

## CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY

**F 10A**

Staff: Ruby Pap  
Staff Report: March 25, 2005  
Hearing Date: April 15, 2005  
Commission Action:

TO: Commissioners and Interested Parties

FROM: Peter M. Douglas, Executive Director  
Robert S. Merrill, North Coast District Manager  
Ruby Pap, Coastal Planner

SUBJECT: **Mendocino County LCP Amendment No. MEN-MAJ-1-04 (Major) (PARTS A, B, & C), (PART A) Point Cabrillo Lightkeepers Association; (PART B) Mendocino Redwood Company, LLC/Beth Bosk; (PART C) Mendocino Redwood Company, LLC/Zia Cattalini (Meeting of April 15, 2005)**

SYNOPSISAmendment Description

Mendocino County LCP Amendment No. MEN-MAJ-1-04 proposes site-specific changes to provisions of the County's certified Local Coastal Program (LCP) affecting three different locations within the coastal zone, Parts A-C. The changes proposed by Amendment No. MEN-MAJ-1-04 are as follows:

- A. PART A (GP5-03/R5-03), POINT CABRILLO LIGHTKEEPERS ASSOCIATION).  
Part A would amend the land use plan (LUP) and implementation plan (IP) to: (1) Change the land use classification of the approximately 30.5-acre Point Cabrillo Light Station property (APN 118-160-03) located one mile south of the Town of Caspar, at the terminus of Light station Road (SR#8089), from Open Space-Coastal [Public and Semi-Public Facilities] (OS[PF]) to Open Space-Coastal-Department of Parks and Recreation: Conditional Visitor Accommodations and Services \*1C (Inn or Bed and Breakfast Inn) and \*4C (Restaurant, boat launching or rental, or visitor oriented art and handicraft shops) (OS-DPR:\*1C:\*4C) and change the zoning district designation from OS to Open

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Space: Conditional Visitor Accommodations and Services Combining District \*1C (Inn and Bed and Breakfast Accommodation ) and \*4C (Visitor-Oriented Eating and Drinking Establishments and Visitor Oriented Retail Sales) (OS:\*1C:\*4C); (2) Change the land use designation for the approximately 270-acre Nature Preserve (APNs 118-140-29, 30, 41, 42, 43, 44, and 118-160-24, 25, 26, 27, 28) surrounding the Light Station property from Rural Residential: 5-acre minimum: Planned Unit Development Combining District (RR-5:PD) to Open Space-Department of Parks and Recreation (OS:DPR) and change the zoning designations from RR-5:PD to Open Space District (OS); and (3) Amend the text and policies of Section 4.6 of Chapter Four of the LUP to reflect existing and proposed conditions at the Point Cabrillo Light Station, and add the Point Cabrillo Light Station to the list of Conditional Visitor Accommodations and Services at the end of Section 4.6.

- B. PART B (GP 10-98/R10-98, MENDOCINO REDWOOD COMPANY, LLC/BETH BOSK. Part B would amend the land use plan (LUP) and implementation plan (IP) to: Change the land use designation for a 20-acre piece of land abutting the extreme eastern border of the coastal zone boundary located east of Highway One, north and south of the Albion River, between Slaughterhouse Gulch and One Tree Island at Tidewater Gulch (portions of Assessor's Parcel Numbers 123-110-07 and 121-080-15), from Forest Lands (FL) to Open Space (OS); and remove the Timberland Production "TPZ dots," and change the zoning from Timberland Production: Floodplain Combining District (TP:FP) to Open Space: Floodplain Combining District (OS:FP).
- C. PART C (GP 14-98/R-13-98, MENDOCINO REDWOOD COMPANY, LLC/ZIA CATTALINI. Part C would amend the land use plan (LUP) and implementation plan (IP) to: Change the land use designation for a 10-acre piece of land abutting the extreme eastern end of the coastal zone boundary located east of Highway One, north of the Albion River, from River Road (private) northerly into Deadman Gulch, then northerly 1/3+- mile total (portions of APNs 121-080-14 and 121-080-15), from Forest Lands (FL) to Open Space (OS) and remove the Timberland Production "TPZ dots," and change the zoning from Timberland Production: Floodplain Combining District (TP:FP) to Open Space: Floodplain Combining District (OS:FP).

### Summary of Staff Recommendation

The staff recommends that the Commission, upon completion of a public hearing, **deny Part A (Point Cabrillo Lightkeepers Association [PCLK]) of the proposed amendment as submitted and certify the amendment request with suggested modifications.**

The proposed LUP amendment is consistent with Coastal Act policies encouraging low-cost visitor accommodations and recreational opportunities on ocean front land, would have no significant impacts on ESHA and visual resources, and would decrease the net density of use of the area by converting 270 acres of rural residential zoned property to open space, thereby causing no significant impacts on the traffic capacity of Highway One. Additionally, reasonable potential exists for water supply and sewage disposal to support the proposed development that would be accommodated by the LCP amendment, that is of low intensity overnight visitor accommodations and services, a period museum, an interpretive/educational and meeting center,

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and a gift shop, all within existing structures. However, the proposed deletion of the first sentence of LUP Policy 4.6-10 requiring that the use of the land remain public (exhibit 3 and below) is inconsistent with public access policies 30210 and 30211 of the Coastal Act, requiring the provision of maximum public access and recreational opportunities for the public, and that development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization. The proposed changes to LUP Policy 4.6-10 are intended to update the policy to reflect current conditions at the Light Station. However, a portion of the proposed amendment proposes the following change to the LUP text (proposed deletion is ~~struck through~~, and proposed addition is underlined):

4.6-10 ~~The ownership and use of this 32 acres should remain under the public jurisdiction. The Bureau of Land Management shall be requested not to relinquish this property except to another public agency. A State of California~~ Marine Preserve is located along the western shore of the Point Cabrillo Light Station and Nature Preserve prohibiting any recreational or commercial fishing, diving or swimming in these areas.

Striking out the first sentence of this policy, regarding the use of the property remaining under the public jurisdiction, could be interpreted as tacitly allowing for eventual disposal of the site and conversion to non-recreational uses inconsistent with Section 30210, or if future development served to interfere with the public's right of access to the sea, inconsistent with Section 30211. Therefore, the staff recommends that the Commission impose a suggested modification to the newly proposed Section 4.6-10 of the LUP that (1) would eliminate the proposed deletion of sentence one as it relates to public use of the property but would update the acreage referenced in that sentence to 300 acres; and (2) makes it clear that any proposed closure or other restriction on use of the site for public access and recreation, including those arising from the sale or transfer of the property from the state, may require an LCP amendment and would also constitute development requiring a coastal development permit from the County that is appealable to the Commission. The latter part of the modification reflects existing requirements under the Coastal Act that any change in the density or intensity of use of land in the coastal zone constitutes development requiring a coastal development permit. Adding this language would reinforce the intent of the existing LUP that the Point Cabrillo Light Station property remain available for public access and recreational use consistent with the public access and recreation policies of the Coastal Act and that the property not be converted to other uses.

In addition, the staff recommends that the Commission impose Suggested Modification No. 2 to Part A, which corrects the text of the proposed LUP text change for Section 4.6 page 172, which lists the sites that have been designated as Conditional Visitor Accommodations and Services. The correction adds the area south of Jughandle Farm (Tregoning property) to the list (for a total of four, rather than three as the current amendment application proposes), to reflect the recent changes to the text that the Commission certified in its action on LCP Amendment No. MEN-MAJ-01-02 Part A (Tregoning/CA Institute of Man in Nature) at the February 2005 Commission meeting, which added the Tregoning property's \*3C designation (conditional campground) to the list of Conditional Visitor Accommodations and Services.

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Lastly, the staff recommends that the Commission impose Suggested Modification No. 3 to Part A, which exempts the repair, replacement, or rehabilitation of existing facilities at the Point Cabrillo Light Station and Nature Preserve, including the establishment of visitor accommodations and services within existing structures from the requirements of Policy 3.7-7 that no development occur on Department of Parks and Recreation lands until a comprehensive land use plan and management program are developed for the lands. Future development of visitor accommodations and services within existing structures at Point Cabrillo Light Station that would be accommodated by the proposed amendment to add a \*1C and \*4C Conditional Visitor Accommodations Services overlay to the Point Cabrillo Light Station property could be interpreted as inconsistent with LUP Policy 3.7-7 in its present form, because the State Department of Parks and Recreation has not to date, developed a comprehensive land use plan and management program for this newly acquired unit of land. Staff believes that preparation of a comprehensive land use plan and management program prior to establishment of visitor accommodations and services within existing structures at Point Cabrillo Light Station is unnecessary as such a project would not be likely to adversely affect coastal resources because the development would be confined to existing developed areas. In addition, such a project would still be subject to review under CEQA and the review of a coastal development use permit by the County and on appeal by the Commission. Thus, any mitigation measures needed to avoid any impacts to coastal resources that might result from the project could be addressed through these standard project review processes.

**With regard to Part B and C of the proposed amendment that affects the staff recommends that the Commission certify the proposed amendments to the LUP as submitted.** The 30 acres that make up these two sites are located on the extreme eastern edge of the coastal zone, east of Highway One, north and south of the Albion River. The proposals would amend the land use plan (LUP) and implementation plan (IP) to change a Forest Land designation (FL) and Timber Production Zone (TPZ) to Open Space (OS) to allow for the creation of a wetland and wildlife conservation area to be managed by nonprofit land trusts. The amendments would be consistent with the provision of Section 30243 of the Coastal Act which requires that conversions of commercially viable timberlands to non-timber uses be limited to providing for necessary timber processing and related facilities because the sites contain few commercially viable trees, the parcels are not in units of commercial size for timber production, the properties received a Timberland Conversion Permit (TCP) from the California Department of Forestry and Fire Protection exempting them from the stocking requirements of the Forest Practice Act, and the owner of the property, is committed to protecting these riparian and adjacent lands for open space uses, stating that the lands are more valuable in their undeveloped state. In addition, the LUP amendment would not result in a significant increase in density that would not cause significant traffic impacts to Highway One and would not impact environmentally sensitive habitat areas. Therefore, the proposed amendment will have no adverse impact on coastal resources and is consistent with the Coastal Act.

In all cases, the proposed zoning districts allow for the same range of principally permitted and conditional uses as the proposed LUP designations. Thus, the proposed Implementation Plan amendment as submitted would conform with and adequately carry out the LUP as modified.

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**Therefore, the staff recommends that the Commission certify the proposed amendments to the IP as submitted.**

**Analysis Criteria**

To approve the amendments to the Land Use Plan (LUP), the Commission must find that the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act. To approve the amendments to the zoning ordinance, the Commission must find that the Implementation Plan (IP), as amended, will conform with and is adequate to carry out the LCP.

**Additional Information:**

For further information, please contact Ruby Pap at the North Central Coast District Office (415) 904-5268. Correspondence should be sent to the North Coast District Office at the above address.

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**MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS**

**I. MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS FOR LCP  
AMENDMENT NO. MEN-MAJ-1-04 PART A (POINT CABRILLO  
LIGHTKEEPERS ASSOCIATION)**

**A. DENIAL OF LUP AMENDMENT NO. MEN-MAJ-1-04 PART A, AS  
SUBMITTED:**

**MOTION I:**     *I move that the Commission Certify Land Use Plan Amendment No.  
MEN-MAJ-1-04 PART A as submitted by the County of Mendocino.*

**STAFF RECOMMENDATION TO DENY:**

Staff recommends a **NO** vote. Failure of this motion will result in denial of the amendment as submitted and adoption of the following resolution and findings. The motion to certify as submitted passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION I TO DENY CERTIFICATION OF LUP AMENDMENT NO.  
MEN-MAJ-1-04 PART A AS SUBMITTED:**

The Commission hereby denies Land Use Plan Amendment No. MEN-MAJ-1-04 Part A (Point Cabrillo Lightkeepers Association) as submitted by the County of Mendocino and adopts the findings set forth below on the grounds that the amendment does not conform

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with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures, which could substantially lessen any significant adverse impact, which the land use plan amendment may have on the environment.

**B. CERTIFICATION OF LUP AMENDMENT NO. MEN-MAJ-1-04 PART A WITH SUGGESTED MODIFICATIONS:**

**MOTION II:** *I move that the Commission certify Land Use Plan Amendment No. MEN-MAJ-1-04 Part A for the County of Mendocino if it is modified as suggested in this staff report.*

**STAFF RECOMMENDATION TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

Staff recommends a YES vote. Passage of the motion will result in the certification of the land use plan amendment with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of the majority of the appointed Commissioners.

**RESOLUTION II TO CERTIFY WITH SUGGESTED MODIFICATIONS:**

The Commission hereby certifies Land Use Plan Amendment No. MEN-MAJ-1-04 Part A (Point Cabrillo Lightkeepers Association) for the County of Mendocino if modified as suggested and adopts the findings set forth below on the grounds that the land use plan amendment with suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the land use plan amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the land use plan amendment may have on the environment.

**C. APPROVAL OF THE IMPLEMENTATION PLAN PORTION OF AMENDMENT NO. MEN-MAJ-1-04 PART A (POINT CABRILLO LIGHTKEEPERS ASSOCIATION), AS SUBMITTED:**

**MOTION III:** *I move that the Commission reject Implementation Program Amendment No. MEN-MAJ-1-04 PART A for the County of Mendocino as submitted.*

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**STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:**

Staff recommends a **NO** vote. Failure of this motion will result in certification of the implementation program amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION III TO CERTIFY THE IMPLEMENTATION PLAN  
AMENDMENT NO. MEN-MAJ-1-04 PART A AS SUBMITTED:**

The Commission hereby certifies the Implementation Program Amendment No. MEN-MAJ-1-04 PART A (Point Cabrillo Lightkeepers Association) as submitted for the County of Mendocino and adopts the findings set forth below on grounds that the Implementation Program will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act, and certification of the Implementation Program Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

**II. MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS FOR LCP  
AMENDMENT NO. MEN-MAJ-1-04 PART B (MENDOCINO REDWOOD  
COMPANY, LLC/BETH BOSK)**

**A. APPROVAL OF LUP AMENDMENT NO. MEN-MAJ-1-04 PART B, AS  
SUBMITTED:**

**MOTION IV:**     *I move that the Commission certify Land Use Plan Amendment No.  
MEN-MAJ-1-04 PART B as submitted by the County of Mendocino.*

**STAFF RECOMMENDATION TO APPROVE:**

Staff recommends a **YES** vote. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION IV TO APPROVE CERTIFICATION OF LUP AMENDMENT  
NO. MEN-MAJ-1-04 PART B AS SUBMITTED:**

The Commission hereby certifies Land Use Plan Amendment No. MEN-MAJ-1-04 Part B (Mendocino Redwood Company, LLC/Beth Bosk) as submitted by the County of Mendocino and adopts the findings set forth below on the grounds that the amendment

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conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

**B. APPROVAL OF THE IMPLEMENTATION PLAN PORTION OF AMENDMENT  
NO. MEN-MAJ-1-04 PART B AS SUBMITTED:**

**MOTION V:**     *I move that the Commission reject Implementation Program  
Amendment No. MEN-MAJ-1-04 PART B for the County of  
Mendocino as submitted.*

**STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:**

Staff recommends a NO vote. Failure of this motion will result in certification of the implementation program amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION V TO CERTIFY THE IMPLEMENTATION PLAN  
AMENDMENT NO. MEN-MAJ-1-04 PART B AS SUBMITTED:**

The Commission hereby certifies the Implementation Program Amendment No. MEN-MAJ-1-04 PART B (Mendocino Redwood Company, LLC/Beth Bosk) as submitted for the County of Mendocino and adopts the findings set forth below on grounds that the Implementation Program will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act, and certification of the Implementation Program Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

**III. MOTIONS, STAFF RECOMMENDATIONS, AND RESOLUTIONS FOR LCP  
AMENDMENT NO. MEN-MAJ-1-04 PART C (MENDOCINO REDWOOD  
COMPANY, LLC/ZIA CATTALINI)**

**A. APPROVAL OF LUP AMENDMENT NO. MEN-MAJ-1-04 PART C, AS  
SUBMITTED:**

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**MOTION VI:**    *I move that the Commission certify Land Use Plan Amendment No. MEN-MAJ-1-04 PART C as submitted by the County of Mendocino.*

**STAFF RECOMMENDATION TO APPROVE:**

Staff recommends a YES vote. Passage of the motion will result in certification of the land use plan as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

**RESOLUTION VI TO APPROVE CERTIFICATION OF LUP AMENDMENT NO. MEN-MAJ-1-04 PART C AS SUBMITTED:**

The Commission hereby certifies Land Use Plan Amendment No. MEN-MAJ-1-04 Part C (Mendocino Redwood Company, LLC/Zia Cattalini) as submitted by the County of Mendocino and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan Amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

**B.    APPROVAL OF THE IMPLEMENTATION PLAN PORTION OF AMENDMENT NO. MEN-MAJ-1-04 PART C (MENDOCINO REDWOOD COMPANY, LLC/ZIA CATTALINI), AS SUBMITTED:**

**MOTION VII:**    *I move that the Commission reject Implementation Program Amendment No. MEN-MAJ-1-04 PART C for the County of Mendocino as submitted.*

**STAFF RECOMMENDATION OF CERTIFICATION AS SUBMITTED:**

Staff recommends a NO vote. Failure of this motion will result in certification of the implementation program amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**RESOLUTION VII TO CERTIFY THE IMPLEMENTATION PLAN AMENDMENT NO. MEN-MAJ-1-04 PART C AS SUBMITTED:**

The Commission hereby certifies the Implementation Program Amendment No. MEN-MAJ-1-04 PART C (Mendocino Redwood Company, LLC/Zia Cattalini) as submitted for the County of Mendocino and adopts the findings set forth below on grounds that the Implementation Program will meet the requirements of and be in conformity with the

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policies of Chapter 3 of the Coastal Act, and certification of the Implementation Program Amendment will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment.

