signage. **(New)**

Policy C-PA-2d: The California Coastal Trail should use existing oceanfront trails and recreational support facilities to the maximum extent feasible. **(New)**

Trail Design and Construction

Policy C-PA-2e: Provide adequate parking and trailhead facilities for the California Coastal Trail. Consider public safety concerns and use patterns including the proximity of other nearby parking and trailhead facilities when determining locations. **(New)**

Policy C-PA-2f: Provide low cost overnight facilities at periodic intervals along the California Coastal Trail corridor to support long term hiking and cycling excursions. **(New)**

Policy C-PA-2g: The Coastal Trail should be designed and located to minimize impacts to environmentally sensitive habitat areas to the maximum extent feasible. Where necessary to prevent disturbance to sensitive species, sections of the trail may be closed on a seasonal basis. Alternative trail segments shall be provided where feasible. For situations where impact avoidance is not feasible, appropriate mitigation measures should be incorporated, including but not limited to, use of boardwalks, reducing trail width and protective fencing. **(New)**

Policy C-PA-2h: The Coastal Trail should be designed to maximize compatibility with agricultural lands and uses. **(New)**

Policy C-PA-2i: Require construction of California Coastal Trail segments as conditions of approval for coastal development along the alignment involving other new or major replacement infrastructure, such as realignment of Highway 1. **(New)**

3.3 Facility Planning and Development

3.3.1 Public Access Plan

The Public Access Plan in **Appendix B** encompasses recommendations from the previous Local Coastal Plan; and State Parks and County Regional Parks General Plans, Master Plans, and Management Plans; and has been supplemented with agency and public input. State Parks and County Regional Parks are required to prepare General Plans or Master Plans for facility development. Other public and private resource lands sometimes have Management Plans containing a public access component. While facility Master Plans are beyond the scope of the Local Coastal Plan, the policies included in the Public Access Plan establish a framework for facility planning on the Sonoma County coast by the appropriate State and County agencies, as well as a framework for private recreational facility providers. This framework recommends areas for a particular type and scale of potential recreational development consistent with the mandates of the California Coastal Act. Some of the State General Plans and County Master Plans need updating due to expansions, changed conditions, and new regulations. The General Plan for the Sonoma Coast State Park was most recently updated in 2007, but many other plans date back to the 1970s and 1980s.

Many standards and policies inform the Public Access Plan, including those in the Local Coastal Plan and General Plan policies for equitable distribution of recreational facilities. Site planning standards include those associated with any publicly accessible facility, such as state and federal disabled accessibility regulations, building codes, fire codes, traffic and safety codes, and environmental regulations. Public Access Plans are based on local and regional needs. Because of the exceptional quality and significance of its

natural resources on a local, state, and national level, the Coastal Zone contains a greater proportion of the resource-based recreational facilities and opportunities than found in other areas of Sonoma County. Therefore, the equitable distribution of recreational opportunities and facilities along and between the North and South Coasts is a goal for State Parks and County Regional Parks reflected in the Public Access Plan. The equitable distribution of recreational facilities is influenced less by resident population densities and more by providing the entire County population with a range of recreational experiences without overly impacting any one access area too much.

State Facilities. The proposed improvements and programs for State facilities identified in the Public Access Plan are driven by a series of California Department of Parks and Recreation programs and planning documents. Criteria for access improvements, along with the involvement of natural and cultural resources, are provided through Division 5 of the State of California Public Resources Code and the California Department of Parks and Recreation's Operations Manual. Recommendations for access improvements to meet accessibility guidelines are mandated through the Consent Decree from *Tucker v. The State of California Department of Parks and Recreation*. Proposals for specific State facilities are identified based on the need to provide safe and quality public access to facilities and protect park resources.

