

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
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**F5**

**CITY OF FORT BRAGG PLANNING BRIEFING**

**JULY 15, 2022**

**CORRESPONDENCE**

**From:** [Miranda Edison](#)  
**To:** [NorthCoast@Coastal](#)  
**Subject:** ?  
**Date:** Friday, July 1, 2022 2:41:39 PM

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Well my questions and comments are:

Will it all be cleaned up?

Now that the Skunk Train is not a utility, do we have another vote as to who owns the property?

Myself I would love to see any combination of Mendocino Land Trust, Noyo center for Marine Science, Pomo Indians, Nature Conservancy, Semmper Virens, etc. as I know they would do a great job of protecting our loved by all headlands.

This could be a great, grand moment where the area is used to create solar for the entire town of Fort Bragg, or as use for WIND POWER. We could be as forward thinking as Europe, if we would only take the leap.

Miranda, citizen of Elk, Ca.

**From:** [Hannah-Leigh Bull](#)  
**To:** [Brownsey, Donne@Coastal](#); [Hart, Cary@Coastal](#); [Tumbull-Sanders, Effie@Coastal](#); [Aminzadeh, Sara@Coastal](#); [Escalante, Linda@Coastal](#); [Wilson, Mike@Coastal](#); [Rice, Kate@Coastal](#); [Padilla, Stephen@Coastal](#); [Harmon, Megan@Coastal](#); [Groom, Carolee@Coastal](#)  
**Cc:** [ExecutiveStaff@Coastal](#); [NorthCoast@Coastal](#); [GRI Admin](#)  
**Subject:** Toxic contamination of Noyo Headlands and risk to health and life  
**Date:** Monday, July 4, 2022 7:45:55 PM

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California Coastal Commissioners  
CCC Executive Administrative Office  
Northern Coast District Office

Re: Health of humans, ocean, coastal animal and plant species in the Noyo Headlands and surrounding areas

Dear California Coastal Commissioners and Executive Staff:

In my role as a health care provider residing and working in Fort Bragg, California, I am concerned about the precarious toxic condition of the Noyo Headlands in this city

The California Coastal Commission has a principal authoritative responsibility to protect the Northern Coast line and its marine ecosystems. As common citizens without government authority per se, we all are responsible for protecting the environment in which we live.

I suspect you receive many emails from concerned citizens in our area and will limit this email to my main concern: Health of humans, ocean, coastal animal and plant species, soil, water, and air.

Past industrial use of the Fort Bragg area by Georgia Pacific has created toxic contamination in its now closed mill site; an eroding dam composed of junk trash and debris now contains the logging mill ponds; the Department of Dam Safety has long warned about the condition of this dam/berm. Additionally, when the mill site was operational, the generator smoke, fly ash, and other pollutants contaminated the City of Fort Bragg, ushering in a history of suspected cancer and other health consequences.

This toxic contamination, per a 2009 soil sample analysis, includes concentrations of arsenic in excess of the California Human Health Screening Levels used to screen soils for residential or industrial land uses. In addition, polychlorinated biphenyls (PCBs), dioxins, and other contaminants have been discovered.

These toxins can result in liver damage, endocrine disruption, and immune disorders. Endocrine and immune disorders are physically disruptive to lives, and also substantially impact mental health, as seen in the generalized anxiety, fear, depression, and traumatic response of individuals presenting with toxic exposure symptoms, immune disorders, and subsequent chemical sensitivities. With these physical and mental burdens come repercussions on families, work, and society. The prevalent fight, flee, and freeze (trace) behavior we see in society today may be influenced by the degree to which we allow our environment to degrade.

In addition to the damage to humans that this contamination brings, I am concerned about the surrounding vegetation and wildlife, soil, air, and water. Children playing in the soil/sand and putting their hands in their mouths are especially vulnerable due to their size and development. Many species by virtue of drinking water, digging in soil, and breathing could be victims of this contamination.

The primary threats of this contamination come from exposure in these circumstances: 1) potential development and use of the old mill site and the surrounding acreage that Mendocino Railway has purchased; 2) a toxic catastrophe at a time when an exceptionally high tide is concurrent with extreme storms, breaking the berm that is keeping the toxic waste from emptying into the sea; 3) climate change and the resulting sea level rise weakening and breaking the berm; 4) activity in proximity to the ponds or beach area. If this toxic waste is released into the ocean and further into the ground, it is easy to imagine the widespread disruption and destruction of marine and human ecosystems as we know them today.

The Fort Bragg community is eager to daylight the creeks buried under concrete and asbestos transit pipes on the mill site, create a natural estuary that could enhance carbon sequestration, and contribute to the development and remedial plans, as possible. Our community has begun to envision a comprehensive plan for the Noyo Headlands to meet community needs and protect the environment and is hopeful that the authority and influence of the California Coastal Commission will accelerate efforts to restore the Noyo Headlands to its original health and vibrancy.