## IV. SUGGESTED MODIFICATIONS FOR LCP AMENDMENT NO. MEN-MAJ-1-04 PART A (POINT CABRILLO LIGHTKEEPERS ASSOCIATION)

### SUGGESTED MODIFICATION NO. 1

Add the following policy language to Section 4.6 (Jughandle Creek to Russian Gulch Planning Area) of Chapter Four of the LUP (language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be undeleted by the Commission is **bold**, and added by the Commission is shown in bold double underlining):

Policy 4.6-10 ~~The ownership and use of this 300-32 acres should remain under the public jurisdiction. The Bureau of Land Management shall be requested not to relinquish this property except to another public agency.~~ **Any proposed closure or other restriction on use of the site for public access and recreation, including those arising from the sale or transfer of the property, may require an LCP amendment and would constitute development requiring a coastal development permit.** A State of California Marine Preserve is located along the western shore of the Point Cabrillo Light Station and Nature Preserve prohibiting any recreational or commercial fishing, diving, or swimming in these areas.

### SUGGESTED MODIFICATION NO. 2

Modify the following proposed text changes to the Visitor Accommodations list at the end of LUP Section 4.6, page 172 to reflect the recent Commission certification with modifications of MEN-MAJ-1-02 Part A (Tregoning/CA Institute of Man in Nature) (language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be deleted by the Commission is shown in bold ~~strikethrough~~ and added by the Commission is shown in bold double underlining):

~~Two~~ Three ~~Four~~ sites have been designated for conditional uses. They are located at Russian Gulch State Park, south of Jug Handle Farm, ~~and at the Point Cabrillo Cottages and Campground and the Point Cabrillo Lighthouse property owned by the Department of Parks and Recreation.~~ In addition, several visitor services are located in the Rural Village of Caspar, but have not been designated on the land use map.

**SUGGESTED MODIFICATION NO. 3**

Add the following language to Policy 3.7-7 of the LUP (Commission suggested modification addition is bold underlined):

Policy 3.7-7 Within two (2) years of the certification of the Local Coastal Plan the State Department of Parks and Recreation shall develop a comprehensive land use plan and management program to their lands on the Mendocino Coast prior to any additional development or relinquishment of DPR lands. Such plan shall include a tree removal program on all Department of Parks and Recreation lands where so designated on the LUP Maps. Exempted from this requirement for a development plan is any development necessary to ensure the health and safety of the general public. **Exempt from the requirement for a comprehensive land use plan and management program is the repair, replacement, or rehabilitation of existing facilities at the 30.5-acre Point Cabrillo Light Station, including the establishment of visitor accommodations and services within existing structures.**

**V. DESCRIPTION OF SITES AND LCP AMENDMENTS**

**A. Part A (GP 5-03/R 5-03), Point Cabrillo Lightkeepers Association**

Part A would amend the land use plan (LUP) and implementation plan (IP) to reflect the acquisition of the Point Cabrillo Light Station and surrounding lands for use as a State Park. The amendments to the LUP and IP would change existing open space designations applied to the Point Cabrillo Light Station property to open space-Department of Parks and Recreation (OS:DPR), change rural residential designations applied to the property surrounding the Light Station that has been acquired as part of the park to OS:DPR, add a visitor accommodations and services overlay designation to the Point Cabrillo Light Station and Nature Preserve properties, and change corresponding land use plan text references applying to the properties. The subject property is located one mile south of the Town of Caspar, at Light Station Road (SR#8089), off of Point Cabrillo Drive (CR# 564).

The specific changes proposed include: (1) Changing the land use classification of the 30.5 acre Point Cabrillo Light Station property (the "historic core"), APN 118-160-03, from Open Space-Coastal [Public and Semi-Public Facilities] (OS[PF]) to Open Space-Coastal-Department of Parks and Recreation: Conditional Visitor Accommodations and Services \*1C (Inn or Bed and Breakfast Inn) and \*4C (Restaurant, boat launching or rental, or visitor oriented art and handicraft shops) (OS-DPR: \*1C:\*4C) and changing the zoning district designation from OS to Open Space: Conditional Visitor Accommodations and Services Combining District \*1C (Inn and Bed and Breakfast Accommodation ) and \*4C (Visitor-oriented Eating and Drinking

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Establishments and Visitor Oriented Retail Sales) (OS: \*1C:\*4C); (2) Changing the land use designation for the approximately 270 acre "Nature Preserve" (APNs 118-140-29, 30, 41, 42, 43, 44, and 118-160-24, 25, 26, 27, 28) surrounding the Light Station property from Rural Residential: 5-acre minimum: Planned Unit Development Combining District (RR-5:PD) to Open Space-Department of Parks and Recreation (OS:DPR) and changing the zoning designations from RR-5:PD to Open Space District (OS); and (3) Amending the text and policies of Section 4.6 of Chapter Four of the land use plan to reflect existing and proposed conditions at the Point Cabrillo Light Station, and adding the Point Cabrillo Light station to the list of Conditional Visitor Accommodations and Services at the end of Section 4.6 (exhibit 3).

The Point Cabrillo Light Station (30.5-acres) and Nature Preserve (270-acres) were transferred from the California State Coastal Conservancy (CSCC) to the California Department of Parks and Recreation (DPR) in 2002. DPR has entered into a ten-year management contract for the light station with the Point Cabrillo Lightkeepers Association (PCLK), a local, private, non-profit, 501(c)(3) corporation. PCLK is responsible for the management of the light station and the on-going restoration and maintenance of the light station's buildings and structures, including acting as DPR's agent in acquiring the necessary permits for ongoing maintenance and reconstruction of the Light Station's buildings and structures. PCLK, in coordination with DPR, is also developing projects that are designed to supplement the annual financial resources required to maintain and preserve the light station's restored buildings and infrastructure, and to support public information, interpretive, and K-12 educational programs.

This 300-acre site is located in a designated "highly scenic area" and contains grasslands, scrub, forests, riparian zones, wetlands, and two created ponds. The Light Station is located on Point Cabrillo's rocky headland, backed by low coastal terraces composed predominantly of open grasslands. In contrast to the surrounding panorama of open space, the Light Station stands isolated on the bluff. The absence of any competing structures accentuates its "craftsman" style buildings and enhances the scenic significance of the site. It is also one of the most complete examples of a U.S. Lighthouse Service Light Station remaining on the West Coast. The key 1908-1910 structures are: the Lighthouse (a federal aid-to-navigation), the Oil House (housing equipment), the Blacksmith Shop (a temporary Marine Science Center), three Light Keeper's residences (offices and accommodations for site staff and volunteer workers), and three outbuildings. The Lighthouse and Blacksmith Shop are open to the public, and are also utilized for educational interpretative programs. There are established roads and trails throughout the Light Station and Preserve, including a parking area, a dirt/partially paved road, and a system of foot trails providing access to the coastal bluffs.

The LUP and zoning amendments are proposed to update the current ownership and status of the Light Station and Nature Preserve, and to accommodate the future development plans for the Light Station, which include the conversion of one existing residence and two outbuildings into visitor serving accommodations totaling six units. A second existing residence would be utilized as a small-scale meeting room downstairs (10-12 individuals), with a manager's residence upstairs. The on-site sale of interpretative, educational and general gift items in the lighthouse, museum, inn, and/or reconstructed accessory structure is also planned. All these potential developments would require a separate coastal development permit authorization from the

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County, which would be appealable to the Commission based on subsections (a)(1), (a)(3), and (a)(4) of Section 30603 of the Coastal Act because any such approved development would be located between the first road and the sea, would be located in a sensitive coastal resource area and would not be the principally permitted use under the zoning ordinance.

The Visitor Accommodations and Services (VAS) Combining District asterisk (\*) designations are overlays to LUP and zoning maps that potentially allow for visitor accommodation uses to be considered at certain parcels in addition to uses allowed by their underlying base LUP and zoning designations. Existing facilities are designated by an asterisk (\*) and a number. Sites for future conditional facilities are designated by an asterisk and a number followed by a "C" for conditional. Therefore, a \*1C designation on a property is meant to allow a future Inn or Bed and Breakfast Inn and a \*4C is meant to allow future restaurant, boat launching or rental service, or visitor oriented art and handicraft shops. The base designation on the Point Cabrillo Light Station site would be Open Space-Department of Parks and Recreation, and the 270-acre nature preserve surrounding the light station would be Open Space-Department of Parks and Recreation with no VAS overlay, meaning they could not develop VAS types of facilities in the Nature Preserve area.

A 2003 State Department of Parks and Recreation Initial Study and Mitigated Negative Declaration details future development plans for the Point Cabrillo Light Station and Nature Preserve. Any future development at these sites would require coastal development permits from Mendocino County, and these permits would be appealable to the Commission pursuant to Section 30603 of the Coastal Act because approved development would be located between the first road and the sea, would be located in a sensitive coastal resource area and would not be the principally permitted use under the zoning ordinance. As part of the normal CDP review process, the County would need to evaluate the consistency of the proposed development with the access policies of the Coastal Act as well as all relevant LCP policies, including but not limited to policies pertaining to visual resources, environmentally sensitive habitat areas, and adequacy of public services such as water and sewage.

### B. Part B (GP 10-98/R 10-98 ), Mendocino Redwood Company, LLC/Beth Bosk

Part B would amend the land use plan (LUP) and implementation plan (IP) to change a Forest Land designation (FL) and Timber Production Zone (TPZ) to Open Space (OS) to allow for the creation of a wetland and conservation area to be managed by a nonprofit land trust. The proposal would change the land use designation for a 20-acre piece of land located east of Highway One, north and south of the Albion River, between Slaughterhouse Gulch and One Tree Island at Tidewater Gulch, (portions of Assessor's Parcel Numbers 123-110-07 and 121-080-15), from Forest Lands (FL) to Open Space (OS) and remove the Timberland Production "TPZ dots," and change the zoning from Timberland Production: Floodplain Combining District (TP:FP) to Open Space: Floodplain Combining District (OS:FP).

In January 1997, Louisiana Pacific Corporation (L-P) (previous owner of the property) and Beth Bosk (defendant and cross-complainant in a civil dispute between the parties over a proposal to log part of the area) entered into a settlement agreement to release all claims. A component of the

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settlement agreement provided that L-P would apply for the creation of the "Bosk settlement parcel" and re-designate and rezone it to Open Space and then transfer it to an appropriate non-profit agency, such as a land trust. In 1998 Mendocino Redwood Company (MRC) purchased a large tract of land from Louisiana Pacific Corp, which included the "Bosk settlement parcel" and the "Cattalini settlement parcel" described in Part C below. MRC agreed to implement the settlement agreements by assuming the responsibilities for continuing the application process for the LUP change and rezone. This Bosk site and the Cattalini site described in Part C are currently not separate legal parcels. If the LCP is amended, applications to subdivide those areas from the MRC land holdings will be submitted to the County.

The "Bosk settlement parcel" encompasses 20-acres in the coastal zone and lands inland of the coastal zone boundary. The 20-acres in the coastal zone contain a portion of the Albion River and its immediately adjacent riparian, meadow, and marshland extending from Slaughterhouse Gulch downstream to the small One Tree Island at Tidewater Gulch, a distance of approximately 1.5 river miles. This property includes remnants of the historic logging trestle at the "Enchanted Meadow Wetlands." The Open Space classification will allow for the preservation of this riparian area. According to the applicant, the area provides a tranquil link between the Albion River past and the present. The riparian zone provides a classic study site of the recovery from the past logging and demonstrates ecological values unique to the Mendocino coastal river environment. Future plans for this site and the Cattalini site described in Part C are to create the "Enchanted Meadows Wetland Sanctuary," encompassing the two settlement parcels. A non-profit organization, such as the Coastal Land Trust or the Friends of Enchanted Meadows Land Trust, will assume ownership and management responsibilities.

Mendocino County planning staff originally recommended a denial of both this and the Cattalini LCP amendments (Part C described below) to the Planning Commission and the Board of Supervisors due to land fragmentation issues, potential conflicts with commercial timber production, increased fire risk, and substandard access. However, the Planning Commission voted 3-2 to approve the amendment applications, but failed to forward a recommendation to the BOS because four affirmative votes were needed to approve it. At the April 13, 2004 Board of Supervisors meeting, the board adopted an alternative motion, tentatively approving the amendments based on the public record as a whole and findings that emphasized that resource protection (requiring that public use be appropriate) and future cooperation could alleviate issues concerning access, fire risk, and timber conflicts, among others. This approval was tentative because the California Department of Forestry and Fire Protection asserted that state forestry law precludes rezoning timberlands to other uses prior to receiving a Timberland Conversion Permit from the State Board of Forestry. This permit was granted March 15, 2005 (exhibit 10). If the Commission certifies the proposed amendment, the Board of Supervisors will finally adopt the resolution and ordinance as part of the implementing actions necessary to implement the LCP amendment and forward copies of its resolution and ordinance to the Executive Director. The Executive Director will determine whether the County's actions are legally adequate to implement the amendment and report that determination to the Commission before the amendment becomes effective.

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**C. Part C (GP 14-98/R 13-98), Mendocino Redwood Company, LLC/Zia Cattalini**

The proposal would change the land use plan (LUP) designation and implementation plan (IP) zoning for a 10-acre piece of land located east of Highway One, north of the Albion River, extending from River Road (private) northerly into Deadman Gulch, then northerly 1/3+- mile total (portions of APNs 121-080-14 and 121-080-15), from Forest Lands (FL) to Open Space (OS), remove the Timberland Production "TPZ dots," and change the zoning from Timberland Production: Floodplain Combining District (TP:FP) to Open Space: Floodplain Combining District (OS:FP). This piece of land is contiguous to and north of the "Bosk settlement parcel" described above in Part B.

In January 1997, Louisiana Pacific Corporation (L-P) (previous owner of the property) and Zia Cattalini (defendant and cross-complainant in a civil dispute between the parties over a proposal to log part of the area) entered into a settlement agreement to release all claims. A component of the settlement agreement provided that L-P would apply for both the creation of the "Cattalini settlement parcel" and its re-designation and rezoning to Open Space, and then transfer it to an appropriate non-profit agency, such as a land trust. In 1998 Mendocino Redwood Company (MRC) purchased a large tract of land from L-P, which included the "Cattalini settlement parcel" and the "Bosk settlement parcel" described above in Part B. MRC agreed to implement the settlement agreements by assuming the responsibilities for continuing the application process for the LUP change and rezone. This Cattalini site and the Bosk site (described above in Part B) are currently not separate legal parcels. If the LCP is amended, applications to subdivide those areas from the Mendocino Redwood Company parcels will be submitted to the County.

This "Cattalini settlement parcel" includes 10-acres in the coastal zone as well as lands inland of the coastal zone boundary encompassing the Raven's Call Drainage. The ten acres in the coastal zone provide a connecting link between the Raven's Call area and the "Bosk settlement parcel" to the south, described above. A number of local residents have identified this as a "natural area," which could serve as an environmental baseline for educational and scientific purposes and for providing scenic, spiritual and recreational values as an alternative to timber harvesting. According to the applicant, the Open Space classification will allow for the preservation of the unique qualities of the site, which is immediately adjacent and to the north of the "Enchanted Meadow" wetlands. It connects the vegetation transition from river to riparian through shaded up-slope forests to ridge top pygmy forest. This riparian corridor connecting to forest zone provides a classic example of the recovery from past logging and demonstrates ecological values of coastal forestlands of Mendocino County. The area will also provide a site where the present and future forest ecology may be observed in its natural state.

Future plans for this site and the Bosk site described in Part B, are to create the "Enchanted Meadows Wetland Sanctuary," to be owned and managed by a non-profit organization, such as the Coastal Land Trust or the Friends of Enchanted Meadows Land Trust.

VI. LAND USE PLAN FINDINGS

A. Standard of Review

To approve the amendments to the LUP, the Commission must find that the LUP, as amended, will remain consistent with the Chapter 3 policies of the Coastal Act.

B. Visitor Serving Facilities and Public Recreation

Section 30210 of the Coastal Act states that maximum access and recreational opportunities shall be provided for all the people consistent with public safety and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. Section 30211 states that development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization. Section 30213 states that lower cost visitor and recreation facilities shall be protected and encouraged, and developments providing public recreational opportunities are preferred. Section 30221 states that oceanfront land suitable for recreational use shall be protected for recreational use and development. Section 30224 states that recreational boating use of coastal waters shall be encouraged by, among others, providing new protected water areas and boating facilities.