The California Department of Parks and Recreation has determined the General Plans for Salt Point State Park (1976) and Fort Ross State Historic Park (1975) need to be updated. The proposed improvements and programs for these two Parks in the Public Access Plan are based on this determination. The California Coastal Trail Project and Mitigated Negative Declaration (2011) are the source of proposed improvements and programs related to the California Coastal Trail and associated facilities in the Public Access Plan.

Proposals identified for Sonoma Coast State Park are an outgrowth of guidance provided in the Sonoma Coast State Park General Plan (2004). Proposals associated with the Carrington Property are contained in the Carrington Property Immediate Public Use Facilities Plan (2008, rev. 2010) and subsequent Mitigated Negative Declaration (2010).

The proposed improvements for County Regional Parks facilities identified in the Public Access Plan were based on the considerations and standards described below under Planning and Development Considerations.

3.3.2 Planning and Development Considerations

Need and Demand. The need for public access facilities in the Coastal Zone depends on the facility classification. The need for facilities that support active recreation are determined by the applicable acreage per capita standard. Because the residential population within the Coastal Zone is small, and the acreage requirements for active recreation are adequate. The facility needs for passive recreation, coastal access, and accessible resource areas is determined by the Public Access Plan and the qualitative policies in this Element. The need for these facilities is influenced by the demand from local and regional visitors, as well as ecological and scenic considerations.

At times the demand for recreational facilities, particularly campsites, exceeds the supply on the Sonoma County coast. The Local Coastal Plan recommends a level of overnight accommodations, including camping, that is within State Highway 1 capacity constraints and is consistent with protecting coastal resources and providing a quality coastal experience.

Facility Improvements. Each facility will have an adopted long-range plan or Master Plan that identifies and describes the location of the various improvements. Necessary facilities at a particular site depend on the expected use and the availability of facilities nearby. Because the level of use is expected to increase over time, facilities may be developed in several phases with new or expanded facilities added as needed. Among the facilities needed for public access and outdoor recreation destinations are: safe trails, restrooms, parking areas, trash receptacles, and signs.

Quality of Destination. The desirability and capacity of coastal destinations are important considerations in locating public access points. Areas with few attractions and limited space may not justify the cost of development and operation. However, as the population expands and overuse impacts the existing destinations, the importance of every potential public access point increases.

Impacts on Environment. The environmental carrying capacity, protection of wildlife habitat, protection of views, and the psychological and social capacity of recreational lands are important factors to consider in planning and developing recreational facilities. Quantifying and measuring recreational carrying capacity is difficult and each site is unique.

The Local Coastal Plan generally supports distributing recreational facilities where compatible with the sensitivity and suitability of an area. Distributing recreational facilities throughout the Sonoma County coast helps prevent overuse and damage to the coastal environment in any one location. Often it is most efficient to utilize existing

park service centers and consolidate significant developed park infrastructure to support the facilities. The existing park service centers are well-situated to serve additional dispersed recreation.

In planning for recreational activities, substantial modifications of the natural environment for a specific activity should be minimized and avoided if possible. The Coastal Act specifies that coastal dependent uses permitted on the coast have priority over non-coastal dependent recreational uses. While oceanfront sites enhance coastal facilities such as hotels, restaurants, and campgrounds, such locations may affect important coastal views from the highway and adjacent recreation areas.

Development of park facilities must also include consideration of water supply and wastewater disposal. As the Sonoma County coast is a water scarce area, all facility planning should include an early evaluation of water supply capability if water is required to support the development.

Peak Use. Peak use issues can be addressed through a variety of approaches. Visitors can be encouraged to use Sonoma County Transit, Mendocino County Transit, and other alternative transportation, reducing the need for new parking areas (see California Coastal Act Section 30252.1). Interpretive materials and programs can be provided to help connect visitors with access points they may not have known about. Lightly used locations such as Short Tail Gulch or Bodega Dunes Beach can be developed near heavily used locations such as Doran Beach or Salmon Creek Beach. A continuous California Coastal Trail that connects multiple access points allows visitors to park wherever parking is available and use the trail to reach their preferred access point. Heavy use at particular access points can be distributed by creating additional trails with coastal views on parkland east of State Highway 1. The Dr. Joseph Trail (Pomo Trail) is a good illustration of a popular trail with coastal views east of the highway. Measures to address use patterns at specific access points are in the Public Access Plan.