I urge the California Coastal Commission to take every step possible to ensure the immediate clean up of the mill ponds on the old site, now owned by Mendocino Railway, and to hold the property owner accountable for the damage caused to our environment. Further research is also needed to understand how Mendocino Railway was able to buy roughly 200 additional acres surrounding the mill, now owning roughly 360 acres, at such a low price and to learn its plans for this precious land, which may not be in keeping with the values of the community or even possible, given our water and sanitation challenges.

Thank you for your assistance in this matter, your dedication to your work, and your continued vigilance in protecting our lives and the coastal environment.

Sincerely,

Hannah-Leigh Bull, LMFT

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Hannah-Leigh Bull, LMFT  
[llamadeara@gmail.com](mailto:llamadeara@gmail.com)  
505-901-1476

\*\*\*\*\*  
This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender by email, and delete and destroy this message and its attachments.  
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**From:** [ExecutiveStaff@Coastal](mailto:ExecutiveStaff@Coastal)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** FW: Noyo Headlands  
**Date:** Wednesday, July 6, 2022 11:55:21 AM

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fyi

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**From:** Patricia Scott <patscott@mcn.org>  
**Sent:** Tuesday, July 5, 2022 10:47 AM  
**To:** Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov>; Hart, Caryl@Coastal <caryl.hart@coastal.ca.gov>; Turnbull-Sanders, Effie@Coastal <effie.turnbull-sanders@coastal.ca.gov>; Aminzadeh, Sara@Coastal <sara.aminzadeh@coastal.ca.gov>; Escalante, Linda@Coastal <linda.escalante@coastal.ca.gov>; Wilson, Mike@Coastal <mike.wilson@coastal.ca.gov>; Rice, Katie@Coastal <katie.rice@coastal.ca.gov>; Padilla, Stephen@Coastal <Stephen.Padilla@coastal.ca.gov>; Harmon, Meagan@Coastal <meagan.harmon@coastal.ca.gov>; Uranga, Roberto@Coastal <roberto.uranga@coastal.ca.gov>; Groom, Carole@Coastal <carole.groom@coastal.ca.gov>; ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>  
**Cc:** Patricia Scott <patscott@mcn.org>  
**Subject:** Noyo Headlands

Dear California Coastal Commission Members and Executive Staff,

Born in Southern California a long time ago, I remember well the pre-World War II beauty of our beaches, coastal mountains and small working harbors along the Southern California coast. Sadly much has been lost there with postwar development and subsequent environmental degradation. Fortunately the California Coastal Commission was formed soon enough to rescue and save much of the remaining beauty of the Central and Northern California coast, which we actively supported early on and are forever grateful.

The Noyo Headlands are one of the most beautiful natural areas remaining in California. Over the 50 years I have lived in Mendocino County, I have marveled at the care and protection of our environment, thus avoiding the many destructive changes that have occurred in the rest of California. But now, we must be especially vigilant and concerned about the potential loss of the Headlands to uncontrolled development and excessive commercial expansion by the California Western Railroad Company.

In your upcoming meeting, we ask the Coastal Commission to review the situation carefully, thoughtfully and thoroughly, and set priorities, noting the dire need for toxic cleanup, and restoration of the soil, creeks, plant and wildlife. Additionally, please take note of the existence of prior community planning recommendations which included ideas for local housing, small businesses, participation of the Pomo communities, the development of parks trails and an environmental education center. Please honor and recognize the accomplishments of the public, private and governmental sectors which have been working together for over 20 years to develop plans which reflect the needs and desires of the local communities.

Thank you for your past works, and for the continued protection of our coastal environment.

Yours sincerely, Pat Scott, Little River

July 6, 2022

California Coastal Commission  
455 Market Street Suite 300  
San Francisco, CA 94105

**Re: F5 - Fort Bragg Planning Briefing – Noyo Headlands**

Dear Chair Brownsey and Commissioners:

Thank you for working with your staff on this important briefing and field trip in one of the most beautiful areas of our entire state that needs and deserves to be protected and preserved, and restored where necessary to its original splendor.

You will be hearing an enforcement item on Thursday that's all about correcting impacts to our natural and cultural resources in Smith River, another incredibly beautiful area along our precious coast. Noyo Headlands is no different. We need your staff's careful analysis and your strong guidance to make sure this area is remediated properly and restored. While past and present ownership may feel they have the right to do as they please, we are counting on the Coastal Commission to help them follow the letter of the law and uphold the Coastal Act which will afford this area the type of environmental protection that is warranted.

The cleanup of this entire area is a huge and expensive undertaking and one that needs to be taken as seriously as our battles to clean up Banning Ranch in Newport Beach. Banning Ranch was an issue that many Commissioners and staff were involved with for years. That was a very tough battle, but in the end, the Coastal Commission was able to save the land and it is now on its way to remediation and recovery. This site in beautiful Fort Bragg is no different when it comes to the level of protection it deserves after many decades of environmental impacts.