Regarding the proposal for Part A of the amendment (Point Cabrillo Lightkeepers Association), the addition of a \*1C and \*4C Visitor Accommodations Services overlay to the land use and zoning maps will allow for the enhancement of visitor and recreational opportunities at this oceanfront site. Future development plans include the construction of low intensity visitor accommodations inside existing historic structures within the lighthouse complex, which will provide opportunities for the public to have more direct experience with historical features of the Light Station and the natural features of its environs. Further, the change in LUP designation and zoning of the surrounding 270-acre nature preserve from RR-5 to OS will better protect the area from future development that would impede access and recreational opportunities. The entire site is open to the public as a California State Park from sunrise to sunset, featuring day use recreation, including improved and unimproved hiking trails throughout the property.

The portion of the proposed amendment affecting Part A (Point Cabrillo Lightkeepers Association) involves the Point Cabrillo Light Station and Preserve, public lands acquired through legislative authorization and administered by the California Department of Parks and Recreation. As described above, the site is intended to remain open to the public for various recreational activities and this intent will be further implemented by the \*1C and \*4C LUP and zoning overlays which will accommodate future plans to construct low intensity visitor accommodation services, including low intensity overnight facilities, museums, and gift shops, among others. A portion of the proposed amendment involves changes to the LUP text and policies that apply to the Point Cabrillo Light House (exhibit 3). While these changes are intended to update and reflect existing and potential conditions at the site, a portion of deleted

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text on policy 4.6-10 could inadvertently affect public access to the site in the future. The proposed policy changes are as follows, with proposed deletions shown by ~~strikethroughs~~ and the proposed changes underlined.

4.6-10 ~~The ownership and use of this 32 acres should remain under the public jurisdiction. The Bureau of Land Management shall be requested not to relinquish this property except to another public agency. A State of California Marine Preserve is located along the western shore of the Point Cabrillo Light Station and Nature Preserve prohibiting any recreational or commercial fishing, diving or swimming in these areas.~~

Striking out the first sentence of this policy regarding the ownership and use of the property remaining under the public jurisdiction could be interpreted as tacitly allowing for the eventual disposal of the property and conversion to non-recreation uses inconsistent with the public access and recreation policies of the Coastal Act. Therefore, the Commission finds that the proposed LUP amendment is inconsistent with Sections 30210, 30211, 30213, and 30221 of the Coastal Act and must be denied. However, if modified to retain the intent of the existing language of Section 4.6 that the affected acreage (300 acres including the 270-acre Nature Preserve) remain under public jurisdiction, the amendment would be consistent with Sections 30210, 30211, 30213, and 30221 of the Coastal Act. Therefore, the Commission imposes Suggested Modification No. 1 to the newly proposed Section 4.6-10 of the LUP that (1) would eliminate the proposed deletion of sentence one as it relates to public use of the property but would update the acreage referenced in that sentence to 300 acres; and (2) makes it clear that any proposed closure or other restriction on use of the site for public access and recreation arising from the sale or transfer of the property from the state may require an LCP amendment and constitutes development requiring a coastal development permit from the County that is appealable to the Commission. The latter part of the modification reflects existing requirements under the Coastal Act that any change in the density or intensity of use of land in the coastal zone constitutes development requiring a coastal development permit. Adding this language reinforces the intent of the existing LUP that the Point Cabrillo Light Station property remain available for public access and recreational use consistent with the public access and recreation policies of the Coastal Act and that the property not be converted to other uses.

Suggested Modification No. 1:

Add the following policy language to Section 4.6 (Jughandle Creek to Russian Gulch Planning Area) of Chapter Four of the LUP (language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be undeleted by the Commission is **bold**, and added by the Commission is shown in bold double underlining):

Policy 4.6-10 ~~The ownership and use of this 300-32 acres should remain under the public jurisdiction. The Bureau of Land Management shall be requested not to relinquish this property except to another public agency.~~ **Any proposed closure or other restriction on use of the site for public access and recreation, including those arising from the sale or transfer of the**

property, may require an LCP amendment and would constitute development requiring a coastal development permit. A State of California Marine Preserve is located along the western shore of the Point Cabrillo Light Station and Nature Preserve prohibiting any recreational or commercial fishing, diving, or swimming in these areas.

Therefore, the Commission finds that proposed LUP amendment Part A as modified is consistent with Coastal Act Sections 30210, 30211, 30213 and 30221.

Regarding the proposals for Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company, LLC/Zia Cattalini), these two settlement parcels encompassing the "Enchanted Meadow Wetlands" and environs are not located on oceanfront land. However, the area may be opened for limited public use as described previously. To the extent that the area is opened for public use, the area would represent a lower – cost visitor recreation area, and would provide for unique opportunities for wildlife viewing, viewing historic structures, recreational opportunities, and recreational boating opportunities (such as canoeing and kayaking), since the only access to this area is via the Albion River and the open space designation would provide a new protected water area. Therefore, the Commission finds that proposed LUP amendment Parts B and C are consistent with Coastal Act Sections 30213 and 30224.

C. Forest Lands

Coastal Act Section 30243 states that the long term productivity of soils and timberlands shall be protected, and that conversions of commercially viable timberlands to non-timber uses shall be limited to providing for necessary timber processing and related facilities.

The proposals for Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company, LLC/Zia Cattalini) of the amendment would change the coastal plan land use classification and zoning of 30 acres (20-acres-Bosk, 10-acres-Cattalini) of Forest Land (FL) and Timber Production Zone (TPZ) to Open Space (OS). The result would be the creation of the protected "Enchanted Meadows Wetland Sanctuary," to be managed by a non-profit land trust, and timber harvesting would not be permitted. While the "Bosk settlement parcel" (Part B) does not contain trees, a portion of the "Cattalini settlement parcel" (Part C) does contain trees.

Lands in Parts B and C are contained within a block of commercial timberland approximately 11,000 acres in size, all of which is designated Forest Land in the LUP, and zoned Timberland Production. According to the Mendocino Redwood Company (MRC), when carefully scrutinized and isolated from the remainder of the timber block, the "Bosk settlement parcel" (Part B) does not meet the definition of timberland found in Public Resources Code Section 4526 (Z' Berg Nejedly Forest Practice Act of 1973) which states: "land, which is available for, and capable of, growing a crop of trees, of any commercial species used to produce lumber and other forest products, including Christmas trees." MRC also stated in the application that it is committed to maintaining the natural condition of the "Bosk settlement parcel" (Part B), and that the land is within a riparian zone of the Albion River and does not meet the definition of timber and

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timberland since few trees will grow in the site. The land is not suited for development and is most valuable in its undeveloped natural state.

Regarding the "Cattalini settlement parcel" (Part C), a portion of the site contains Redwood/Douglas fir trees and connects to a larger inland parcel that contains mature trees that is also part of the settlement. According to the applicants, the owner of the parcel (MRC) is committed to not harvesting any trees, and it will be held in trust by a non-profit entity. The area within the 10-acres in the coastal zone is a transitional area linking the riparian area to the South (the "Bosk settlement parcel [Part B]) to the Northern Raven's Call inland area, which contains flora and fauna associated with mature forest. MRC indicates that the 10 acres in the coastal zone is not a unit of commercial size for timber production, but that this land could serve as a good buffer between timber harvesting areas and the riparian habitat to the south.

Mendocino County planning staff originally recommended a denial of Parts B and C to the Planning Commission and the Board of Supervisors due to land fragmentation issues, potential conflicts with commercial timber production, increased fire risk, and substandard access. However, the Planning Commission voted 3-2 to approve the amendment applications, but failed to forward a recommendation to the BOS because four affirmative votes were needed to approve timber conversions. At the April 13, 2004 Board of Supervisors meeting, the board adopted an alternative motion, tentatively approving the amendments based on findings that emphasized that resource protection and future cooperation could alleviate issues concerning access, fire risk, and timber conflicts, among others. This approval was tentative because both of the settlement parcels needed to receive a Timberland Conversion Permit from the State Board of Forestry and Fire Protection.

In March 2005 both the Bosk (Part B) and Cattalini (Part C) parcels received the Timberland Conversion Permit (TCP), which exempts them from the stocking requirements of the Forest Practice Act and related Board of Forestry regulations. The permit was issued in accordance with Public Resources Code Sections 4621-4628, which includes required findings that the conversion is in the public interest and the conversion does not have a substantial and unmitigated adverse effect upon the continued timber-growing use or open-space use of other land zoned as timberland preserve and situated within one mile of the exterior boundary of the land upon which the change is proposed. The issuance of this permit further supports the finding that taking these lands out of timber production will not affect the long-term productivity of adjacent timberlands, and that these lands are not commercially viable.

Due to the facts that: (1) the conversion of lands encompassed in Parts B and C of the proposed LCP amendment from timber production to open space would not have significant adverse effects on timberlands; (2) the proposed LUP designation change would be to a less intense open space designation; (3) the proposed LUP designation change would not result in the conversion of commercially viable timberlands to other uses; and (4) the Mendocino Redwood Company, LLC is committed to protecting these lands for open space uses, the Commission finds that the proposed LUP amendment for Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company/Zia Cattalini) is in conformance with Coastal Act Section 30243.

**D. New Development**

Section 30250(a) of the Coastal Act requires that new development be located in or near existing developed areas able to accommodate it, or in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The intent of this policy is to concentrate development in areas able to accommodate it with public services, and to minimize adverse impacts on coastal resources.

Regarding Part A (Point Cabrillo Lightkeepers Association [PCLK]), future plans at the Light Station property include the development of limited visitor accommodation facilities, gift shops, period museum, and an interpretive educational and meeting center, constructed primarily within existing structures, including caretaker residences, and other accessory buildings. According to the 2003 Initial Study conducted by DPR, the 1983 septic system is marginally adequate for existing operations, and the leach field is subject to seasonal failure. This system does not have capacity to support outbuildings, lodging and accommodations, and administrative office space (e.g. new visitor center or residences in historical core). Included in their future development plans are a new leach field, additional septic tanks, and a lift station. No soil surveys have been submitted as part of this amendment application to indicate whether the soils of the site could support expanded systems, although there appears to be sufficient land area to accommodate new systems.

The water supply for the existing development at the light station is provided by a DPR owned and operated spring/seep-fed pond. The 2003 Initial Study prepared by DPR indicates that the existing water supply is adequate to accommodate existing and proposed uses at the site. The pond water volume is approximately 1.3 acre-feet according to a July 2003 pond volume calculation. According to a February 2004 study prepared for the proposed development at the Light Station, the daily water usage is projected to be 140 gallons/day, including base rates, breakfast served, and laundry. The 2003 Initial Study indicates, however, that distribution lines, filtration systems, and storage capacity needs further upgrades to adequately support irrigation, fire suppression, and proposed daily use. The site is located in a Critical Water Resource (CWR) area pursuant to the 1982 Mendocino County Coastal Groundwater Study. Coastal Groundwater Development Guidelines (July 1989) indicate that land use changes at the site may require a hydrological study. The County Division of Environmental Health has commented that off-site water related impacts are not likely to result from this project at this location given the large size of the ownership (300 acres). The Division of Environmental Health does not recommend a hydrologic study at this time. The County staff report for this amendment application indicates that at the coastal development permit phase of project planning, a determination will be made whether or not further water studies are warranted, which may dictate the ultimate number of visitor serving units that can be permitted.

Any future development at the site will require coastal development permits and coastal development use permits. In its review of the permit applications, the County will have the opportunity to further review the adequacy of septic and water services to serve new visitor accommodation facilities and other proposed development. Section 20.532.095 of the Mendocino County Coastal Zoning Ordinance,

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"Required Findings for all Coastal Development Permits," requires that proposed development be provided with adequate utilities, and public services must be adequate to serve the proposed development. This code section also requires that proof of adequate sewage and water capacity be found *prior* to approval of the projects. Thus, site and project specific tests demonstrating adequate septic capacity and groundwater availability will have to be performed prior to County action on the coastal development permits. Therefore, the Commission finds that the proposed LUP Amendment for Part A is consistent with Coastal Act Policy 30250(a) to the extent that any new visitor accommodation services subsequently approved in reliance of this LCP amendment will be located in areas able to accommodate the proposed uses with adequate services.

As noted above, Section 30250(a) of the Coastal Act requires that new development be located in or near existing developed areas able to accommodate it or in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. These provisions as they relate to planning for the development of state park facilities are reflected in the County's LUP in part by LUP Policy 3.7-7.

LUP Policy No. 3.7-7 states:

*Within two (2) years of the certification of the Local Coastal Plan the State Department of Parks and Recreation shall develop a comprehensive land use plan and management program to their lands on the Mendocino Coast prior to any additional development or relinquishment of DPR lands. Such plan shall include a tree removal program on all Department of Parks and Recreation lands where so designated on the LUP Maps. Exempted from this requirement for a development plan is any development necessary to ensure the health and safety of the general public.*

Development of a comprehensive land use plan and management program for each state park unit helps ensure that new state park facilities are developed in a manner where they will not have significant adverse effects on coastal resources, consistent with Section 30250(a) of the Coastal Act. Such a planning process would be particularly useful for undeveloped sites without existing structures to ensure that new facilities are not constructed in locations where they would encroach into or otherwise adversely affect environmentally sensitive habitats, interfere with coastal views, damage archaeological resources, or result in other impacts to sensitive coastal resources that often exist on state park lands. The provisions of LUP Policy 3.7-7 are similar to provisions of Section 5002.2 of the California Public Resources Code. Section 5002.2(a) states in part:

*Following classification or reclassification of a unit by the State Park and Recreation Commission, and prior to the development of any new facilities in any previously classified unit, the department [of Parks and Recreation] shall prepare a general plan or revise any existing plan, as the case may be, for the unit.*

However, Section 5002.2 of the Public Resources Code does not require the preparation of general plans for repairs and rehabilitations of existing facilities. Section 5002.2(c) states in part:

*Notwithstanding the requirements of subdivision (a), the department is not required to prepare a general plan for a unit that has no general plan or to revise an existing plan, as the case may be, if the only development contemplated by the department consists of the repair, replacement, or rehabilitation of an existing facility....*

This section impliedly acknowledges that development associated with reconstruction of existing facilities and structures is less likely to have significant adverse impacts to the environment. Consistent with the provisions of Section 5002.2, the Department of Parks and Recreation has not developed a general plan for the Point Cabrillo Light Station property. The provisions of Section 5002.2(c) of the Public Resources code exempt the Department from having to prepare a general plan for the Point Cabrillo Light Station prior to the development of visitor accommodations and services and associated development that does not involve the construction of new structures at the site. It should be noted that such projects are still subject to evaluation of environmental impacts under CEQA and require coastal development use permit review by the County subject to appeal to the Coastal Commission.

Policy 3.7-7 of the LUP could be interpreted as requiring that the Department of Parks and Recreation develop a comprehensive land use plan and management program prior to any development at the Point Cabrillo Light Station and Nature Preserve, including the establishment of visitor accommodations and services within existing structures and other repairs or rehabilitations to existing structures at the 30.5-acre Light Station property. In recognition of the fact that rehabilitation and reuse of existing structures at the Point Cabrillo Light Station would not create the same need for development of a comprehensive land use plan and management program to avoid impacts to coastal resources that development of new structures would, the Commission finds that exempting such a project from the requirements of Policy 3.7-7 would be consistent with the provisions of Section 30250(a) of the Coastal Act. Therefore, the Commission imposes Suggested Modification No. 3, which exempts the repair, replacement, or rehabilitation of existing facilities at the Point Cabrillo Light Station, including the establishment of visitor accommodations and services within existing structures from the requirement to develop a comprehensive land use plan and management program prior to any additional development. The suggested modification would not exempt the development of new structures at Point Cabrillo from the requirement of preparing a development plan to ensure that the impacts on coastal resources of such development are fully evaluated through a comprehensive planning process.

Suggested Modification No. 3:

Add the following language to Policy 3.7-7 of the LUP (Commission suggested modification addition is bold underlined):

Policy 3.7-7 Within two (2) years of the certification of the Local Coastal Plan the State Department of Parks and Recreation shall develop a comprehensive land use plan and management program to their lands on the Mendocino Coast prior to any additional development or relinquishment of DPR lands. Such plan shall include a tree removal program on all Department of Parks and Recreation lands where so

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designated on the LUP Maps. Exempted from this requirement for a development plan is any development necessary to ensure the health and safety of the general public. Exempt from the requirement for a comprehensive land use plan and management program is the repair, replacement, or rehabilitation of existing facilities at the 30.5-acre Point Cabrillo Light Station, including the establishment of visitor accommodations and services within existing structures.

The Commission finds, that as modified, Part A of the proposed amendment is consistent with Section 30250(a) of the Coastal Act.