Parking. Parking along State Highway 1 is primarily for pursuing outdoor recreation. Parking management influences the capacity of Highway 1 since visitors slow down while searching for parking spaces and the numerous parking lots and turnouts tend to slow traffic. Between Bodega Bay and Jenner, State Highway 1 is adjacent to the Sonoma Coast State Beaches. Roadside parking in this area is heavy and often supported by paved, striped parking lots. North of Jenner Russian Gulch and Vista Trail provide the only off road parking, although there are numerous small turnouts. Further north, Fort Ross State Historic Park, Stillwater Cove Regional Park, and Salt Point State Park provide some off-highway parking for developed park areas only. Gualala Point Regional Park and The Sea Ranch Coastal Access Trails all have off-highway parking.

Parking improvements needed on the Sonoma County coast include developing new and enlarging existing parking facilities to reduce hazardous parallel parking, improving signs and entrances to and exits from parking facilities, and increasing capacity by delineating parking spaces. Parking improvements are most needed in the Sonoma Coast State Park area between Bodega Bay and North Jenner Beach, where traffic levels and demand for parking spaces are greatest. The Public Access Plan recommends parking improvements for various access points.

Residential Conflicts. Access facilities must be designed and managed to minimize conflicts with residential development. The distance between coastal access trails and residences should be as large as possible to protect the quality of the user experience and the privacy of the occupants of the residence.

Liability. Liability is a concern of both public agencies and private property owners regarding public access. State laws do provide some immunity from liability. California Government Code Sections 831.2 and 831.4 provide immunity to public agencies for public recreational use of public lands and recreational trails and roadways, releasing agencies from liability if a person is injured while using the facility. California Civil Code Section 846 grants immunity to private landowners who allow people to use their property for recreational purposes. However, if a fee is collected the private landowner loses this immunity.

Coastal Permit Findings. The County will approve a Coastal Permit for new development if it finds that the development, as described in the application and as conditioned, conforms with the plans, policies, requirements, and standards of the Sonoma County Local Coastal Program.

The California Coastal Act requires that every coastal development permit issued for new development located between the nearest public road and the sea (i.e., west of State Highway 1) or the shoreline of any body of water located within the Coastal Zone include a specific finding that such development is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act. This policy does not apply to types of development not considered new development, as outlined in Coastal Act Section 30212.

If the new development is in conformance with the Public Access Plan of the Local Coastal Plan, this access requirement is met since the Public Access Plan is certified as being in conformance with access requirements of the Coastal Act. If the new development is not in conformance with the Public Access Plan, public access from the nearest public roadway to the shoreline and along the coast (i.e., granting of an

easement to allow vertical access to the mean high tide line or lateral access) shall be provided on the project site with the following exceptions:

- (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; or
- (2) Adequate access exists nearby; or
- (3) It would have a significant adverse impact on agriculture as determined by the California Coastal Commission (Coastal Act Section 30212).

Regarding the first exception, there are few locations along the Sonoma County coast for which the Public Access Plan does not include recommendations for new or improved public access due to public safety hazards. In other areas the County requires construction of improvements along with the public access to reduce public safety hazards to a level of less than significant.

Beach trail routes may pose public safety hazards from inundation during high tides; engulfment by sleeper waves; loss of balance and sweeping out to deep water resulting from ocean backwash, sudden drop-offs at the surf line, or rip currents; and loss of balance and falling from crumbly, unstable bluffs and rock outcroppings. These public safety risks are greater where the beach is relatively narrow and rocky, where the route along the beach may only be safe during a low tide. Where a beach route of the California Coastal Trail is unsafe at certain times of the day or year, the County will designate an alternative route for the California Coastal Trail, creating a braided trail.

