

# Public Access Element: Table of Contents

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# Public Access Element

## I INTRODUCTION

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One of the highest priorities in the California Coastal Act of 1976 is the mandate to maximize public access to the coast. Provisions in Chapter 3 of the Coastal Act (Sections 30210-30214) set forth requirements for the provision of public access along the Sonoma Coast:

Coastal development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization;

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects;

Public access facilities shall be distributed throughout the Sonoma Coast to prevent overcrowding or overuse.

Throughout this element, “public access” shall mean access to the coast as defined by Chapter 3 of the Coastal Act.

### I.1 PURPOSE

The purpose of the Public Access Element is to protect and defend the public’s constitutionally guaranteed rights of access to and along the Sonoma Coast. The Public Access Element establishes policies to protect existing access areas, and identifies future access areas though the Public Access Plan found in Appendix B.

## **2 BACKGROUND**

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### **2.1 LEGAL BASIS FOR PUBLIC ACCESS**

#### **Public Trust**

California joined the Union on September 9, 1850 and adopted English Common Law, establishing the public's right to access and use of California's waterways for navigation, fishing, boating, natural habitat protection and other water-oriented activities. Court decisions have broadened these rights to include recreation, preservation of scenic values, and protection of coastal ecosystems. Navigable waterways, tidelands, and submerged lands within 3 miles of the coast are held in public trust by California and administered by the State Lands Commission for the benefit of all people.

#### **California Constitution**

The public's right of access to the tidelands is guaranteed by the California Constitution. 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.”

#### **Proposition 20**

The California Coastal Zone Conservation Act of 1972 (Proposition 20) was a temporary measure passed by the voters of the state as a ballot initiative. It set up temporary regional Coastal Commissions with permit authority and a directive to prepare a comprehensive coastal plan. The coastal commissions under Proposition 20 lacked the authority to implement the Coastal Plan but were required to submit the Plan to the legislature for “adoption and implementation.” One of the key provisions of Proposition 20 was clarifying the public right to ocean access.

#### **California Coastal Act**

In 1976, the California legislature passed the Coastal Act to carry out the provisions of Proposition 20, creating the California Coastal Commission and establishing that development may not interfere with the public's right of access to the sea, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Section 30214 of the Act provides guidance on identifying and developing public access areas and related recreational facilities.

The Coastal Act requires for all new development, specifically between the first public road and the ocean shoreline provide of lateral and/or vertical easements to allow for public access along and to the shoreline, coastal bluffs, and other coastal resources unless adequate access currently exists or if providing a new access point will adversely impact coastal resources. Additionally, development may not interfere with areas where the public has a prescriptive right to ocean access.

## California Coastal Trail

The California Coastal Act required local jurisdictions to identify an alignment a continuous interconnected public trail system along the California coastline within the sight, sound, and smell of the Pacific Ocean. Senate Bill 908 (Chesboro) charged the Coastal Conservancy in 2001 to prepare a plan, in cooperation with the Coastal Commission and State Parks Department, describing how the Coastal Trail can be completed. This Plan was submitted in 2003 to the legislature and sets forth the goals and objectives of the Coastal Trail and includes a blueprint for how missing links can be connected.

In collaboration with the Coastal Conservancy, the Coastal Commission identified the following criteria for development of 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

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. Figures C-PA-1a-k show the existing, planned, and future segments of the California Coastal Trail.

“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.

“Future” means the alignment between two end points has not been identified or that several alternative alignments need to be evaluated. For illustration purposes, future segments are shown along Highway 1, but the chosen alternative should be as close to the ocean as possible.

### 3 PUBLIC ACCESS PLAN

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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 input from Sonoma County Ag+Open Space District, local and national land trusts with holdings in the Coastal Zone, and comments from public workshops. This information provides the framework for recommending a range of public access areas along the Sonoma Coast, consistent with the mandates of the California Coastal Act.

The Public Access Plan is based on both 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.

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).

**County Facilities.** Access areas to be developed by Sonoma County Regional Parks facilities identified in the Public Access Plan are based on the considerations and standards described below under Planning and Development Considerations.

### 3.1 EXISTING PUBLIC ACCESS

Sonoma County's coastline stretches over fifty-five miles, and its Coastal Zone reaches inland over six 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 (Sonoma 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 operate facilities open to the public, such as the 5,600 acre Jenner Headlands Preserve.

Summer is the busiest season for coastal parks, especially during weekends and holiday weekends. Most beaches do not charge entry fees and are not staffed, making it difficult to determine how many people visit the Sonoma Coast, but estimates from State and Regional Parks indicate that somewhere between 600,000 and one million people annually, with the Doran Beach, Bodega Head, Salmon Creek Beach, Wright's Beach, Portuguese Beach, Goat Rock Beach, and Jenner Beach experiencing the heaviest use.

#### North Coast

The availability of public access within 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. North Coast public access points and facilities with public access are shown in Figures C-PA-1a-g.

Access to the Russian River estuary 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 the Willow Creek Environmental Campground, State Parks visitor center in Jenner, and small informal turnout areas. A public access point, subject to fees, is available in Duncans Mills at the private Cassini Ranch Campground.

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 estuary. 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.

## South Coast

There are a large number of public access points along the South Coast, especially in the Bodega Bay area. There are about 21 miles of trails and over 60 parkland public access points and easements on the South Coast. South Coast public access points and facilities with public access are shown in Figures C-PA-1h-k.

The majority of the coastal property from the Russian River estuary to Bodega Head is a part of Sonoma Coast State Park and provides numerous developed and informal access points. Acquisition of the Willow Creek watershed, 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. Public access to the Bodega Bay 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 providing access along the coast and Shorttail Gulch.