Regarding the portions of the proposed amendment affecting Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company, LLC/Zia Cattalini), the proposed amendments would involve re-designating and rezoning sites from Forest Land (FL) to Open Space (OS), would reduce the development potential of these sites and would therefore avoid the need for the provision of public services, and would not have significant adverse effects on coastal resources. Thus, Parts B and C of the amendment are consistent with 30250 to the extent that the amendment will not facilitate future development that would require a location with adequate services.

### E. Highway One Traffic Capacity

Coastal Act Section 30254 states that it is the intent of the Legislature that State Highway One in rural areas of the coastal zone remain a scenic two-lane road, and that where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development. Section 30250(a) of the Coastal Act also requires that new development not have significant adverse effects, either individually or cumulatively, on coastal resources.

Because the only north-south arterial in coastal Mendocino County is Highway One, the requirements of Section 30254 are a limiting factor on the potential for new development in Mendocino County. In addition, Section 30254 requires that high priority uses of the coast not be precluded by other, lower-priority uses when highway capacity is limited.

Highway capacity has been recognized by the Commission as a constraint that limits new development, as new development generates more traffic that uses more capacity and a lack of available capacity results in over-crowded highways for long periods of time. When it eventually certified the Mendocino County Land Use Plan with Suggested Modifications, the Commission found that too much buildout of the Mendocino coast would severely impact the recreational experience of Highway One and its availability for access to other recreational destination points. The Commission reduced by more than half the number of potential new parcels that could be created under the certified LUP, based on its conclusion that, given the

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information available at that time, approximately 1,500 new parcels was the maximum number of new parcels Highway One could accommodate while remaining a scenic, two-lane road.

The Commission recognized that in the future, a greater or smaller number of potential new parcels might be more appropriate, given that changes might occur that would affect highway capacity, such as new road improvements, or that development might proceed at a faster or slower pace than anticipated. To provide for an orderly process to adjust the number of potential parcels allowed under the LCP to reflect conditions as they change over time, the Commission approved Policy 3.9-4 of the LUP that required a future review of the Land Use Plan.

Policy 3.9-4 of the County's LUP states that:

*Following approval of each 500 additional housing units in the coastal zone, or every 5 years, whichever comes first, the Land Use Plan shall be thoroughly reviewed to determine:*

*Whether the Highway 1 capacity used by non-resident travel and visitor accommodations is in scale with demand or should be increased or decreased.*

*Whether the plan assumptions about the percentage of possible development likely to occur are consistent with experience and whether the allowable buildup limits should be increased or decreased.*

*Whether any significant adverse cumulative effects on coastal resources are apparent.*

In response to this policy, in 1994 the County hired a transportation consultant firm to do a study (titled the State Route 1 Corridor Study) that would determine the impact to Highway One traffic carrying capacity from the buildout of the Coastal Element of the General Plan. The study projected future traffic volumes which would be generated by potential development allowed by the Coastal Element in the coastal zone and by potential development from growth areas outside of the coastal zone that affect traffic conditions on Highway One. The County also has initiated additional studies to determine where appropriate density increases could be allowed without overtaxing Highway One's limited capacity.

The Commission has adopted findings in its actions on previous LCP amendments stating that proposed LCP changes that would result in increases in residential density on a first-come, first-served basis would not ensure that highway capacity would be reserved for higher priority coastal land uses. When looked at in isolation, it may not appear that approving any particular proposal for a density increase would have much impact, when the potential for only a few new parcels is created by each such proposal. However, consistent with Section 30250(a) of the Coastal Act, the cumulative impact of numerous LCP Amendments allowing increases in residential density on highway capacity and other coastal resources must also be addressed. Looking at each new project in isolation fails to take into account the effect numerous projects would have if approved in this fashion.

During its review of Mendocino LCP Amendment No. 1-98(Major) during the Commission meeting of September 9, 1998, the Commission expressed concern regarding the approval of any future density-

## MENDOCINO COUNTY LCP AMENDMENT

NO. MEN-MAJ-1-04

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increasing LCP amendments without having the benefit of the complete review called for by LUP policy 3.4-9. Although a comprehensive review of the Land Use Plan has not yet been completed, the County is progressing toward the development of such a study specified by LUP policy 3.4-9.

The portion of the proposed amendment affecting Part A (Point Cabrillo Lightkeepers Association) would potentially allow for the development of visitor accommodations services at the Light Station, potentially increasing density. However, the approximately 270 acres surrounding the property would be re-designated and re-zoned from Rural Residential – 5 -acre minimum to Open Space, causing a net decrease in density. According to the State Route 1 Corridor Study, the Light Station project has the potential to generate 0.69 peak hour trips (pht) per inn unit plus 0.78 pht for the manager's unit, a total of 4.92 peak hour trips. It is assumed that the interpretive center and gift shop would not be traffic generating, but would be utilized by persons who visit the historic site. Under the 75/50 development scenario with a horizon year of 2020, level of service (LOS) between Lansing Street and Gibney Lane (road segment 13) is projected to remain at LOS E. The Point Cabrillo Drive and Caspar-Little Lake Road intersections with State Route 1 (intersections 20 and 21) are projected to remain at LOS A. However, the eastbound approaches from each road onto State Route 1 are projected to degrade from LOS D to LOS E, with limited reserve capacity (15 and 7 pht respectively) before LOS degrades to unacceptable LOS F. However LOS projections in the State Route 1 Corridor Study assume 50 percent of the existing residential subdivision development potential would occur by the year 2020, for a total of 20 pht (50% of potential 52 lots classified RR-5 at 0.78 peak hour trips). Therefore, since overall the proposed amendment would decrease the development potential of the site, projected traffic associated with the proposed project is more than offset by the reduction in pht associated with the proposed reclassification of 270 acres from RR-5 to Open Space and no significant adverse impacts to coastal access are projected to occur.

Based on the fact that the proposed amendment represents a net decrease in density and traffic impacts, the Commission finds that Part A of the proposed LUP Amendment would not have significant adverse effects on Highway One traffic capacity and is consistent with Coastal Act Sections 30254 and 30250(a).

Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company, LLC/Zia Cattalini) of the proposed amendment would change land use designations and zoning from Forest Lands (FL)/Timber Production Zones (TPZ) to Open Space, and would facilitate the proposed creation of a wetland and wildlife sanctuary managed by a land trust. The sanctuary would be accessible to the public only by river access. Logging roads would provide emergency access. The traffic generated by the two "settlement parcels" encompassed in the sanctuary was reviewed by the County with regard to the State Route 1 Corridor Study (1994) using the 75/50 development scenario with horizon year 2020. Impacts to State Route 1 are not anticipated to be significant. The areas are east of Highway One at the extreme eastern edge of the coastal zone boundary. The Albion-Little River Road/State Route 1 intersection (no. 14) is projected at an acceptable Level of Service C. Little River-Airport Road to Navarro Ridge Road (Segment 9) is projected to degrade to acceptable Level of Service E with 752 reserve trips. Traffic associated with the two new parcels subject to new primary uses may increase, while traffic generated by activities on the adjacent timberlands is not anticipated to decrease as a result of the projects. County staff reviewed trip rates for potential equivalent use types of the State Route 1 Study, finding reserve capacity on Segment 9 to be 747 peak hour trips, with the cumulative impact of all approved and pending projects reducing reserve trips to 735.

Based on the facts that the proposed amendment is located some distance east of Highway One, the only public access to the site would be via the Albion River by boat, and future uses facilitated by the amendment would not cause level of service on Segment 9 to drop below LOS E, and at the Albion-Little River Road/State Route 1 intersection (no. 14) not to drop below Level of Service C, the Commission finds that the proposed LUP Amendments for Parts B and C would not have significant adverse effects on Highway One traffic capacity and are consistent with Coastal Act Sections 30254 and 30250(a).

**F. Environmentally Sensitive Habitat Areas**

Coastal Act Section 30240(a) states that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Section 30240(b) states that development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts, which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. Section 30231 states that the biological productivity and the quality of coastal streams shall be maintained, that natural vegetation buffer areas that protect riparian habitats should be maintained, and that alteration of natural streams shall be minimized.

Regarding the proposal for Part A of the amendment (Point Cabrillo Lightkeepers Association), the California Department of Parks and Recreation submitted a Draft Mitigated Negative Declaration for the future development plans at Point Cabrillo Light Station and Nature Preserve to the County in October 2003. Potential impacts to water quality (there are wetlands and a pond at the site), fish and wildlife habitat, plant communities, and rare and endangered species were identified, and mitigation measures to reduce potential impacts to a less than significant level were identified. Potential habitats at the site include those for nesting raptors, northern red-legged frog, western pond turtle, and other burrowing animals. Potential plant communities include Northern Bluff Scrub, Sitka Willow Series, and Hooker Willow Series. Potential rare and endangered species include Roderick's Fritillary, Northern Red-Legged Frog, and the Lotus Blue Butterfly. County staff indicated in their staff report for this amendment application that since the applicants intend to utilize existing structures and developed areas in the future phases of property development, that significant impacts to plant and wildlife are not anticipated. The County also indicates that should any natural areas be proposed to be disturbed as part of the coastal development permit application, botanical and biological studies could be required to insure that no significant disruption to environmentally sensitive habitat would result.

Any future proposed development will need to be evaluated to ensure its full compliance with the Mendocino County ESHA policies prior to approval of the permit, and any permit granted for such development would be appealable to the Commission. Furthermore, a large portion of the proposed amendment would change rural residential 5-acre minimum lots to open space, thereby precluding potential impacts to ESHA from residential development. Therefore, for all of the above reasons, the Commission finds that Part A of the LUP Amendment for Part A is consistent with Section 30240 and 30231 of the Coastal Act.

Regarding the proposal for Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company, LLC/Zia Cattalini), the proposed land use and zoning changes from forest land and

## MENDOCINO COUNTY LCP AMENDMENT

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timber production to open space will serve to protect environmentally sensitive habitat areas (ESHA), including Sphagnum Bog, Northern Coastal Salt Marsh, and other riparian areas. While timber harvest plans would regulate timber harvesting in the area under the existing designations, the open space designation instead emphasizes resource protection. The creation of the "Enchanted Meadows Wetland Sanctuary," encompassed in these two settlement parcels that would be facilitated by the LCP amendment, may result in an increase of human activity due to public river access, but significant disruption of habitat values are not anticipated. The only access to the sites would be via the Albion River, and Mendocino Redwood Company has agreed to allow hikers to use the dirt road adjacent to marshes to avoid impacts to ESHA. Therefore, the Commission finds that Parts B and C of the LUP Amendment are consistent with Sections 30240 and 30241 of the Coastal Act.

### G. Visual Resources

Coastal Act Section 30251 states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and that permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas. New development in highly scenic areas shall be subordinate to the character of its setting. Section 30250 requires that development be sited and designed to avoid individual and cumulative impacts on coastal resources.

Regarding Part A of the proposed amendment, the Point Cabrillo Light Station and Nature Preserve is located in a designated highly scenic area. Although the proposed changes in land use and zoning will not have a direct impact on visual resources, the \*1C and \*4C Visitor Accommodations Services (VAS) overlay would allow future conditional development at the Light Station (\*1C- inn or bed and breakfast inn, \*4C- restaurant, boat launching or rental, or visitor oriented art and handicraft shops) with a coastal development permit. Application materials indicate that future visitor serving units would primarily be located within existing structures, causing no impacts to visual resources. However, there is some discussion of the reconstruction of an historical barn in an open area to the south of the existing residences, and the relocation of the historic blacksmith shop, currently located northeast of the light station, to the northwest to avoid bluff retreat issues. These latter plans may affect ocean views. However, as mentioned above, any future development at the site will require a coastal development permit, which will be subject to all relevant policies of the certified LCP, including those intended to protect visual resources. To the extent that development of additional structures would not be consistent with visual resource protection policies, visitor-serving facilities would be limited to the existing structures. Therefore, impacts to visual resources will be evaluated in detail, based on submitted project plans, by the county at the coastal development permit stage. Therefore, the Commission finds that the proposed LUP amendment for Part A is in conformance with Sections 30251 and 30250 in regards to its individual and cumulative impacts on visual coastal resources.

Regarding Parts B (Mendocino Redwood Company, LLC/Beth Bosk) and C (Mendocino Redwood Company, LLC/Zia Cattalini) of the amendment, the proposal involves re-designating and rezoning sites from Forest Land (FL) to Open Space (OS) and would reduce the

MENDOCINO COUNTY LCP AMENDMENT  
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development potential on the sites, thereby decreasing the potential for development that would result in visual impacts inconsistent with Section 30251.

H. Consistency of Part A with Recently Certified MEN-MAJ-01-02 Part A (Tregoning)

Since the County submitted this LCP amendment to the Commission for certification, the Commission has certified with modifications LCP Amendment No. MEN-MAJ-01-02 Part A (Tregoning/California Institute of Man in Nature). This amendment modified Section 4.6 (Jug Handle Creek to Russian Gulch Planning Area) of Chapter Four of the LUP text for Visitor Accommodations and Services (page 172) by identifying three sites that have been designated for conditional uses, including the area to the south of Jughandle Farm (the current Tregoning property) (exhibit 5). The current amendment proposal would add one more site as a conditional use, the Point Cabrillo Lighthouse property. Because the Tregoning amendment was not certified before this amendment application was submitted for certification, the current proposed language does not reflect the addition of the Tregoning property. Therefore, Suggested Modification No. 2 corrects the text in Section 4.6 (page 172) to accurately reflect the number of sites designated for conditional visitor serving accommodations and services uses (four), including both the Tregoning property and the Point Cabrillo Lighthouse property (language proposed by the County to be deleted is ~~struck through~~ and added is underlined. Language to be deleted by the Commission is shown in bold ~~strickethrough~~ and added by the Commission is shown in bold double underlining).

~~Two~~ Three Four sites have been designated for conditional uses. They are located at Russian Gulch State Park, south of Jug Handle Farm, ~~and at the Point Cabrillo Cottages and Campground~~ and the Point Cabrillo Lighthouse property owned by the Department of Parks and Recreation. In addition, several visitor services are located in the Rural Village of Caspar, but have not been designated on the land use map.

The Commission finds that the LUP as modified would ensure that the LUP is internally consistent by modifying Section 4.6 of Chapter Four of the LUP text to accurately reflect the number of sites designated on the certified LUP maps for conditional visitor accommodation and services uses.

VII. IMPLEMENTATION PLAN FINDINGS:

Regarding Part A of the amendment (Point Cabrillo Lightkeepers Association) the proposal would: (1) change the zoning district for the 30.5 acre Point Cabrillo Light Station property from Open Space (OS) to Open Space: Conditional Visitor Accommodations and Services Combining District \*1C (Inn and Bed and Breakfast Accommodation) and \*4C (Visitor-oriented Eating and Drinking Establishments and Visitor Oriented Retail Sales) (OS: 1C:4C); and (2) change the zoning district for the 270 acre Nature Preserve surrounding the Light Station from Rural Residential – 5-acre minimum, Planned Unit Development Combining District (RR-5:PD) to Open Space District (OS).

## MENDOCINO COUNTY LCP AMENDMENT

NO. MEN-MAJ-1-04

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Regarding Part B of the amendment (Mendocino Redwood Company, LLC/Beth Bosk) the proposal would change the zoning for the 20 – acre site from Timberland Production: Floodplain Combining District (TP:FP) to Open Space: Floodplain Combining District (OS:FP).

Regarding Part C of the amendment (Mendocino Redwood Company, LLC/Zia Cattalini) the proposal would change the zoning for the 10-acre site from Timberland Production: Floodplain Combining District (TP:FP) to Open Space: Floodplain Combining District (OS:FP).

In all three cases (Parts A-C), the proposed zoning districts allow for the same range of principally permitted and conditional uses as the LUP designations that apply to the property as modified. Therefore, with respect to all three parts of the proposed amendment, the proposed Implementation Plan amendment as submitted conforms with and adequately carries out the LUP as modified.

### VIII. California Environmental Quality Act (CEQA):

In addition to making a finding that the amendment is in full compliance with the Coastal Act, the Commission must make a finding consistent with Section 21080.5 of the Public Resources Code. Section 21080.5(d)(2)(A) of the Public Resources Code requires that the Commission not approve or adopt an LCP:

*...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects, which the activity may have on the environment.*

As discussed in the findings above, Parts A, B, and C of the amendment request as modified are consistent with the California Coastal Act and will not result in significant environmental effects within the meaning of the California Environmental Quality Act.