The Fort Bragg City Council and local stakeholders have done their best to hold the line, but the push back from the developers remains strong. This community needs the strength and vision of the Coastal Commission. The kind of strength you showed during the recent Poseidon Desalination decision – a decision we will always be grateful for.

We know we can count on you. Thank you for your dedication to protecting and preserving our finite coastal resources.

Sincerely,



Penny Elia  
Laguna Beach, CA

California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, California 94105

July 8, 2022

**RE: Reuse of former Georgia-Pacific Mill Site in Fort Bragg**

Commissioners:

Since I will not be able to address you in person on Friday, July 15, I am sending this brief letter to express my thoughts and concerns concerning the reuse of the former Georgia-Pacific Mill Site. More than twenty years have passed since the mill ceased operations. During that time many of us in the local community have participated in numerous meetings and exercises to help shape a vision for the property. The most common models included a mix of housing, commercial areas, open space, bike paths and walkways, minimal but well-planned streets, and an effective restoration of the headland environment, including the daylighting of the two creeks that were diverted underground as the mill was developed. I am sure that the City of Fort Bragg has retained copies of those models for future guidance.

What those participatory planning sessions did NOT support was the fencing and exclusion of a large expanse of land in the center of the property due to the presence of residual carcinogenic wastes. The community did NOT support the retention of the rock berm that would restrict free access to the beach at Soldiers' Bay in a futile effort to prevent the release of those contaminated soils. This berm is but a "poor man's Maginot Line" that will prove as ineffective in holding back the rising sea level as the original did in holding back the Panzers.

The community's vision was of a more sustainable Fort Bragg. One with a blend of housing and businesses that would exist in harmony with a restored land. A restored land that would be able to absorb the coming impacts of rising sea levels and increased storm surges. Not a land encumbered by land use restrictions due to residual hazardous wastes that were needlessly left behind.

I understand and appreciate that the Coastal Commission does not have the responsibility for setting cleanup standards. In this case the Department of Toxic Substances Control will set the cleanup standards to match the intended use of that land as specified by the current owner. Unfortunately, future uses of that parcel will be limited to that standard. For this reason, it is critical that there be a thoughtful Specific Plan for the former Mill Site, one that anticipates future needs and impacts. The Commission has the ability to protect and enhance our coast through "careful planning and regulation of environmentally-sustainable development, rigorous use of science, strong public participation, education, and effective intergovernmental coordination." We are asking now for your support.

Fort Bragg was incorporated in 1889, 133 years ago. Barring some catastrophic event, we should expect that this town will continue for at least another 133 years. The decisions that we make today will impact this community in 2155. Like the apocryphal old man that plants a tree whose shade he will not live to enjoy, we are planting a landscape for the benefit of future generations. Let's do it wisely.

David Jensen, Fort Bragg

# Fort Bragg Headlands Consortium

Friday, 8 July, 2022

Dear California Coastal Commissioners,

- 1) Operational Unit-E (OU-E) is the area of the Fort Bragg Headlands where the town meets the sea, but it is mostly sequestered behind fences because of toxic contamination. It includes Pond 8 (the big pond that is dammed) and Pond 7, which is not dammed. Pond 7 was partially remediated but still has a high level of toxins that cannot be removed because it lies at the base of the Pond 8 earthen dam.
- 2) The Fort Bragg Headlands Consortium has been advocating for a Vision of Restoration for years. This vision includes the full remediation of OU-E and restoration of the degraded habitats. This means removal of the rocky beach berm, the Pond 8 dam and berm, and the removal of toxins from small ponds below Pond 8 to the north and ponds 1-4 to the south of Pond 8. This will allow for a bigger beach, approachable from any angle, with no exposure to hazardous toxins by people or the flora and fauna, both onshore and in the ocean. It will also result in a daylighted creek flowing to the ocean. Eventually, this daylighting would extend across the width of the property, and might encompass two creeks. To accomplish this vision will require the further remediation of Pond 8, which means moving a large amount of hazardous sediment and sludge. We discuss this further below.
- 3) We are very confident that this restoration vision will prove to be best for our community, local economy, ecosystem, and the long-term profits of the Headlands landowner and its eventual business tenants. It will also be the best for California's Coast.
- 4) This vision did not receive fair treatment when Georgia Pacific (GP) was the landowner. This may have been because GP was not interested in the long-term health of the habitats or the community, nor in the intrinsic ecological services provided by the property. Of the various alternatives proposed in the draft feasibility study, the only option that would have allowed for this vision was that one that required excavating all the toxic sediments and "trucking it all to the Kettleman City toxic waste dump." As a result, one of the various "keep it in place" options became the preferred alternative in the feasibility study.

Environmentally sound, scientifically-based strategies for restoration and reuse of the Noyo Headlands  
improving the economy and quality of life for our coastal community.