The County has evaluated most of the potential public access areas for conflicts with agricultural uses, Environmentally Sensitive Habitat Areas, and cultural resources; and eliminated some of these areas from the Public Access Plan due to the inability to mitigate impacts on these resources.

Prior to development of public access further environmental studies are necessary. These studies may show that public access can be developed with adequate mitigation measures which may include siting the access to avoid sensitive resources, constructing boardwalks and stairways over or around sensitive resources, periodically closing areas to allow for revegetation, limiting access to scientific and nature study, or restricting access to certain seasons or times of the year.

However, in cases in which public safety hazards or impacts on sensitive resources cannot be mitigated or when public access is not appropriate, alternative public access should be required for new development, including development of off-site public access points. If off-site public access points are developed as mitigation for the impact

of new development on public access, these access points should be as close as feasible to the location of the impact on public access.

Regarding the second exception, adequate public access has not been defined or quantified, and the availability of access is constrained by many factors, including adjacent land uses; sensitive resources; topography; and the ability of public agencies to develop, operate, and maintain public access. County staff assigned to the new development project, in consultation with State Parks or County Regional Parks, would determine if any nearby public access is adequate based on knowledge of the issues associated with access, characteristics of the existing access, experience with other Coastal Permits, performance standards for adequate access, and any applicable County and California Coastal Commission policy. Sonoma County Regional Parks performance standards for adequate public access take into account the current and projected demand, state of the economy, adequacy of existing parking, extent of coastline involved, need and policy for a continuous California Coastal Trail, and adequacy of existing facilities for the disabled.

Regarding the third exception, a public accessway should not be sited on land used for agriculture unless adequate protection of the agricultural uses is provided. The Coastal Commission would determine if the potential adverse impacts on agriculture from public access for the new development would be significant. If significant, mitigation measures are available to reduce the impacts to a less than significant level, including restricting access to certain seasons or times of the year, locating access along fences and property lines, establishing a natural or artificial physical separation between the agricultural activities and access area, and locating the public access on another site or property.

GOAL C-PA-3: Maximize public access to and along the Sonoma County coast. Minimize adverse impacts from public access on people and the environment; and minimize adverse impacts from development on public access. (New)

Objective C-PA-3.1: Maintain and enhance public access to and along the Sonoma County coast.

Objective C-PA-3.2: Provide adequate facilities at public accessways.

Objective C-PA-3.3: Develop and maintain public accessways so as to protect public health and safety, protect sensitive visual and natural resources, and prevent adverse impacts on adjacent properties.

Objective PA-3.4: Ensure that development does not adversely affect existing and potential public accessways.

Objective PA-3.5: Prioritize development of specific public accessways.

Objective PA-3.6: Provide enough camping to meet the latent demand, and to provide a range of camping experiences.

The following policies shall be used to achieve these objectives:

Public Access Development Priorities

Policy C-PA-3a: Implement the Public Access Plan as the set of primary policies for development of public access on the Sonoma County coast. **(Existing LCP Revised)**

Policy C-PA-3b: All proposed public access in the Public Access Plan has been designated from the highest to lowest priority for development as Development Priority I, II, or III. The emphasis for development priority is different than that for acquisition priority. Developing accessways distant from existing developed access points are given higher priority. Public safety and the costs of development and operation are principal concerns.