### Exhibits:

1. Regional Location Map
2. County Resolution of Transmittal
3. County Resolution and Ordinance for Part A (Point Cabrillo Lightkeepers Association)
4. Location Map for Part A
5. Point Cabrillo Light Station Building Layout (Part A)
6. LUP Text change for Commission certified MEN-MAJ-1-02 Part A (Tregoning/CA Institute of Man in Nature)
7. County Resolution for Part B (Mendocino Redwood Company, LLC/Beth Bosk)
8. County Resolution for Part C (Mendocino Redwood Company, LLC/Zia Cattalini)
9. Location Map for Parts B and C
10. Bosk and Cattalini "Settlement Parcels" (Parts B and C)
11. Timberland Conversion Permit for Parts B and C from the Department of Forestry and Fire Protection

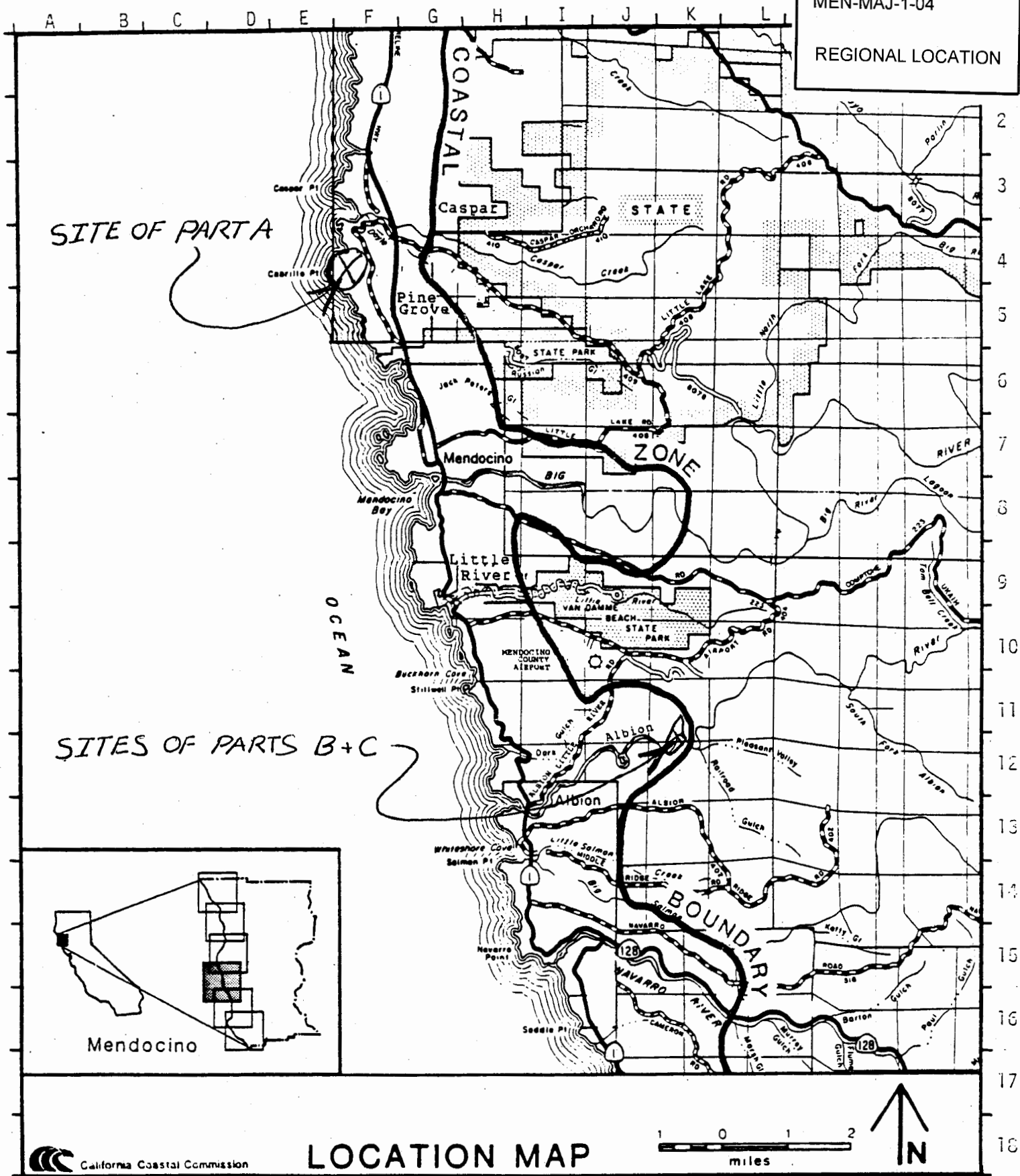


EXHIBIT NO. 1

APPLICATION NO.

MEN-MAJ-1-04

REGIONAL LOCATION





**MINUTE ORDER**  
**BOARD OF SUPERVISORS**  
**COUNTY OF MENDOCINO STATE OF CALIFORNIA**

**EXHIBIT NO. 2**  
**APPLICATION NO.**  
MEN-MAJ-1-04  
**COUNTY RESOLUTION**  
**OF TRANSMITTAL**  
(Page 1 of 2)

MEETING DATE: April 13, 2004

**SUPERVISORS PRESENT:** Supervisors Delbar, Shoemaker, Wagenet, Campbell, Colfax

**SUPERVISORS ABSENT:** None

**AGENDA ITEM NO. 10C8 – NOTICED PUBLIC HEARING – (CONTINUED FROM MARCH 9, 2004)**  
**DISCUSSION AND POSSIBLE TENTATIVE ACTION ON THE 2003 NORTH OF NAVARRO WATERSHED GENERAL PLAN AMENDMENT GROUP AND ASSOCIATED REZONES**  
**REQUEST: ADOPT GENERAL PLAN AMENDMENTS AND ASSOCIATED REZONES #GP 5-2003/#R 5-2003, #GP 10-98/R 10-98 AND #GP 14-98/#R 13-98, MORE SPECIFICALLY DESCRIBED ABOVE CONSTITUTING THE 2003 NORTH OF NAVARRO WATERSHED GENERAL PLAN AMENDMENT GROUP.**  
**LOCATION: GENERAL PLAN AMENDMENTS AND ASSOCIATED REZONES #GP 5-2003/#R 5-2003, #GP 10-98/R 10-98 AND #GP 14-98/#R 13-98, MORE SPECIFICALLY DESCRIBED ABOVE CONSTITUTING THE 2003 NORTH OF NAVARRO WATERSHED GENERAL PLAN AMENDMENT GROUP.**  
**SPONSORING DEPARTMENT: PLANNING AND BUILDING SERVICES**  
**Presenter/s:** Mr. Ray Hall, Planning and Building Services Director; and Ms. Pam Townsend, Senior Planner.

The Clerk of the Board established proper Notice; the PUBLIC HEARING WAS OPENED AND SUBSEQUENTLY CLOSED as no one present wished to address the item.

**Board Action:** Upon motion by Supervisor Campbell, seconded by Supervisor Shoemaker, and carried unanimously; IT IS ORDERED that the Board of Supervisors finds the following:

- (1) Takes action on the 2003 North of Navarro Coastal Plan Amendment Group, approving #GP 5-2003/#R 5-2003 and tentatively approving #GP 10-1998/#R 10-1998 and #GP 14-1998/#R 13-1998, based on the public record as a whole and the following findings:
  - (a) An Initial Study concludes that no significant unmitigated environmental impacts will occur.
  - (b) The Group is consistent with the General Plan and is in the public interest, and applicable projects are consistent with the requirements to rezone property from Timberland Production, based on findings adopted for the individual projects incorporated herein by reference; and
- (2) That the Board of Supervisors takes action on the following Resolutions and Ordinance incorporated herein:
  - (a) Adopts the following Resolution, approving #GP 5-2003 and the following Ordinance, approving #R 5-2003, both contingent on Coastal Commission approval without suggested modification or subject to final action by the Board should the Coastal Commission modify the project, authorizing the Chairman to sign same --

RESOLUTION NO. 04-048

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TO AMEND THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (#GP 5-2003 – CALIFORNIA DEPARTMENT OF PARKS AND RECREATION)

## ADOPTED ORDINANCE NO. 4123

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY (R 5-2003 – CALIFORNIA DEPARTMENT OF PARKS AND RECREATION)

- (b) Adopts the following Resolutions, tentatively approving #GP 10-1998/#R 10-1998 and #GP 14-1998/#R 13-1998, directing that the Board of Supervisors will take its final actions pending the applicable Coastal Commission and State Board of Forestry approvals, authorizing the Chairman to sign same --

## RESOLUTION NO. 04-049

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TENTATIVELY AMENDING THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (GENERAL PLAN AMENDMENT #GP 10-1998 AND REZONE #R 10-1998; OWNER: MENDOCINO REDWOOD COMPANY, LLC)

## RESOLUTION NO. 04-050

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TENTATIVELY AMENDING THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (GENERAL PLAN AMENDMENT #GP 14-1998 AND REZONE #R 13-1998; OWNER: MENDOCINO REDWOOD COMPANY, LLC)

STATE OF CALIFORNIA     )  
  ) ss.  
COUNTY OF MENDOCINO )

I, KRISTI FURMAN, Clerk of the Board of Supervisors, in and for the County of Mendocino, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 22<sup>nd</sup> day of April, 2004.

KRISTI FURMAN  
Clerk of the Board of Supervisors

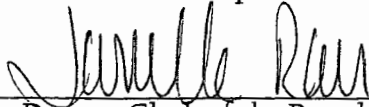
By:   
Deputy Clerk of the Board

EXHIBIT NO. 2
APPLICATION NO.
MEN-MAJ-1-04
COUNTY RESOLUTION
OF TRANSMITTAL
(Page 2 of 2)

RESOLUTION NO. 04-048

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO,  
STATE OF CALIFORNIA, TO AMEND THE LOCAL COASTAL PROGRAM FOR  
MENDOCINO COUNTY (#GP 5-2003 – California Department of Parks and Recreation)

WHEREAS, the County of Mendocino has adopted a Local Coastal Program; and

WHEREAS, the Local Coastal Program has been certified by the California Coastal  
Commission; and

WHEREAS, an application has been submitted to the County requesting amendment of  
the County's Local Coastal Program; and

WHEREAS, the County Planning Commission has held a public hearing on the  
requested amendment and submitted its recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a public hearing on the requested  
amendment and has determined that the Local Coastal Program should be amended.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of  
Mendocino adopts #GP 5-2003 (California Department of Parks and Recreation) amending the  
Local Coastal Program as shown on attached Exhibit A (map changes) and described in Exhibit  
B (text changes).

BE IT FURTHER RESOLVED, that Planning and Building Services staff is directed to  
include the amendment proposed herein in the next submittal to be made to the California  
Coastal Commission for certification; and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after  
the California Coastal Commission approves the amendment without suggested modification.  
In the event that the California Coastal Commission suggests modifications, the amendment  
shall not become effective until after the Board of Supervisors of the County of Mendocino  
accepts any modification suggested by the California Coastal Commission and formally adopts  
the proposed amendment; and

EXHIBIT NO. 3
APPLICATION NO.
MEN-MAJ-1-04
County Resolution & Ordinance
for Part A (Point Cabrillo
Lightkeepers Assoc)
(Page 1 of 7)

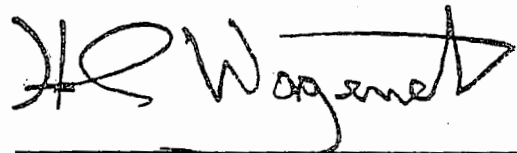
BE IT FURTHER RESOLVED, that the Local Coastal Program, as proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976; and

BE IT FURTHER RESOLVED, that, in the event that the California Coastal Commission denies certification of the amendment proposed to be adopted in this resolution, this resolution shall become inoperative and will be immediately repealed without further action by the Board of Supervisors insofar as this resolution pertains to such amendment for which certification is denied.

The foregoing Resolution was introduced by Supervisor Campbell, seconded by Supervisor Shoemaker, and carried this 13<sup>th</sup> day of April, 2004 by the following roll call vote:

AYES: Supervisors Delbar, Shoemaker, Campbell, Colfax, and Wagenet  
NOES: None  
ABSENT: None

WHEREUPON the Chairman declared said Resolution passed and adopted and SO ORDERED



Chairman, Board of Supervisors

ATTEST: KRISTI FURMAN  
Clerk of the Board

By: Kristi Furman

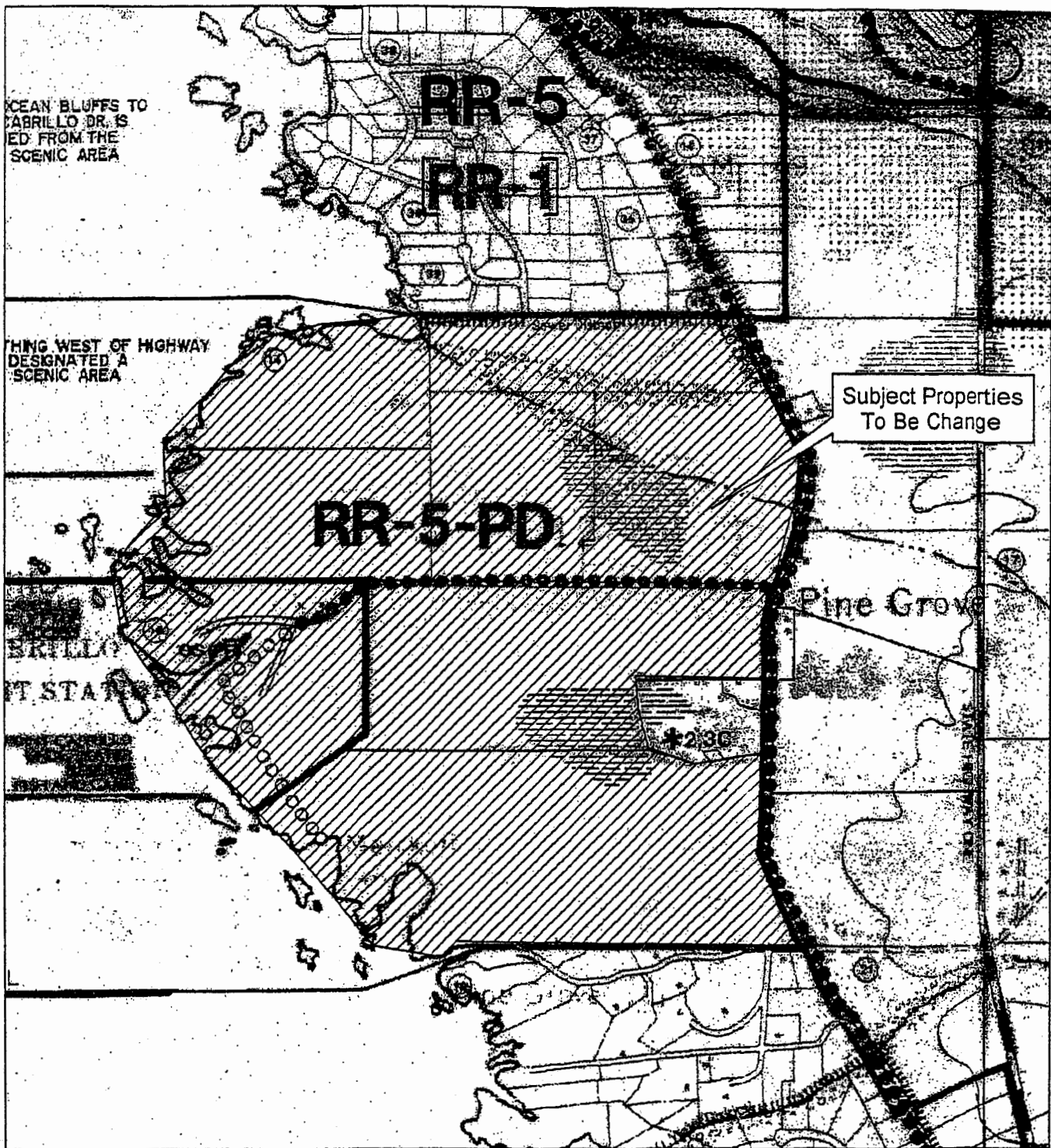
I hereby certify that according to the provisions of Government Code Sections 25103, delivery of this document has been made.

KRISTI FURMAN  
Clerk of the Board

By: Amelle Barr  
DEPUTY

CASE#: #GP 5-2003  
OWNER: California Department of Parks and Recreation  
AGENT: Point Cabrillo Lightkeepers Association

# EXHIBIT A



## COASTAL PLAN LAND USE MAP No. 15 CHANGE FROM OS(PF) to OSDPR(\*1C,\*4C) AND RR-5PD to OSDPR

OWNER: DEPARTMENT OF PARKS AND RECREATION  
CASE #: GP 5-2003  
APNs: 118-160-03, 24, 25, 26, 27, 28 and 118-140-29, 30, 41, 42, 43, 44

Not To Scale



EXHIBIT B FOR #GP 5-2003

PORTION OF COASTAL ELEMENT SECTION 4.6 (JUG HANDLE CREEK  
TO RUSSIAN GULCH PLANNING AREA) OF CHAPTER 4 PERTAINING  
TO THE POINT CABRILLO LIGHTHOUSE

Point Cabrillo Light House Station and Nature Preserve

Location: One mile west of Point Cabrillo Drive at Pine Grove. 2.3 miles from Highway 1 (North or South) on Point Cabrillo Drive at Pine Grove.

Ownership: U.S. Coast Guard, 32 acres; remainder private. California Department of Parks and Recreation, 300 acres (30.5-acre Light Station and 270-acre Nature Preserve).