[www.fortbraggheadlandsconsortium.org](http://www.fortbraggheadlandsconsortium.org)



- 5) There is another alternative that was never studied but should be explored, as it might prove to be the best option! We are calling this missing alternative “Remediation for Restoration.” This alternative would move the remaining toxins from OU-E to a properly designed on-site container at higher ground away from the ocean. That would place the toxins hundreds, if not thousands, of years further away from projected sea level rise. However, it will take thorough study to explore the current best practices that apply to the Headlands environment. If this vision is realized, there could be linked forest, riparian, estuarine and beach habitats, fully open and accessible to the public (both local and tourist). Best of all, we would have our downtown beach back!
- 6) There is funding available to study the “Remediation for Restoration” alternative, and possibly even for the implementation of this preferred solution. We just need governmental agencies and/or the landowner to make it happen. The ideal situation would be for everyone to embrace the wisdom of this course of action and commission the study. We are heartened by the California Coastal Commission’s core statement that it is “committed to protecting and enhancing California’s coast and ocean for present and future generations...through careful planning and regulation of environmentally-sustainable development, rigorous use of science, strong public participation, education, and effective intergovernmental coordination.” It is in the spirit of this mission statement that we ask the Coastal Commission to use the power vested in it by the State of California to make sure the “Remediation for Restoration” alternative is thoroughly and fairly studied.

Sincerely, the members of the Fort Bragg Headlands Consortium:

John Gallo, Ph.D.  
David Jensen  
Leslie Kashiwada, Ph. D.  
George Reinhardt  
James Schoonover  
Susan Kelley

Cc: Fort Bragg City Council

Sarah McCormick, Fort Bragg Acting City Manager  
Tom Lanphar, Department of Toxic Substance Control (DTSC)  
Asha Setty, DTSC



## MENDOCINO RAILWAY

100 West Laurel Street  
Fort Bragg, CA 95618

July 8, 2022

Friday, Item Nos. 5 & 6

Submitted to [executivestaff@coastalcommission.ca.gov](mailto:executivestaff@coastalcommission.ca.gov)

Re: Your July 15, 2022 visit to Fort Bragg, California

Dear Honorable Commissioners:

I write on behalf of Mendocino Railway regarding item numbers 5 and 6 on your July 15, 2022 agenda relating to the status of the City of Fort Bragg's community-based comprehensive planning process for reuse of the former Georgia Pacific mill site.

Between 2019 and 2021, Mendocino Railway, a California public utility and federally regulated railroad, purchased approximately 300 acres of Georgia Pacific's former mill site in Fort Bragg, California. This constitutes approximately 70% of the former mill site, with the remaining 30% being owned by the City of Fort Bragg (the "City").

While we appreciate the California Coastal Commission (the "Commission") visiting the mill site on July 15, 2022 to discuss the "current status of the City of Fort Bragg's community-based comprehensive planning process for reuse of former Georgia Pacific mill site", we were surprised that we were not invited to participate in the discussion given our key role in owning most of the land and remediating the property. Once we learned of your planned visit, we contacted Commission staff and offered to show you our property and walk you through our remediation and development plans. Staff declined, informing us that we would only be allowed to make a two-minute presentation to you during the public comments portion of your visit and meeting. At a minimum, we hope staff have provided you with a copy of our remediation application that we submitted to them (as well as to the City).

While the application addresses our remediation and dam maintenance plans required by government agencies, we remain concerned about a disinformation campaign as to our remediation and development plans that has been sparked by certain members of the City's Council. These members of the City Council have made numerous false statements concerning our railroad and our remediation and development plans, including assertions that we believe we are exempt from environmental or other regulation, that we believe we can ignore the law, and that we do not believe the Commission has any

say over our property. None of these statements is true, which the City and its Council know but choose to ignore.

We are a highly-regulated public utility railroad that does its best to fully comply with all applicable laws, including environmental laws and including the Commission's rights to oversight of certain coastal development. We have done our best since 2004 to engage in an open dialogue with both the City, the community, and the Commission concerning the remediation and development of the mill site. While we initially had a good dialogue with the City, that dialogue seems to have ended when the City fired its Community Development Director and terminated its own planning process for the former mill site.

In anticipation of your visit, when you likely are to hear mischaracterizations and misstatements about the railroad and its plans, we'd like to bring to your attention the following salient points

**Community-based comprehensive planning process:** We participated in the City's planning process to reuse the mill site, having attended over 30 community meetings over the past two decades. We worked with the City to develop plans for the northern mill site that matched the City's stated development objectives, plans we submitted to the City within two months of our acquisition in 2019. We continued to work with the City up until, without warning, on 1/11/21 they abandoned its process and told us we would need to create a master plan for the property. By the City's own admission, this move was largely due to delays caused by the City's firing of its Community Development Director and its desire to avoid costs. That position has remained vacant for almost three years, while the City Manager position is a revolving door of new faces. While our team has worked on this project for two decades and the City tasked us with master planning the property, we find it odd the City will tell you about their "comprehensive planning process" while we are relegated to a 2-minute public comment.