Implement the Development Priorities for the Public Access Plan as follows:

- (1) **Development Priority I:** Encourage each agency or entity owning or operating designated public access facilities to prioritize available funds towards developing Priority I public access facilities within their purview;
- (2) **Development Priority II:** Encourage each agency or entity owning or operating designated public access facilities to prioritize available funds towards developing Priority II public access facilities only when all Priority I public access facilities within their purview have been developed or if funding specific to a site becomes available; or
- (3) **Development Priority III:** Encourage each agency or entity owning or operating designated public access facilities to prioritize available funds towards developing Priority III public access facilities only when all Priority I and II public access facilities within their purview have been developed. **(Existing LCP Revised)**

Development Review

Policy C-PA-3c: Consider alternative mitigation measures for the impact of new development on public access in cases where development of certain public access facilities or improvements are found to be infeasible due to potentially significant impacts on public safety, agriculture, Environmentally Sensitive Habitat Areas, or cultural resources. Alternative mitigation measures include but are not limited to development of off-site public access points of equivalent public access opportunities. If off-site public access points are developed as mitigation for the impact of new development on public access, these access points shall be as close as feasible to the location of the impact on public access. Feasible is defined here as "capable of being

accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” **(New)**

Policy C-PA-3d: Require a Coastal Permit for all new public or private access facilities. **(Existing LCP Revised)**

Policy C-PA-3e: Conduct public hearings for review of the Coastal Permits for an existing coastal access trail if there is evidence of degradation of resources in the area of the facility or significant public interest in the facility. Any proposal to reduce or close an existing public coastal access point or trail as a result of such review shall be reviewed by the California Coastal Commission. **(Existing LCP Revised)**

Policy C-PA-3f: Use the *California Coastal Commission’s Standards and Recommendations for Accessway Location and Development (2007)* or successor document in designing and constructing new or expanded public access facilities and other recreation facilities where appropriate. **(Existing LCP Revised)**

Policy C-PA-3g: Conduct visual analysis prior to siting parking areas for accessways. **(Existing LCP Revised)**

Policy C-PA-3h: Encourage a range of accommodations in parks, including the provision of low cost accommodations where appropriate, including tent or small vehicle campgrounds, hike-in and primitive campgrounds, and hostel and sleeping cabin facilities. Use existing buildings and structures for these accommodations where feasible. **(Existing LCP Revised)**

Policy C-PA-3i: Locate campgrounds, whenever possible, in areas that have already been disturbed by prior uses and consequently where cultural and biotic resources are typically limited. Campgrounds should be sited in a manner that protects visual resources and consistent with County development standards. Provide separate walk-in, tent, and recreational vehicle camping areas. **(Existing LCP Revised)**

Policy C-PA-3j: Relate intensity of planned public access facilities to available water supply and available septic or sewer capacity. **(Existing LCP Revised)**

Policy C-PA-3k: Allow park residences in areas visible to the public where necessary for security reasons and when impacts on views are mitigated. **(Existing LCP Revised)**

Policy C-PA-3l: Allow extension of sewer service to parklands only where consistent with policies of the Public Facilities and Services Element of this Local Coastal Plan. **(Existing LCP Revised)**

Public Access Facilities

Policy C-PA-3m: Provide safe and clear public access trails. The trail surface could be dirt, gravel, paved, or a stairway. Improvements should be designed to be safe, minimize impacts to sensitive resources, minimize maintenance costs, and provide disabled accessibility to the extent feasible without substantially impacting sensitive resources. **(New)**

Policy C-PA-3n: Provide restrooms at significant recreational areas to protect coastal resources and public health and safety. Consider use patterns and the proximity of other nearby public restrooms when determining facility needs. **(Existing LCP Revised)**

Policy C-PA-3o: Provide trash and recycling receptacles and their servicing at all major public access facilities. **(New)**

Policy C-PA-3p: Encourage the California Department of Parks and Recreation to install emergency communication facilities at Goat Rock. **(New)**

Policy C-PA-3q: Provide clear directional signs at all public access facilities to indicate the location of trail heads and public parking. If the trail begins on State Highway 1, only one directional sign on the highway is necessary. Signs shall be compatible with surrounding views and visual resources, consistent with County Visual Resource Assessment Guidelines. If the trail begins off the highway, there should be a directional sign on State Highway 1 and other directional signs to the trail head. **(New)**