Existing Development: Light station is not open to public except by written permission from District Commander in San Francisco. The Point Cabrillo Light Station and Nature Preserve are open to the public from sunrise to sunset daily, featuring day use recreation (improved and unimproved hiking trails) throughout the property. The historic Light Station (as designated in the National Register of Historic Places) contains the Lighthouse, an Oil House, Blacksmith Shop, three Lightkeepers' residences and outbuildings, and associated structures.

Potential Development: Light house station would be an access point for picnicking, ocean viewing and historic site tours during daylight hours. Continued use as a Light Station (Federal Aid to Navigation) and Nature Preserve open to the public as a California State Park, day use recreation, period museum and interpretative/educational and meeting center with sales of interpretative, educational and other gift items (\*4C), caretaker residence, and low intensity overnight visitor accommodations and services (\*1C), utilizing existing, but restored, Lightkeepers' residences and outbuildings.

Policies:

4.6-9 When the Coast Guard abandons the lighthouse property, the California Department of Parks & Recreation or other agency or organization should acquire the property and prepare a management plan for the lighthouse that will provide for the development of a trail to the lighthouse as shown on the Land Use Plan Map. Until then, the U.S. Coast Guard shall be requested to open the light station property to limited public access at no fee. Use shall be restricted to picnicking, ocean viewing, and historic site tours during daylight hours. Because this shoreline is included within the boundaries of the Point Cabrillo Underwater Reserve administered by the Department of Fish and Game, no offshore diving or rockfishing shall be allowed. Recreational uses shall be restricted to daytime recreational uses: hiking, picnicking, and ocean viewing. Other activities may include: historic site and building tours, interpretative/educational programs, museum, and sales of interpretative, educational and other gift items. Uses shall also include hosting meetings and events, and low intensity overnight visitor accommodations and services utilizing existing Lightkeeper's residences and outbuildings.

4.6-10 The ownership and use of this 32 acres should remain under the public jurisdiction. The Bureau of Land Management shall be requested not to relinquish this property except to another public agency. A State of California

Marine Preserve is located along the western shore of the Point Cabrillo Light Station and Nature Preserve prohibiting any recreational or commercial fishing, diving and swimming in these areas.

- 4.6-11 ~~Offers of dedication for public access shall be obtained along the designated pedestrian day use trail on the land use plan map consistent with Policy 3.6-5. Existing offers of dedication located on the southern trail section on the White property shall be accepted. At a future date, the Point Cabrillo Light Station and Preserve may have an opportunity to be included within the Cross-California Ecological Trail Corridor, and shall work with trail coordinators and neighboring property owners in the development of appropriate trails on, and through, the Point Cabrillo Light Station and Nature Preserve.~~

Amend the Visitor Accommodations and Services list located at the end of Section 4.6 to include the Point Cabrillo Light Station and Nature Preserve as a conditional site as follows:

~~Two~~ Three sites have been designated for conditional uses. They are located at Russian Gulch State Park, ~~and at the Point Cabrillo Cottages and Campground and the Point Cabrillo Lighthouse property owned by the Department of Parks and Recreation.~~ In addition, several visitor services are located in the Rural Village of Caspar, but have not been designated on the land use map.

ORDINANCE NO. 4123

AN ORDINANCE CHANGING THE ZONING OF REAL  
PROPERTY WITHIN MENDOCINO COUNTY

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Pursuant to Division II of Title 20, Chapter 20.548 of the Mendocino County Code, the zoning of the following real property within Mendocino County is hereby changed as described below.

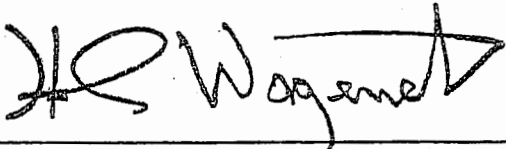
Said zoning change encompasses the property described by Assessor's Parcel Number 118-160-03 (30.5± acres) which is reclassified from Open Space (OS) to Open Space: Conditional Visitor Accommodations and Services \*1C, \*4C (OS: \*1C and \*4C) and Assessor's Parcel Numbers 118-140-29, 118-140-30, 118-140-41, 118-140-42, 118-140-43, 118-140-44 and 118-160-24, 118-160-25, 118-160-26, 118-160-27 and 118-160-28 (270± acres) which are reclassified from Rural Residential: 5 Acre Minimum: Planned Unit Development Combining District (RR-5: PD) to Open Space (OS), as shown on attached Exhibit A.

This ordinance shall not become effective or operative until the California Coastal Commission approves said zoning change without suggested modifications.

Passed and adopted by the Board of Supervisors of the County of Mendocino, State of California, on this 13<sup>th</sup> day of April, 2004, by the following vote:

AYES:	Supervisors Delbar, Shoemaker, Campbell, Colfax, and Wagenet
NOES:	None
ABSENT:	None

WHEREUPON, the Chairman declared said Ordinance passed and adopted and SO ORDERED.

  
Chairman of said Board of Supervisors

ATTEST: KRISTI FURMAN  
Clerk of said Board

By Kristi Furman

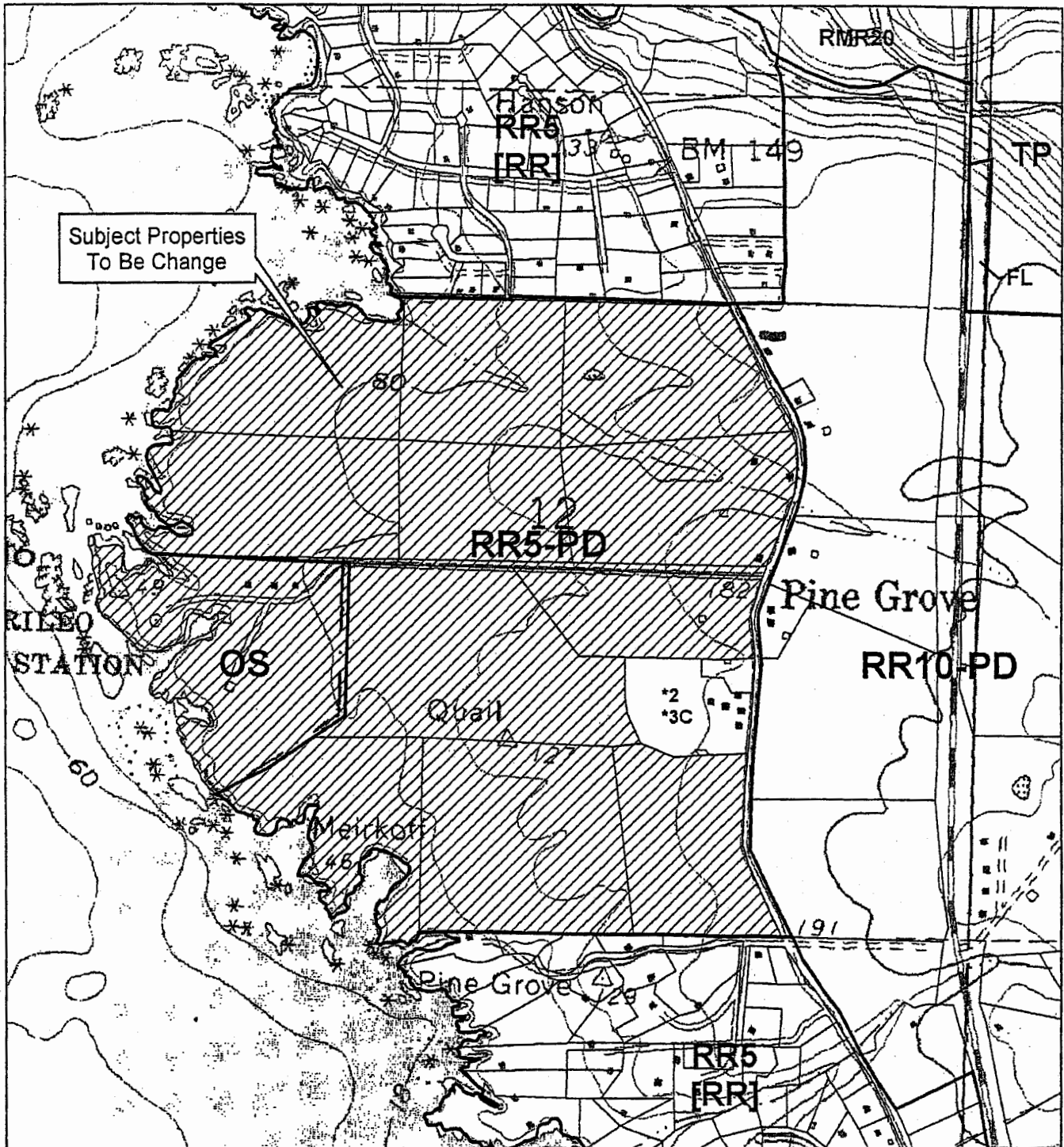
I hereby certify that according to the provisions of Government Code Sections 25103, delivery of this document has been made.

KRISTI FURMAN  
Clerk of the Board

By:   
DEPUTY

CASE: #R 5-2003  
OWNER: California Department of Parks and Recreation  
AGENT: Point Cabrillo Lightkeeper's Association

# EXHIBIT A

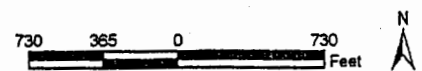


## COASTAL ZONING MAP CHANGE FROM OS to OS (\*1C,\*4C) AND RR:L-5-PD to OS

OWNER: DEPARTMENT OF PARKS AND RECREATION

CASE #: R 5-2003

APNs: 118-160-03, 24, 25, 26, 27, 28 and 118-140-29, 30, 41, 42, 43, 44



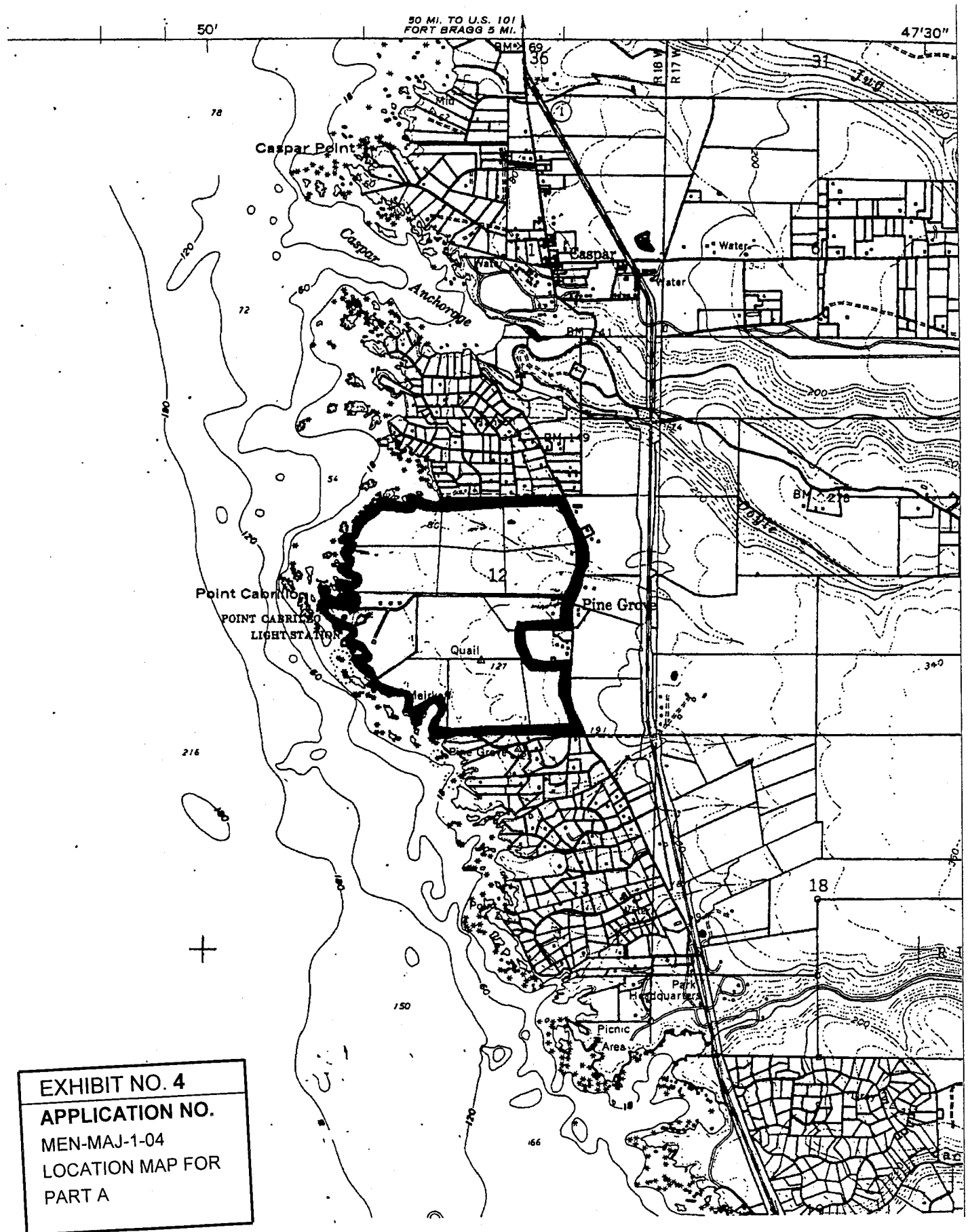
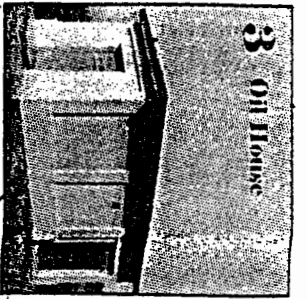


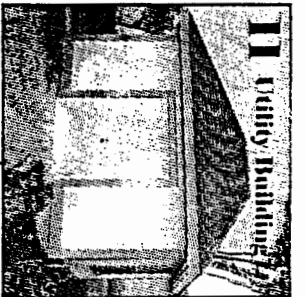
EXHIBIT NO. 4  
APPLICATION NO.  
MEN-MAJ-1-04  
LOCATION MAP FOR  
PART A



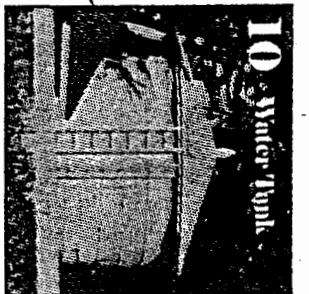
**3** Oil House



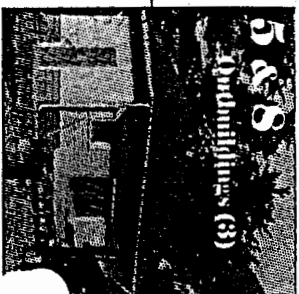
**2** Blacksmith Shop



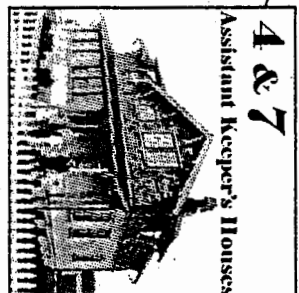
**11** Utility Building



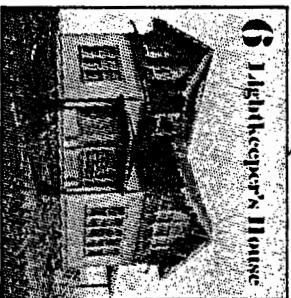
**10** Water Tank



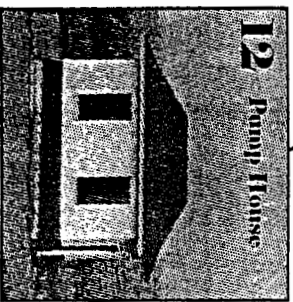
**5 & 8**  
Apartments (8)



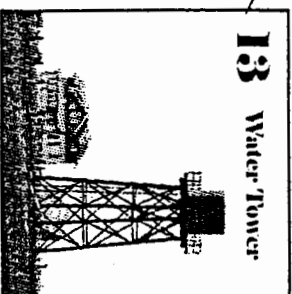
**4 & 7**  
Assistant Keeper's Houses



**6** Lightkeeper's House



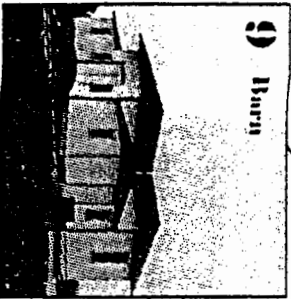
**12** Pump House



**13** Water Tower



**1** Lighthouse



**9** Barn

EXHIBIT NO. 5  
APPLICATION NO.  
MEN-MAJ-1-04 (PART A)  
POINT CABRILLO LIGHT  
STATION BUILDING  
LAYOUT

# Point Cabrillo Light Station

North

Historic Structures Existing and Proposed

A-61

#GP 12-01

Amend the Coastal Element Text as follows:

Page 172:

Visitor Accommodations and Services: Visitor accommodations and services are designated as a principal permitted use in the Jug Handle Creek to Russian Gulch Planning Area at the following locations:

Jug Handle Farm	existing hostel and campground
Caspar Beach Trailer Park	existing campground
Pt. Cabrillo Cottages and Campground	existing accommodations (motel-type)
Russian Gulch State Park	existing campground

~~Two~~ Three sites have been designated for conditional uses. They are located at Russian Gulch State Park, south of Jug Handle Farm and at the Pt. Cabrillo Cottages and Campground. In addition, several visitor services are located in the Rural Village of Caspar, but have not been designated on the land use map.