**Headlands Master Plan:** While our plans for the northern portion of the site reflected two decades of community input and plans, everything changed when the City told us to start over and craft our own master plan for the site to address issues such as power, water, sewage, and transportation. While we started the process to do so, it quickly became clear that the southern and northern portions of the former mill site would need to be planned together. We discussed this with the City Manager and she did not object to our purchasing the southern portion of the former mill site. We believe she unfortunately became the target of City Council ire since she abruptly "retired" the day after we completed our purchase

of that remaining portion of the mill site. Discussions between Mendocino Railway and the City have since been rendered impossible due to the rotating roster of short-term City Managers and the City's about-face as to our plans for the northern mill site and purchase of the southern mill site.

**Environmental Remediation:** We have for many years been working with the Department of Toxic Substances Control (DTSC) and other agencies to remediate the former mill site property in our possession. As part of this process we recently submitted to the City of Fort Bragg an over 150 page Coastal Development Permit Application to conduct required remediation and dam maintenance in the southern portion of the former mill site, mere months after our acquisition of that property. We have also completed a DTSC project to clean-up toxins left by prior owners of the local railroad. And we have completed a multiyear process with the DTSC and the Regional Water Quality Control Board, as well as with other agencies, in dealing with a negligent outside contractor who collapsed and closed our Tunnel #1, diligently working through the process to ensure that a multi-million-dollar project to stabilize the related hillside was done properly and did not endanger the local ecosystem and waterway. The need for these remediation projects was not due to any actions on our part, being solely due to the actions of others, but we have been willing to take on these remediation projects and move them towards completion. Please keep this in mind as you hear unfounded claims about our remediation plans.

There is much more we could discuss concerning both our remediation of the former mill site and our community-led development plans for the site. We would also be happy to speak with any of you at any time concerning these topics if you would be so interested.

Sincerely

Christopher G. Hart  
Mendocino Railway  
chris@noyoheadlands.com  
530-554-2522

**From:** [Marilyn](#)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** Public Comment on July 2022 Agenda Item Friday 5 - CITY OF FORT BRAGG PLANNING BRIEFING  
**Date:** Saturday, July 9, 2022 6:40:20 PM

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Marilyn Boese

22950 Bednar Ln

Fort Bragg CA 95437

email: redandm@mcn.org

ph: (707) 367-1045 voice or text

To: California Coastal Commissioners July 9, 2022

Re: July 15 Meeting Item 5, City of Fort Bragg "reuse of former GP mill site lands west of Highway One"

Dear Commissioners

I write to lend my support for your conscious decisions that will effect our coastal communities now and into the future. Here in Fort Bragg, we have spent years working through public meetings and planning sessions to find the common grounds that will allow appropriate development and land uses on the former G-P Mill Site. This is almost the entire ocean front of the City of Fort Bragg encompassing over 20% of the land mass of the City.

When the mill closed many years ago, the owners cleaned it off in many stages. Those of us on the outside of the fence were able to see the Pacific Ocean from town, gazing westward down our streets. This, and the City's purchase of the Coastal Trail winding along the edge of the bluff, has given us access to this wonder and opened our eyes. We have great opportunity here.

With the opportunity come certain issues that need to be resolved: much of the former mill site is designated Brown Field and some of it requires more clean up, or isolation/capping of soils for safety. DTSC has extensive work ups and reports that I am sure you review. We are left with one or two areas of great concern, and specifically need to resolve these health and safety concerns in order to plan, follow a Local Coastal Program and proceed with applications.

As much as possible, I urge you to share your perspective for the good of the coastal environment, while keeping in mind that this much ocean front property, in the city, begs for development to support those who live and visit here: residential, work sites, retail, public gathering, and visitor serving.

We need your guidance and thank you for your support on this undertaking, to build out our City in a responsible manner, and open the ocean front to it's natural processes as much as possible.

Thank you for your help.

Marilyn Boese

**From:** [James Schoonover](#)  
**To:** [Brownsey, Donne@Coastal](#); [Escalante, Linda@Coastal](#); [Groom, Carole@Coastal](#); [Harmon, Meagan@Coastal](#); [Padilla, Stephen@Coastal](#); [Rice, Katie@Coastal](#); [Turnbull-Sanders, Effie@Coastal](#); [Uranga, Roberto@Coastal](#); [Wilson, Mike@Coastal](#); [Dayna.Bocho@coastal.ca.gov](#)  
**Cc:** [ExecutiveStaff@Coastal](#); [NorthCoast@Coastal](#)  
**Subject:** Deeper Considerations of the Noyo Headlands  
**Date:** Sunday, July 10, 2022 3:58:20 PM

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Commissioners,

Although you are not responsible for contaminated site remediation, that is under the purview of the Cal EPA Department of Toxic Substances Control (DTSC), your mission of protecting and enhancing California's coast and ocean for present and future generations through careful planning and regulation of environmentally-sustainable development and effective intergovernmental coordination places you as the leading agency in influencing the land use decisions upon which DTSC calculates its assessments. Given your commitment to the rigorous use of science and strong public participation in planning and regulating the use of land and water in the coastal zone, we are asking you to give full consideration to the aspects which have not been adequately addressed in the Feasibility Studies (FS1 & FS2) and Remedial Action Plans (RAP) for the Noyo Headlands. We believe that there are substantial questions for you to pose to DTSC and the Responsible Parties regarding their current plans for this critical part of the City of Fort Bragg prior to any decisions on the development of the property.