Policy C-PA-3r: At trailheads provide information about regulations, contacts in case of an emergency, natural resources, the potential for fires, and the need for user cooperation. **(New)**

Policy C-PA-3s: Provide bicycle racks or locked bicycle storage areas at State and County Regional Parks, beaches, and other developed parklands. **(Existing LCP Revised)**

GOAL C-PA-4: **Establish a parking system with adequate parking facilities for parkland visitors throughout the Sonoma County coast, with minimal impacts on views, public safety, and natural resources.**

Objective C-PA-4.1: Ensure that adequate parking facilities are provided for each new or expanded public access facility.

Objective C-PA-4.2: Identify, prioritize, and implement parking improvements at parklands.

The following policies, in addition to policies in the Circulation and Transit Element, shall be used to achieve these objectives:

Locating and Developing Parking Improvements

Policy C-PA-4a: Encourage new parking facilities in conjunction with development of new public access facilities. Parking may be developed in phases as use levels increase. At public access facilities, provide the maximum parking capacity that does not reduce public safety or significantly impact the environment. **(New)**

Policy C-PA-4b: Locate parking areas to directly connect with trails if possible. In locating new, large parking lots, consider the landward (east) side of State Highway 1 to reduce impacts to ocean views if safe trail crossings of the highway can be provided. **(New)**

Policy C-PA-4c: When feasible locate parking in areas screened from public view. **(Existing LCP Revised)**

Facilitate Access for All

Policy C-PA-4d: Maintain and provide free parking, subject to reasonable restrictions, at all public access points on the coast which do not contain special facilities in excess of restrooms, parking, gated access, trash enclosures, informational kiosks, and other minor amenities. If user fees are implemented for any coastal park areas, encourage discounts to County residents. **(New GP2020 Revised)**

Temporary Events on Public Beaches

Policy C-PA-4e: Until completion of **Program C-PA-3** continue to apply zoning permit standards for temporary private events on public beaches that do not involve structures or other coastal development. **(New)**

3.4 Recreation Facility Management and Operation

Public outdoor recreation facilities must be managed. An agency or organization must be willing to accept responsibility for maintaining and operating the facility before it is opened to the public. Three types of operators may manage outdoor recreation facilities: public agencies, organizations, and private individuals. Appropriate public agencies include State Parks, County Regional Parks, and California Department of Fish and Wildlife. The County would give preference to public agencies for accepting and operating facilities. If it is not feasible for a public agency to accept a particular facility, an organization may do so after a public hearing has been conducted.

In some cases, the managing entity is different than the property owner. For example, State Parks has an agreement with County Regional Parks to operate several parcels adjacent to Stillwater Cove Regional Park on the north. This is because these parcels are close to the County Park facility. Other possibilities are public ownership of a facility which is leased back to a private party for operation, and ownership and operation of a public access facility by a private owner such as a business or non-profit group.

Park operations include opening and closing gates, visitor centers, restrooms, patrolling and responding to emergencies, servicing the trash and recycling receptacles, collection of authorized fees, and staffing campgrounds.

3.4.1 Allowable Activities

Allowable activities at coastal access facilities are governed by easement or deed conditions and the general plan or master plan for the specific facility. Allowable uses are often specified and typically in passive use areas, recreational uses allowed within the accessway include activities normally associated with beach use (walking, swimming, jogging, sunbathing, fishing, and nature study) but do not include organized sports activities, campfires, or vehicular access.

3.4.2 Funding

The funding for the operation and maintenance of public park facilities can be difficult for public agencies and private businesses and nonprofits to support during challenging economic times. Because of the numerous access points to existing facilities, temporary closures are often ineffective at preventing access to facilities and can cause additional issues.

3.4.3 Maintenance

Properly maintaining access facilities is essential to protect natural resources and public safety and to prevent adverse impacts on adjacent properties. Coastal Permit conditions and renewals help ensure that maintenance is adequate.