Amend the Coastal Element Text, Appendix A10-1 as follows:

Jug Handle Farm	*1,*3, RMR-20	<del>17-250-30</del> 17-250-32	12
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EXHIBIT B

EXHIBIT NO. 6
APPLICATION NO.
MEN-MAJ-1-04 (PART A)
LUP text change for commission
Certified w/ modifications
MEN-MAJ-1-02 (PART A)
(Tregoning/CA Inst. of Man/Nature)

**RESOLUTION NO. 04-049**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TENTATIVELY AMENDING THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (General Plan Amendment #GP 10-1998 and Rezone #R 10-1998; Owner: Mendocino Redwood Company, LLC)**

WHEREAS, the County of Mendocino has adopted a Local Coastal Program; and

WHEREAS, the Local Coastal Program has been certified by the California Coastal Commission; and

WHEREAS, an application has been submitted to the County requesting amendment of the County's Local Coastal Program; and

WHEREAS, the County Planning Commission has held a public hearing on the requested amendments and submitted its recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a public hearing on the requested amendments and has determined that the Local Coastal Program should be amended contingent upon approval by the California Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino tentatively approves General Plan Amendment #GP 10-1998 and Rezone #R 10-1998 amending the Local Coastal Program as shown on attached Exhibits A (Land Use Map), B (Zoning Map) and C (Site Detail Map).

BE IT FURTHER RESOLVED, that Planning and Building Services staff is directed to include the amendment proposed herein in the next submittal to the California Coastal Commission for certification; and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after the Board of Supervisors of the County of Mendocino accepts the proposal as approved by the California Coastal Commission and formally adopts the proposed amendment; and

**EXHIBIT NO. 7**

**APPLICATION NO.**

**MEN-MAJ-1-04**

County Resolution for Part B:  
Mendocino Redwood Col Beth

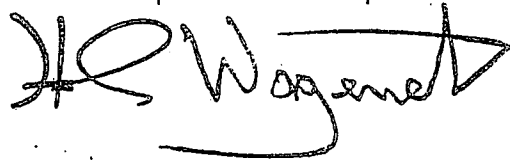
(Page 1 of 4) Bosk

BE IT FURTHER RESOLVED, that the Local Coastal Program, as proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

The foregoing Resolution was introduced by Supervisor Campbell, seconded by Supervisor Shoemaker, and carried this 13<sup>th</sup> day of April, 2004 by the following roll call vote:

AYES: Supervisors Delbar, Shoemaker, Campbell, Colfax, and Wagenet  
NOES: None  
ABSENT: None

WHEREUPON the Chairman declared said Resolution passed and adopted and SO ORDERED.



Chairman, Board of Supervisors

ATTEST: KRISTI FURMAN  
Clerk of the Board

By: Kristi Furman

I hereby certify that according to the provisions of Government Code Sections 25103, delivery of this document has been made.

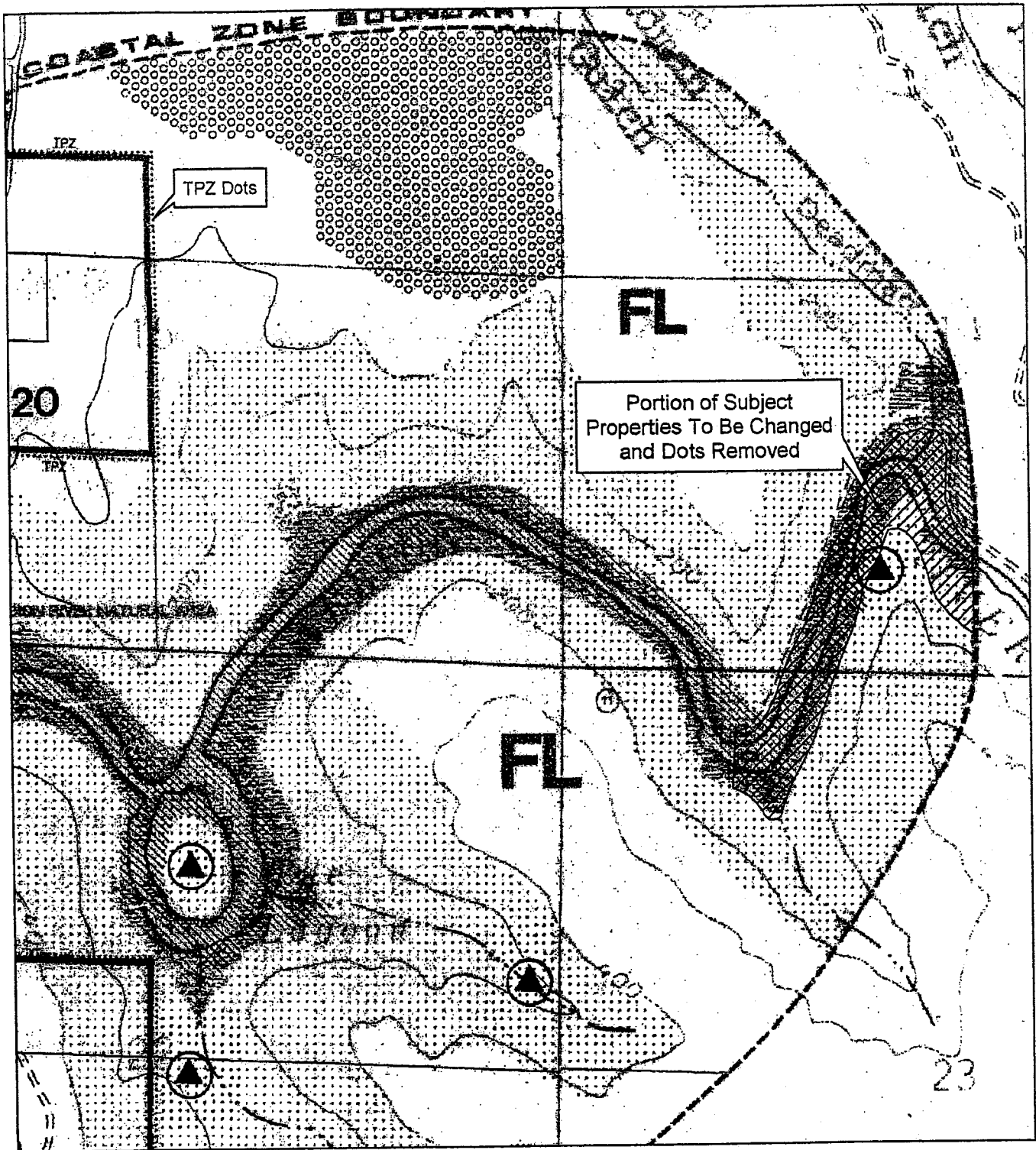
KRISTI FURMAN  
Clerk of the Board

By: [Signature]

DEPUTY

CASE: #GP 10-1998 and #R 10-1998  
OWNER/APPLICANT: Mendocino Redwood Company, LLC  
CO-APPLICANTS: Beth Bosk and Zia Cattalini

EXHIBIT A



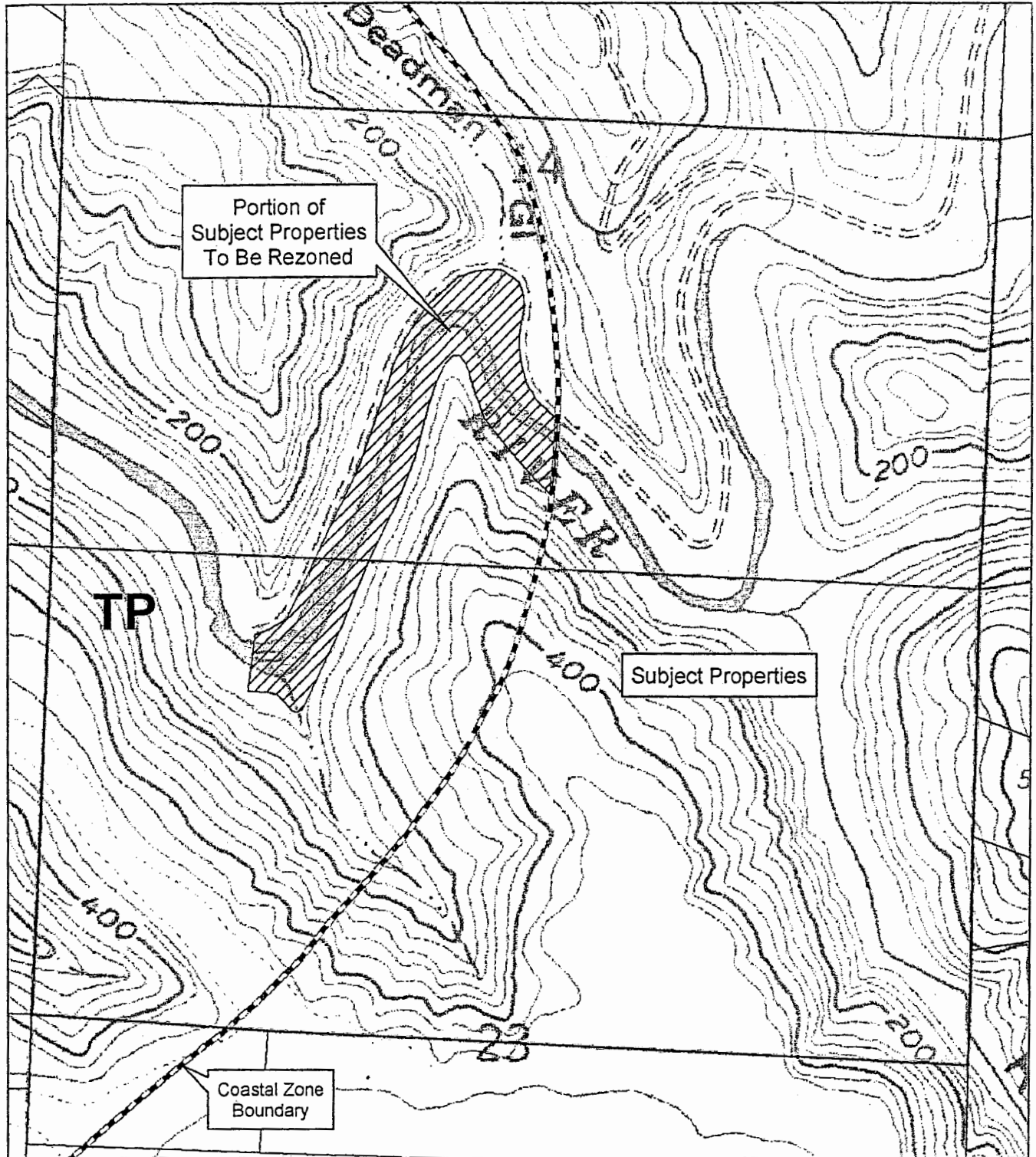
**COASTAL PLAN LAND USE MAP No. 18**  
**CHANGE FROM FL to OS and Remove TPZ 'Dots'**

OWNER: MENDOCINO REDWOOD COMPANY  
APPLICANT: MENDOCINO REDWOOD COMPANY & BOSK  
CASE #: GP 10-1998  
APNs: Portion of 123-110-07 & 121-080-15

Not To Scale



EXHIBIT B



OWNER: MENDOCINO REDWOOD COMPANY  
APPLICANT: MENDOCINO REDWOOD COMPANY & BOSK  
CASE #: R 10-1998  
APNs: Portion of 123-110-07 & 121-080-15

COASTAL ZONING MAP  
CHANGE FROM TP:FP to OS:FP

550 275 0 550  
Feet



RESOLUTION NO. 04-050

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, TENTATIVELY AMENDING THE LOCAL COASTAL PROGRAM FOR MENDOCINO COUNTY (General Plan Amendment #GP 14-1998 and Rezone #R 13-1998; Owner: Mendocino Redwood Company, LLC)

WHEREAS, the County of Mendocino has adopted a Local Coastal Program; and

WHEREAS, the Local Coastal Program has been certified by the California Coastal Commission; and

WHEREAS, an application has been submitted to the County requesting amendment of the County's Local Coastal Program; and

WHEREAS, the County Planning Commission has held a public hearing on the requested amendments and submitted its recommendation to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a public hearing on the requested amendment and has determined that the Local Coastal Program should be amended contingent upon approval by the California Coastal Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino tentatively approves General Plan Amendment #GP 14-1998 and Rezone #R 13-1998 amending the Local Coastal Program as shown on attached Exhibits A (Land Use Map), B (Zoning Map) and C (Site Detail Map).

BE IT FURTHER RESOLVED, that Planning and Building Services staff is directed to include the amendment proposed herein in the next submittal to the California Coastal Commission for certification; and

BE IT FURTHER RESOLVED, that the amendment shall not become effective until after the Board of Supervisors of the County of Mendocino accepts the proposal as approved by the California Coastal Commission and formally adopts the proposed amendment; and

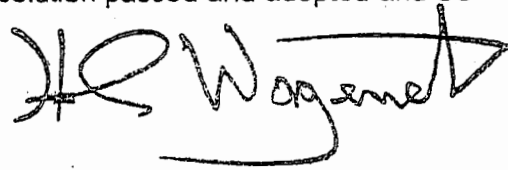
<b>EXHIBIT NO. 8</b>
<b>APPLICATION NO.</b>
MEN-MAJ-1-04
County Resolution for Part C
(Mendocino Redwood Co.
(Page 1 of 4)      Cattaline)

BE IT FURTHER RESOLVED, that the Local Coastal Program, as proposed to be amended, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.

The foregoing Resolution was introduced by Supervisor Campbell, seconded by Supervisor Shoemaker, and carried this 13<sup>th</sup> day of April, 2004 by the following roll call vote:

AYES: Supervisors Delbar, Shoemaker, Campbell, Colfax, and Wagenet.  
NOES: None  
ABSENT: None

WHEREUPON the Chairman declared said Resolution passed and adopted and SO ORDERED



Chairman, Board of Supervisors

ATTEST: KRISTI FURMAN  
Clerk of the Board

By: Kristi Furman

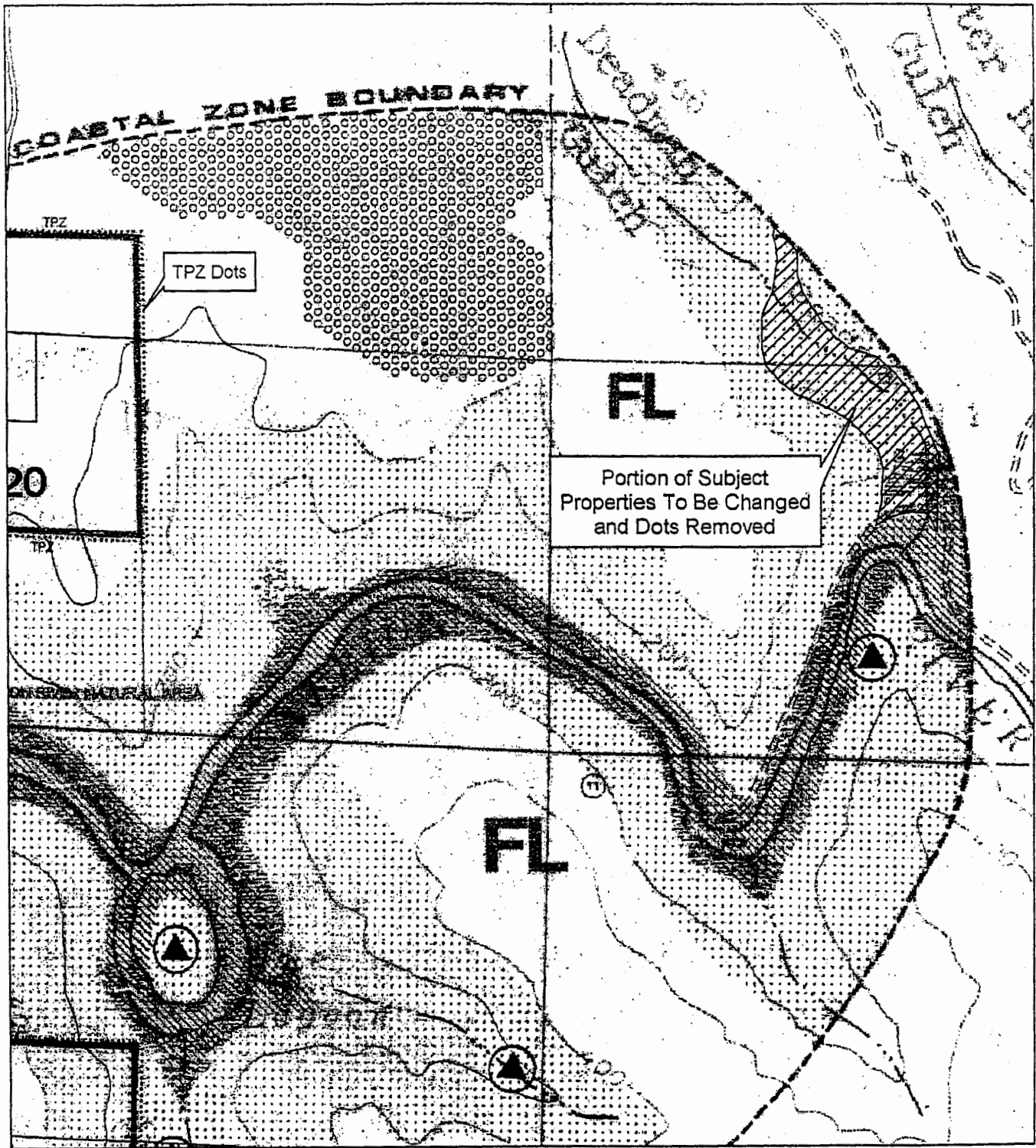
I hereby certify that according to the provisions of Government Code Sections 25103, delivery of this document has been made.