#### Constructing the Questions

The following are concerns that should be addressed in constructing the questions for DTSC and the Responsible Parties and in considering the safest and best beneficial use of the site both ecologically and for the community.

Several references are made to the dam and berms in earlier documents, but there does not appear to have been a recent assessment of the status or safety of these structures in light of climate change concerns. Addressing the dams was specifically listed as a precursor to the City's CEQA review and EIR before there would be a DTSC public comment period.

The socioeconomic and other human factors as well as the broader ecological perspectives affecting the marine environment were not accounted for in the GP-Koch funded planning. Given the revised DTSC priorities that are supposed to take environmental justice and climate change issues into consideration, a revised assessment of the site uses and the fate of the wetlands are called for.

#### Deteriorating Dam Concerns

The berm and dam currently holding contaminated ponds are likely to be inundated by sea level rise. On current tidal wave maps, the barmaid ponds are completely under water. The review by the California Division of the Safety of Dams several years ago rated it as needing major work, which was never done. In earlier documents the following approach to allow the contaminants to remain in situ was proposed:

“To address California Division of Safety of Dams (DSOD) requirements, the Mill Pond Dam will be modified to add a soil buttress at the northeastern end and a rock slope protection at the crib wall near the ocean. This alternative will require regular inspection and maintenance of both the Mill Pond Dam and the beach berm, including vegetation control on the beach berm, as well as annual inspection, maintenance, vegetation

control, and periodic survey of the Mill Pond Dam."

From the DSOD inventory and assessment:

DSOD #2381-0 Mill Pond Dam Height (Nominal): 33' Crest Length: 200'

Rated Fair: Rare or extreme hydrologic and/or seismic events may result in a dam safety deficiency. Risk may be in the range to take further action. Note: Rare or extreme event is defined by the regulatory agency based on their minimum applicable state or federal criteria.

Other Circumstances:

- Lack of maintenance requires attention to prevent developing safety concerns.
- Maintenance conditions may exist that require remedial action greater than routine work and/or secondary studies or investigations.
- Interim or permanent risk reduction measures may be under consideration.

#### Draft Remedial Action Plan Concerns

It appears that community acceptance would be irrelevant if DTSC only has a public participation after the fact?

The DRAFT Remedial Action Plan – Operable Unit E states:

“Concentrations of COCs in sediment in Pond 8 were shown to represent limited risk to receptors for the reasonable foreseeable use in the OU-E BHHHERA. Sediment COC concentrations and bioavailable fractions are expected to continue to decline naturally through existing biological and geochemical processes.”

We have some questions with regard to these statements.

- Review of the potential marine receptors evaluated appear to be limited to a few shellfish samples rather than more commonly consumed fish species. Does DTSC consider the presented shellfish data set statistically valid? And is this data sufficient to eliminate all potential marine receptors and species consumed by humans? <sup>[1]</sup><sub>[SEP]</sub>
- Did the BHHHERA consider episodic discharge to the beach and ocean of impacted sediments during extreme weather events? <sup>[1]</sup><sub>[SEP]</sub>
- Would DTSC consider episodic discharges of impacted sediment a potentially complete exposure pathway? <sup>[1]</sup><sub>[SEP]</sub>
- Have sediment discharge rates been monitored and evaluated over time? And how does climate change and potential extreme weather events affect the proposed viability of the proposed ‘leave in place’ proposal? <sup>[1]</sup><sub>[SEP]</sub>
- What are the biological and geochemical processes for attenuation of dioxins? As USEPA defines dioxins as extremely persistent. Is this a reference to ongoing biological uptake of dioxin and/or transport of impacted sediments to the ocean? If this is the case, does DTSC consider this an acceptable form of contaminant attenuation? <sup>[1]</sup><sub>[SEP]</sub>
- It is noted only one surface water sample was collected from Pond 8 and that the detection limit for dioxins was above the RWQCB water quality objective. Is this considered a potential data gap? If not, why?

#### Site Characterization Concerns

The accepted characterization of the contamination has come into question. A current site characterization of the most sensitive areas is needed to better understand where contaminants are most concentrated at this point in time, so that more specific and cost effective options that will better ensure the safety of people and the environment are explored. As sea level and ground waters rise, the likelihood of breaching toxic sites from above and below ought to be recalculated in the risk assessment. Likewise, Climate Change is also increasing the frequency and severity of atmospheric river storms increasing run-off and storm surges. If those come during the King tides, the risk calculation changes.



Recent toxic re-entrainment issues in other areas from contaminants left in situ on sites considered recovered to No Further Action (NFA) for brownfield development require a standard of care beyond what is offered by MR. Is the cost of care for human health and the environment inherently less valuable than the profit for MR? Maximizing NFA sites is a bottom line issue in decisions and framing of options.