3.4.4 Policing

Policing of recreational facilities is provided by the operating agency or private organization. The two public agencies that police most of the public recreational facilities on the Sonoma County coast are State Parks and County Regional Parks. In addition, the California Highway Patrol, State Department of Fish & Game, and County Sheriff play an important role. Current staffing levels for public agencies and many private organizations is limited.

3.4.5 Private Fee Access

A few landowners charge minimal day use access fees that permit the general public the opportunity to reach the shoreline. By controlling access by fee and location, the property owner can operate trails, parking, and boat launching in a manner that affords minimum interference with other land uses. Unfortunately, several of these access points have been closed. The Public Access Plan encourages owners of fee accessways to continue to provide access to the public. Private fee accessways require a Coastal Permit and can be subject to sanitary, parking, and other conditions similar to those applied to public accessways.

GOAL C-PA-5: **Public access facilities are operated and maintained to protect natural resources and public safety and to prevent adverse impacts on adjacent properties.**

Objective C-PA-5.1: Require that the public access facilities are properly operated and adequately maintained to maximize public access.

The following policies shall be used to achieve these objectives:

Public Access and Recreation Planning

Policy C-PA-5a: California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) environmental analyses on proposed State Parks or County Regional Parks projects shall include estimates of current and future visitor use and analyses of adequacy of the proposed facilities to meet county-wide visitor demand. **(New)**

Policy C-PA-5b: Planning for new, expanded, or improved State Park and County Regional Park facilities shall take into consideration the balance of distribution of facilities between the North Coast and South Coast. **(New)**

Public Access and Recreation Operations and Maintenance

Policy C-PA-5c: When new recreation facilities are proposed, assess proposed staffing plans to ensure adequate staffing for maintenance and security. **(New)**

Policy C-PA-5d: Use Coastal Permit conditions and renewals to ensure that recreation and access facilities are properly maintained to protect natural resources and public safety and to minimize adverse impacts on adjacent properties. **(New)**

Public Access Facility Closures

Policy C-PA-5e: The following guidelines shall be applied to closures of public access facilities:

- (1) A beach closure or curfew cannot apply to the area of original jurisdiction of the California Coastal Commission (State tidelands, submerged lands, and public trust lands), including but not necessarily limited to the area seaward of the mean high tide line.
- (2) Public access to the water's edge and at least 20 feet inland of the wetted substrate (sand and rocks) of all beaches shall be permitted at all times.
- (3) Closure to public use of any portion of the beach inland of the mean high tide line is not encouraged, and would require a coastal development permit, a condition of which must include maintenance of the public's right to gain access to State tidelands.
- (4) Measures that limit public use of the beach shall be limited to those necessary to address documented events that could create a risk or hazard to public safety of the environment, and shall be the minimum necessary to address that potential risk or hazard. The need for continuation of measures that provide public safety but that limit public access to the beach shall be reassessed on a periodic basis to assure maximum feasible public access to the beach is provided. (New)

4. RECREATIONAL BOATING POLICY

The 1981 Local Coastal Plan had a separate Harbors chapter. The recreational boating section of that chapter has been incorporated into this Public Access Element. The California Coastal Act of 1976 supports coastal-dependent development stressing protection of recreational boating and necessary support facilities.

While Bodega Harbor is known primarily for its commercial boating, recreational boating is also important at the harbor. Approximately 11,000 boats annually use the launch facilities at Doran County Park and Westside County Park. An additional 350 sailing boats use Bodega Bay as a port of refuge. On a typical summer weekend two to four hundred recreational boats use the facilities at Bodega Bay. The demand for camping facilities, groceries, bait, fuel, mechanical repairs, and berth space in the private marinas is considerable during this time. Since facilities are limited, the needs of the recreational boater must be balanced against those of the commercial boater. Berths for recreational boats have been expanded and limited support facilities have been constructed at Spud Point Marina, which contains 253 total berths, a fuel dock, waste pump-out station, service dock, laundromat, and restrooms with showers. In 2015, commercial boats used roughly 40 percent of the berths, and recreational boats used about 60 percent of the berths. However, during the busier salmon and crab season, commercial boat activity increases at the marina.