KRISTI FURMAN  
Clerk of the Board

By: Michelle Kaur  
DEPUTY

CASE: #GP 14-1998 and #R 13-1998  
OWNER/APPLICANT: Mendocino Redwood Company, LLC  
CO-APPLICANTS: Beth Bosk and Zia Cattalini

EXHIBIT A



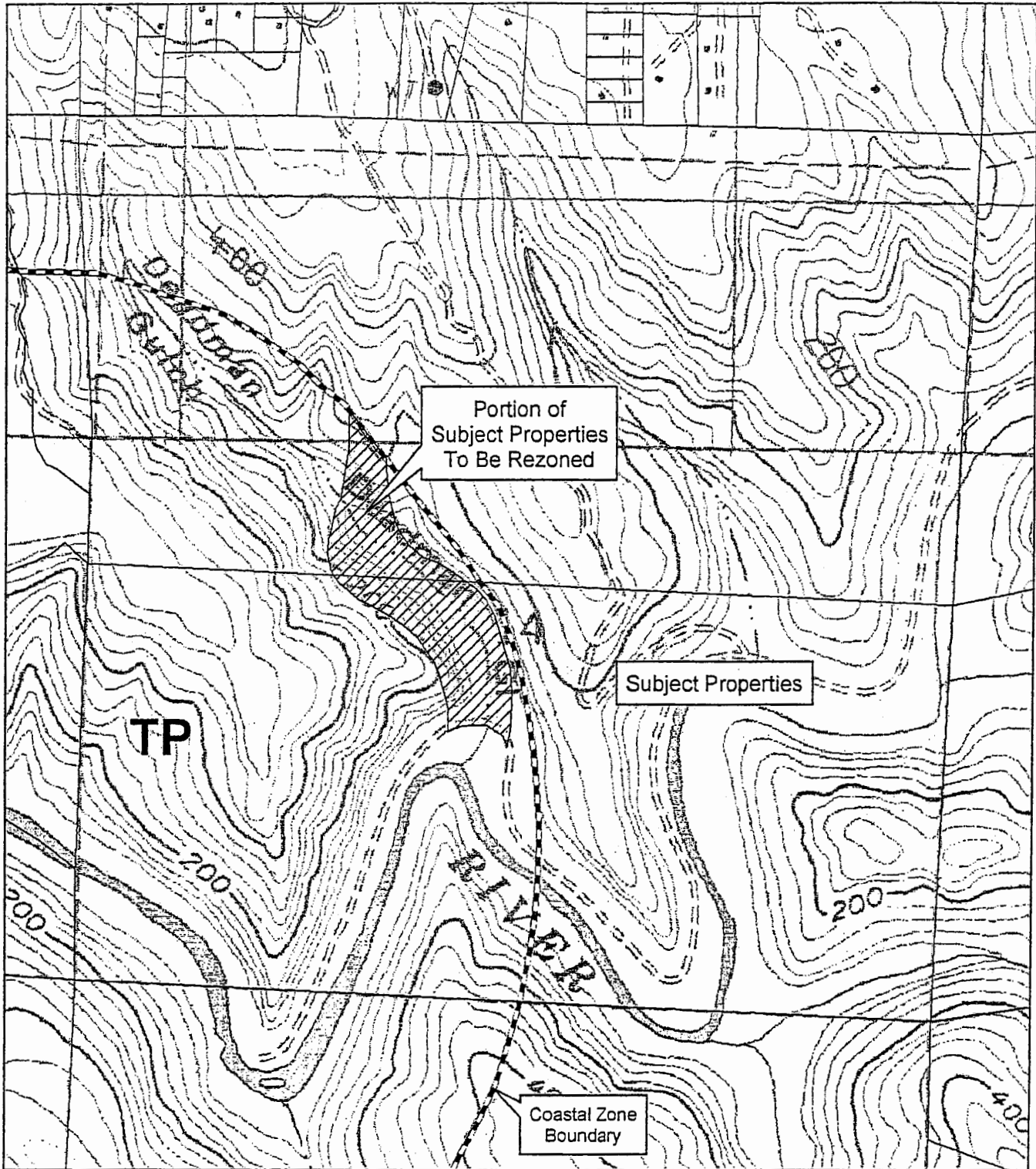
**COASTAL PLAN LAND USE MAP No. 18**  
**CHANGE FROM FL to OS and Remove TPZ 'Dots'**

OWNER: MENDOCINO REDWOOD COMPANY  
 APPLICANT: MENDOCINO REDWOOD COMPANY & CATTALINI  
 CASE #: GP 14-1998  
 APNs: Portion of 123-080-14 & 121-080-15

Not To Scale



EXHIBIT B



**COASTAL ZONING MAP  
CHANGE FROM TP:FP to OS:FP**

OWNER: MENDOCINO REDWOOD COMPANY  
APPLICANT: MENDOCINO REDWOOD COMPANY & CATTALINI  
CASE #: R 13-1998  
APNs: Portion of 123-080-14 & 121-080-15

630 315 0 630  
Feet



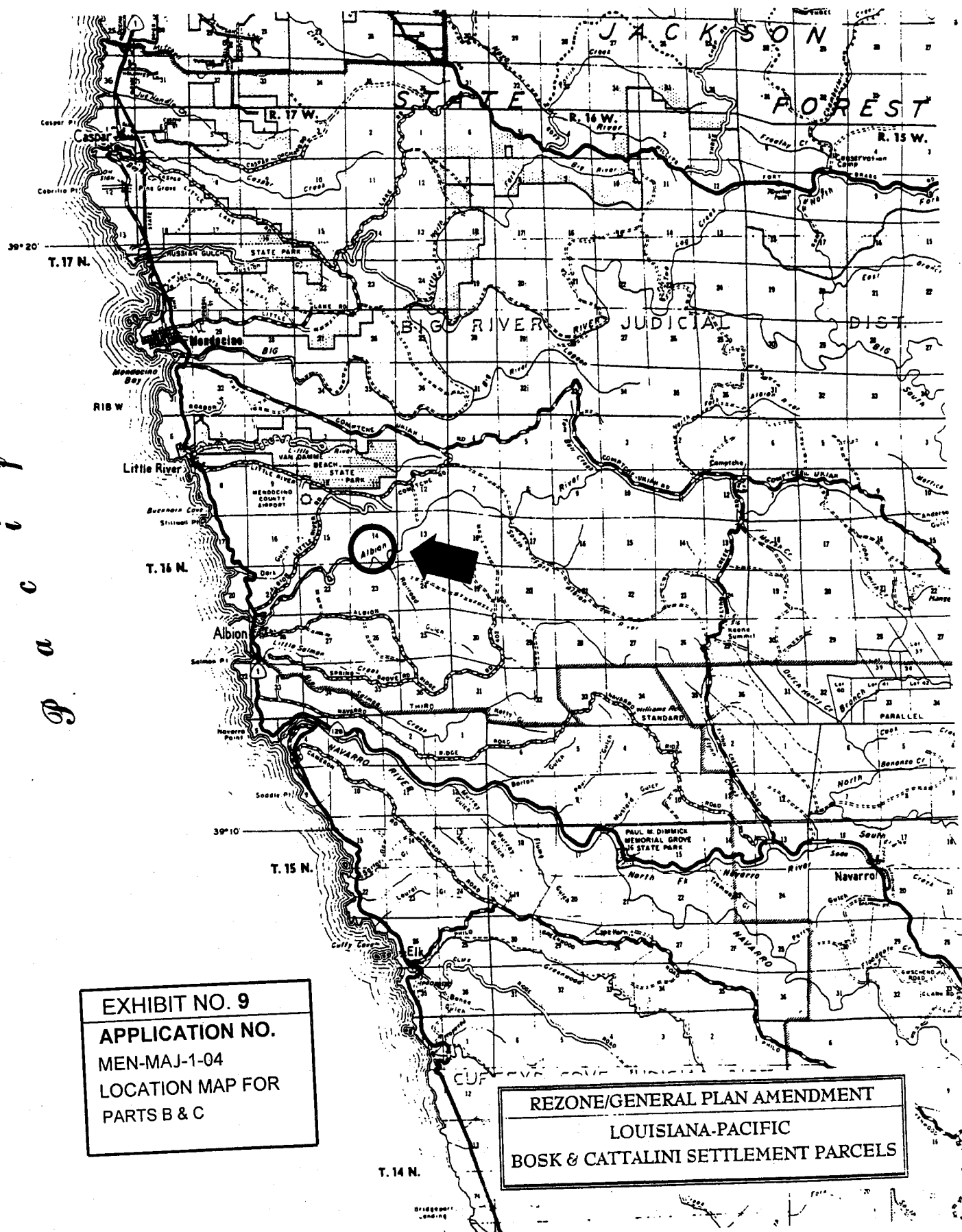
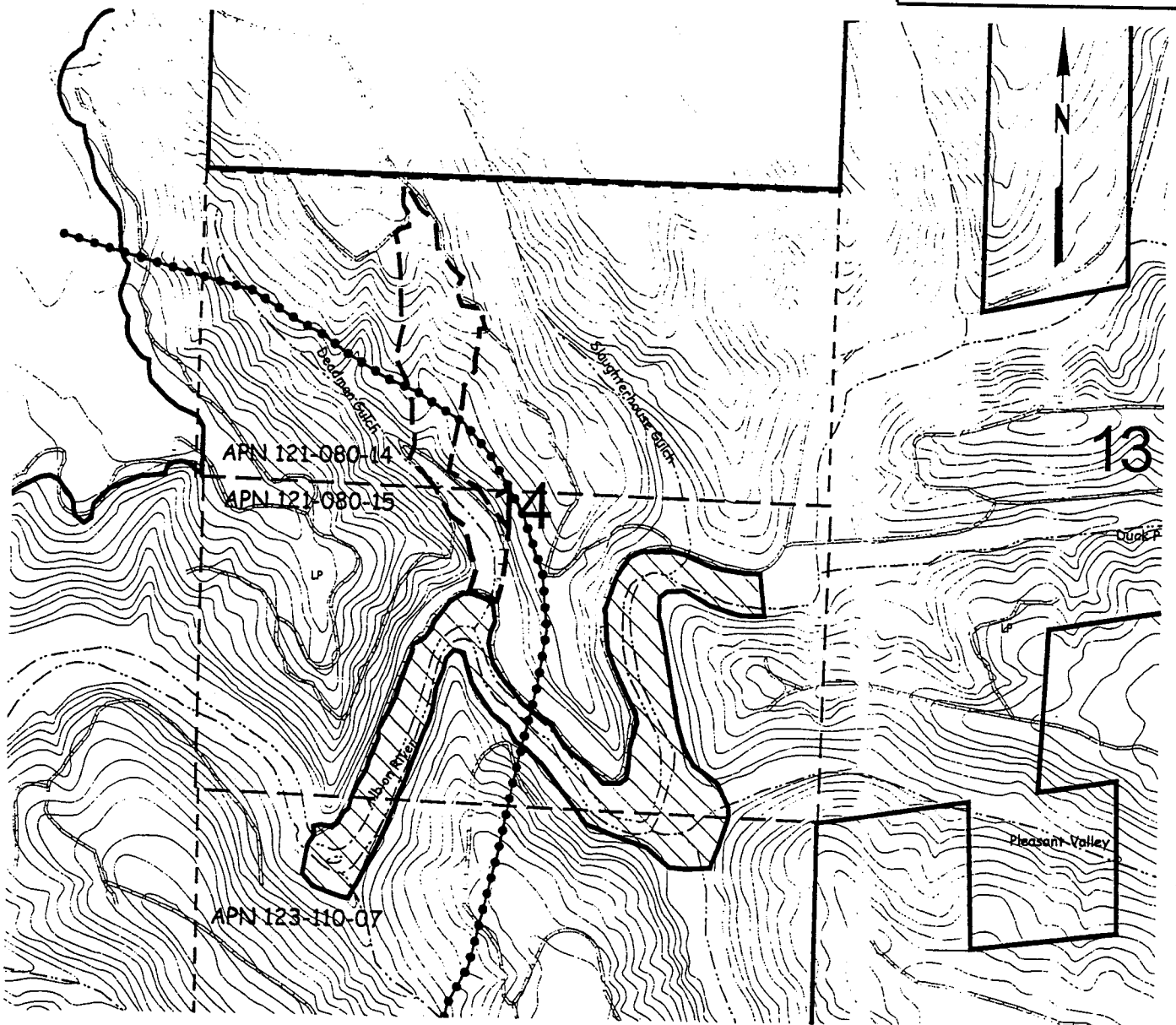


EXHIBIT NO. 9  
APPLICATION NO.  
MEN-MAJ-1-04  
LOCATION MAP FOR  
PARTS B & C

REZONE/GENERAL PLAN AMENDMENT  
LOUISIANA-PACIFIC  
BOSK & CATTALINI SETTLEMENT PARCELS

EXHIBIT NO. 10  
 APPLICATION NO.  
 MEN-MAJ-1-04  
 Bosk & Cattalini  
 "Settlement Parcels"  
 (Parts B & C)

Cattalini/Bosk Settlement Parcels



Sec. 14 & 23, T16N R17W MDBM

Scale 1:15840

NOTE: BOUNDARY LINES ARE ILLUSTRATIVE AND DESIGNATE CONCEPT ONLY. SPECIFIC BOUNDARY LINES TO BE SET BY SURVEY. SAID SURVEY SHALL MAP THAT DESCRIPTION AGREED TO BY "SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS" AS APPROVED BY THE SUPERIOR COURT, MENDOCINO COUNTY.

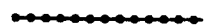
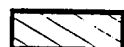
Legend

Existing Road

Cattalini Settlement Parcel

Bosk Settlement Parcel

Coastal Zone Boundary



STATE OF CALIFORNIA  
DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
RM-56 (7/02)

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

California Department of Forestry and Fire Protection  
Environmental Protection - Conversions  
P.O. Box 944246  
Sacramento, California 94244-2460

EXHIBIT NO. 11

APPLICATION NO.

MEN-MAJ-1-04

PARTS B & C

TIMBERLAND

CONVERSION PERMIT

For Recorder's Use

### TIMBERLAND CONVERSION PERMIT NO. 539

Forest District: Northern

Administrative Unit: Mendocino

Issued to: Mendocino Redwood Company LLC  
P.O. Box 390  
Calpella, CA 95418

This permit exempts the permittee from the stocking requirements of the Forest Practice Act and the related Board of Forestry regulations (including the forest practice rules of the above named Forest District). All other requirements of the Forest Practice Act, and related rules and regulations shall apply. The exemption shall apply to the area described as follows, consisting of 87 acres of timberland:

Portion of	Subdivisions	Sec.	Twp.	Rng.	B&M
		14	T16N	R17W	MDBM
	N 1/2	23	T16N	R17W	MDBM

Assessor Parcel Number: 123-110-07, 121-080-15, and 121-080-14

This permit is issued in accordance with Public Resources Code, Sections 4621-4628, and the Board of Forestry Regulations. The practices set forth in the applicant's Conversion Plan.

This permit may be voluntarily terminated by the holder(s) by completing and signing the reverse side and sending it to the Director at Sacramento, California.

The Director may suspend or revoke this permit for misrepresentation of the facts in the application or conversion plan, for failure to conform with the provisions of the conversion plan.

The privilege granted to the holder of this permit is subject to the additional conditions shown, and is nontransferable for any purpose without written approval of the Director.

#### Additional Conditions:

- 1) The permittee shall comply with all applicable County, State and Federal codes, ordinances or other regulations and shall obtain all necessary approvals.
- 2) The permittee shall obtain the approval of the Coastal Commission for the 30 acres with the Coastal Zone prior to turning over the property to a Land Trust.
- 3) Should the Land Trust decide to harvest any timber for commercial purposes, they must obtain an approved Timber Harvest Plan from CDF prior to the commencement of operations.

This permit shall be valid from the date recorded with the Mendocino County Recorder.

*William E. Snyder*  
Director, California Department of Forestry  
and Fire Protection

*3/15/05*  
Date

State of California  
County of Sacramento

On *3-15-05* before me, *Linda Cano* personally appeared *William E. Snyder* personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal:  
Q17

*Linda P. Cano*