Further south, the Sonoma Land Trust and The Wildlands Conservancy own property adjacent to the Estero Americano. At this point public access is limited to tours and interpretive programs.

### 3.2 FACILITIES PROVIDING PUBLIC ACCESS

<i>Type of Facility</i>	<i>Examples</i>	<i>Description/Purpose</i>
<b>State Marine Managed Areas (Marine Reserves and Marine Conservation Areas)</b>	Del Mar Landing, Bodega Bay, Gerstle Cove, Russian River estuary	Support scientific research, education, and recreation.

<b>Type of Facility</b>	<b>Examples</b>	<b>Description/Purpose</b>
<b>Open Space Preserves</b>	Jenner Headlands Preserve, Estero Americano Coast Preserve	Lands that support passive recreation
<b>State and County Parks</b>	Doran Beach, Sonoma Coast State Beach,	Provide parking, camping, bathrooms, showers, maintained beaches, and other amenities.
<b>Regional Trails</b>	Kortum Trail, Pomo Canyon, Bodega Head, Bodega Dunes	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.
<b>Waterway Trails</b>	Russian River estuary, Gualala River estuary, Salmon Creek, Bodega Harbor, and Estero Americano.	Public access to navigable waterways is protected by the State and Public Trust Doctrine. Navigable waterways support recreational use
<b>Coastal Access Trails</b>	Stengel Beach Trail, South Salmon Creek Trail, Miwok Trail, Stillwater Cove Trail	Coastal Access Trails 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.

## **4 PUBLIC ACCESS POLICIES**

### **4.1 ACQUISITION**

Acquiring public access can be accomplished in several ways including, but not limited to, purchase or donation of property, dedication of an easement for public access, or establishing that continuous historic public use has established an access easement across private property.

Acquisition location and priority are established by the Public Access Plan found in Appendix B.

### **Acquisition | Goals, Objectives, and Policies**

**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.

*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 development and long term maintenance of 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 bicycling 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 within the sight, sound, and smell of the ocean to the maximum extent feasible.

**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.

### *Trail Location and Alignment*

**Policy C-PA-2a:** Provide a safe, continuous walking and hiking trail as close to the ocean as possible using the following standards:

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.

Where erosion and sea level rise are anticipated to reduce the life of the trail, develop a planned retreat strategy for the trail segment. (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, protection of environmentally sensitive habitat areas, 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 camping and lodging facilities at periodic intervals along the California Coastal Trail corridor to support long term hiking and bicycling 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)

**Policy C-WR-1n:** Remove abandoned, deteriorated piers and associated buildings in Bodega Bay, particularly those within the alignment of future trails. Consider preserving portions of these structures may remain if they provide coastal access and can be maintained in safe condition. (NEW – MOVED FROM WATER RESOURCES ELEMENT)

## **4.2 ACCESS PLANNING AND DEVELOPMENT**

**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 carpool, 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 lightly used access points they may not have known about such as Shorttail Gulch or Bodega Dunes Beach that provide alternatives to crowded locations such as Doran Beach or Salmon Creek Beach.

Completion of the California Coastal Trail will connect most access points, allowing 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.** Outside of the developed area of Bodega Bay, parking along State Highway 1 is primarily used by visitors accessing the coast. 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 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.

New development that is in conformance with the Public Access Plan of the Local Coastal Plan is not required to provide access as 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).

## Access Planning and Development | Goals, Objectives, and Policies

**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.

### *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:** Scale the capacity of planned public access facilities to be consistent with available water supply and available septic or sewer capacity. (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-3o:** Provide trash and recycling receptacles and their servicing at all major public access facilities. (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)

## **4.3 FACILITY MANAGEMENT AND OPERATION**

Facilities that provide public access 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. 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.

### **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. Typically, in passive use areas, allowed recreational uses include activities normally associated with beach use but do not include organized sports activities, campfires, or vehicular access.

## 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.

## 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.

## 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.

## 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.

## Facility Management and Operation | Goals, Objectives, and Policies

**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.

### *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)

#### **4.4 RECREATIONAL BOATING**

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.

**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.

**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**

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### **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 such as carpooling 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-XX:** Evaluate feasibility of providing bus shuttle service from inland areas to popular coastal destinations. (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 dependency. (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)

**Figure C-PA-1a. Public Access – SubArea I – The Sea Ranch North**

(11x17)

**Figure C-PA-1b. Public Access – SubArea 2 – The Sea Ranch South**

(11x17)

**Figure C-PA-1c. Public Access – SubArea 3 – Stewarts Point/Horseshoe Cove**

(11x17)

**Figure C-PA-1d. Public Access – SubArea 4 – Salt Point**

(11x17)

**Figure C-PA-1e. Public Access – SubArea 5 – Timber Cove/Fort Ross**

(11x17)

**Figure C-PA-1f. Public Access – SubArea 6 – Highcliffs/Muniz-Jenner**  
(11x17)

**Figure C-PA-1g. Public Access – SubArea 7 – Duncans Mills**

(11x17)

**Figure C-PA-1h. Public Access – SubArea 8 – Pacific View/Willow Creek**  
(11x17)

**Figure C-PA-Ii. Public Access – SubArea 9 – State Beach/Bodega Bay**  
(11x17)

**Figure C-PA-1j. Public Access – SubArea 9 – Bodega Bay Vicinity**  
(11x17)

**Figure C-PA-1k. Public Access – SubArea 10 – Valley Ford**

(11x17)