The alternatives offered in Feasibility Study 2 from GP/Koch in 2018 (FS2) and the Remedial Action Plan (RAP) were made with commercial assumptions and framed to make more active remediation less reasonable. They did not and still do not include options used in other areas with less cost, exposure potential, and carbon footprint than assumed in FS2.

For these reasons, we need a new Remedial Action Plan that will:

1. Require that sites slated for human occupancy be cleaned to a level that ensures public health and safety in perpetuity.
2. Adopt cleanup plans that account for projected surface flooding and rise in local groundwater related to current worst-case predictions of sea level rise.
3. Acknowledge where capping and other in-situ containment options will not protect the public or any endangered or protected biota if sites are inundated from above or below.
4. Identify the empirical evidence that proposed in-situ containment plans will protect public health and the ecosystems for the uses the community and City currently envisions and review possible alternatives beyond Feasibility Study 2 from GP/Koch in 2018.
5. Require that cleanup procedures be safe and effective both for the treated site and for communities near toxic soil repositories and treatment areas.

#### Human and Ecological Perspectives

Another line of inquiry also needs to be explored. A more human and ecocentric framework for evaluating cleanup outcomes, one that embraces intersectionality and interdisciplinarity, is not merely an exercise in evaluation. Paraphrasing Donella Meadows, what counts gets measured and what gets measured counts. Two entire sets of variables have been left out of the considerations of remediation. One is the social dynamic and the other is the coastal marine interface. There has never been a quantitative review of health effects from the site, though there are reports of cancer and birth defects above what would be expected for the population size.

Fort Bragg had functioned very much as a Company Town with the significant decisions of development, public health and safety and the political relationships largely under the heavy influence, if not direct control of GP and Koch Industries. As a social unit, it received a staggering blow when the Mill shut down. The economic basis of the community was the Mill with a small fishing fleet as a countervailing force and the nascent tourist industry was largely suppressed by the industrial environment. The protracted clean up process left everyone in limbo, but as accommodations were expanded, tourism grew to fill some of the economic gap, but with much lower paid service jobs and the fishing industry has waned somewhat.

Now there is a growing vision of building a more sustainable and diverse Blue Economy and a greening of the larger area with ecotourism playing a greater role. This is, however, blighted by the contaminated ruins of the Milling operation and an entity that now appears to aspire to return Fort Bragg to a Company Town with Mendocino Railway as the dominant force. If the site were cleaned to the point where the creeks could be day-lighted, and the estuary restored,

it could be a model of sustainable development. The expansion of the Noyo Research Center and appropriate sections of the property developed to provide workforce housing, a visitor seminar and accommodation development, small green industry and commercial space to develop the tax base, and sufficient open space for recreation and wildlife corridors would create a waterfront gem for the city and a commons for civic improvement. The city was negotiating purchase from GP/Koch Industries while ensuring the contamination would be mitigated to a safe level for these intended uses. Instead, Mendocino Railway acquired it through eminent domain, ostensibly as part of their Rail Operations. This taking is a perpetuation of the tragedy of the commons to benefit a few at the expense of the rest of the community.

The current marine interface is threatened by the contaminated ponds and the decaying dam and berm. The poisoned groundwater which is being left to natural attenuation and dilution into the ocean are not appropriate stewardship of the otherwise stunning coast and sea life and impose severe limits on any use of the property for residential development that might include people wanting to garden or plant fruit trees, as they do throughout the rest of the residential areas of the city. The ponds may also pose a threat to both terrestrial and sea birds that use the ponds for foraging. The characterization did not appear to include adequate sampling to ensure the safety of the marine interface and the existing outfalls and undercutting are not fully studied to know how much damage is currently taking place, let alone in the wake of sea level rise or catastrophic failures of the berms.

Ideally, site remediation would be an iterative process and not a linear multi-year set of immutable decisions that are stretched out over decades. The outcomes of current decisions will have effects that may not be known until it is too late to hold those responsible for creating the hazard, accountable for its necessary correction. This is a function of the regulatory framework and, while DTSC is functioning well within their mandate, the decision making process was crystalized at a time before ultimate uses were known and in response to the parameters set by the polluters and their stated “uses” of the site for commercial gain.

These socioeconomic and broader ecological parameters that take into account the reality of those who will live with the outcomes and the total biota that extends beyond the mean high tide line are not part of the calculus of the Remedial Action Plan that has been largely accepted by DTSC. We need Remediation for Restoration that will enable the community to realize its collective vision for its interface to the Pacific. For these reasons and the substantive questions listed above, we need the Coastal Commission and the larger community, not just Mendocino Railway and DTSC to determine the fate of Fort Bragg and its interface with the Pacific coastal waters through land use and regulatory action. It is time for the rigorous use of science and strong public participation to ensure environmentally-sustainable development for the community and access for all Californians to this potential coastal treasure.