The mosquito fleet is a collection of small boats (18 to 30 feet) with commercial licenses at Bodega Bay. Owners range from part-time sport fishermen to serious full-time commercial fishermen. Most of these boats are moored or anchored. While these boats are not strictly recreational, they demand similar support facilities.

Recreational boating outside of Bodega Bay includes vessels used in abalone diving, canoes, small power boats, and sailboats on the Russian River; inflatable rafts and other hand launched vessels; recreational fishing boats launched on the North Coast; and occasional canoes and kayaks on the Estero Americano. Ramp launching facilities on the Sonoma County coast are limited. Hand launching opportunities are numerous but not usually supported by adequate parking, restroom, and shower facilities. Boat rentals are sometimes available on the Russian River and North Coast.

GOAL C-PA-6: Provide adequate recreational boating facilities at parks, harbors, and marinas on the Sonoma County coast.

Objective C-PA-6.1: Identify and develop the recreational boating facilities needed at parks, harbors, and marinas.

Objective C-PA-6.2: Develop a sustainable economic approach to support the boating facilities in Bodega Bay.

The following policies, in addition to those of the Land Use Element, shall be used to achieve these objectives:

Policy C-PA-6a: Encourage public and private harbor and marina operators to accommodate existing and future demand for recreational and commercial boating facilities. **(New)**

Policy C-PA-6b: Encourage continuing the existing boat rental and launch facilities at the coast and coastal waterways and providing additional facilities that provide new recreational opportunities compatible with natural resources. **(New)**

Policy C-PA-6c: Provide the maximum public access feasible to new boat wharves and piers. **(New)**

Policy C-PA-6d: Encourage the establishment of waterway trails for non-motorized boating to promote environmentally sensitive water based education, recreation, and tourism. Provide information at launch sites for safe and responsible boating. **(New)**

5. IMPLEMENTATION PROGRAMS

5.1 Public Access Programs

Program C-PA-1: Prepare a long-range plan or Master Plan for each State or County Park or Preserve consistent with priorities in the Public Access Element in conjunction with park development planning. **(Existing LCP Revised)**

Program C-PA-2: Encourage the provision of transit, bicycle and pedestrian pathways, and other vehicle use reduction measures to reduce vehicle use to and between public and private access facilities on the coast to reduce the number of vehicles on State Highway 1 and the demand for parking spaces. **(New)**

Program C-PA-3: Consider developing policies for review of applications for temporary private events on a public beach that consider: public or private use; type of associated coastal-dependent activities; displacement of public use; number of people; season, weekday or weekend, and hours; location and area relative to size of beach and public accessways; pedestrian access; transportation and parking; amplified music and other noise; equipment; temporary structures and enclosures; food service; warming fires; signage; admission fee; wastewater and solid waste disposal; and required mitigation measures. **(New)**

Program C-PA-4: Evaluate the feasibility of a Bodega Bay water taxi to connect existing recreational and commercial facilities and reduce automobile congestion. **(New)**

5.2 Other Initiatives

Other Initiative C-PA-1: Encourage partnerships between public agencies and private organizations that maximize the efficiency of operating and maintaining public facilities and preventing public access facility closures. **(New)**

Other Initiative C-PA-2: Work with Regional Parks to evaluate the reuse of Mason's Marina to concentrate the County's marina services and to support other boating related uses. **(New)**

Other Initiative C-PA-3: Encourage the formation of a harbor district at Bodega Bay to improve recreational and commercial boating. The harbor district could facilitate the economic basis for providing improved boating facilities and public outreach. **(New)**