Thank you for your time and attention in the careful consideration of these issues which will have so much impact on coming generations. Please do not hesitate to contact me with any questions or concerns regarding the above.

In Gratitude and with Respect,  
Jim

James Schoonover  
[justjim@mcn.org](mailto:justjim@mcn.org)

james@ucsc.edu  
Cell: 831.325.5919

**From:** [susan.allen.nutter](mailto:susan.allen.nutter)  
**To:** [Aminzadeh\\_Sara@Coastal](mailto:Aminzadeh_Sara@Coastal); [Escalante\\_Linda@Coastal](mailto:Escalante_Linda@Coastal); [Wilson\\_Mike@Coastal](mailto:Wilson_Mike@Coastal); [Groom\\_Carole@Coastal](mailto:Groom_Carole@Coastal); [Harmon\\_Meagan@Coastal](mailto:Harmon_Meagan@Coastal); [Padilla\\_Stephen@Coastal](mailto:Padilla_Stephen@Coastal); [Rice\\_Katie@Coastal](mailto:Rice_Katie@Coastal); [Turnbull-Sanders\\_Effie@Coastal](mailto:Turnbull-Sanders_Effie@Coastal); [Uranga\\_Roberto@Coastal](mailto:Uranga_Roberto@Coastal); [ExecutiveStaff@Coastal](mailto:ExecutiveStaff@Coastal); [Brownsey\\_Donne@Coastal](mailto:Brownsey_Donne@Coastal)  
**Cc:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** COASTAL COMMISSION'S HEARING ON JULY 15TH ON FUTURE OF FORT BRAGG COMMUNITY AND NOYO HEADLANDS/GP MILL SITE/MUNICIPAL RAILWAY POSSESSION  
**Date:** Sunday, July 10, 2022 7:09:50 PM

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July 10, 2022

TO: California Coastal Commissioners

My apologies for not meeting the July 8, 2022 deadline for letters regarding your hearing on the future of Fort Bragg and the Noyo Headlands aka GP Mill Site. Thank you for your prospective review of all the parameters involved in the future of this critical part of the California coast.

We live in a wonderful Fort Bragg community fronting the 2+ miles of prime ocean frontage we call the Noyo Headlands. We love our historic Skunk Train, but since it was sold in 2003 to Mendocino Railway, the future of Fort Bragg has become precarious.

When the Mendocino Railway, a so-called "public utility," obtained the 260+ acres of the Noyo Headlands from the Koch Brothers' Georgia-Pacific by (challenged) eminent domain last November, the future of our town became murky. 1) The cleanup of the toxins (e.g., dioxin, arsenic, heavy metals) is no longer guaranteed; 2) the City's plan for environmentally protected headlands with day-lighted creeks, a wildlife corridor, modest housing, and extension of the business district is being ignored, and 3) the rare stretch of undeveloped ocean may become a tourist Choo Choo Land!

My primary concerns for years have been the failure to clean up the toxins in Mill Ponds 7 and 8 and their potential release into the ocean with sea rise and destruction of the berm causing widespread contamination of coastal water. I implore the Coastal Commission to use its considerable power to demand that Georgia Pacific fulfill its responsibility to clean up this toxic hazard per DTSC's requirements before any further action/development of the Noyo Headlands occurs and with a specified (e.g., 2024) deadline.

I further urge the Commission to require preservation of the environmental beauty of this unique undeveloped headlands for generations to come with respect to any and all developmental plans. Certainly a tourist railway complex (such as already planned for the Glass Beach end) along the bluff is contraindicated. The people of Fort Bragg must have a major role in all plans for the development of its "front yard." Their creation of the Noyo Coast Trail demonstrates their commitment to preserving and sharing this beautiful stretch of ocean frontage with the thousands (I see the parking lot full all day every day from my home on Glass Beach Dr.) of visitors who come to Fort Bragg weekly to enjoy this unique site.\*

The residents of Fort Bragg and Mendocino Coast are grateful to the California Coastal Commission for making the current status of Fort Bragg's planning process of the Noyo Headlands and the properties surrounding the former mill site the focus of Friday's session. We look forward to your assessment of the best way to protect our special part of the California coast and our community from future environmental destruction and disaster.

Sincerely,

Susan Nutter

950 Glass Beach Drive  
Fort Bragg, CA 95437

\* 1:45 pm, 7-10-22 = 68 cars + 35 cars on street = 103 carloads of visitors/hour daily



Elm St. Parking Lot at Noyo Headlands  
(35 cars at entrance on Elm St. and Glass Beach Dr.)



Parking on Glass Beach Dr. and parking lot in background

**From:** [ExecutiveStaff@Coastal](mailto:ExecutiveStaff@Coastal)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** FW: Mill Site Development  
**Date:** Monday, July 11, 2022 11:32:51 AM

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**From:** Padilla, Stephen@Coastal <Stephen.Padilla@coastal.ca.gov>  
**Sent:** Tuesday, June 21, 2022 5:42 PM  
**To:** ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>  
**Subject:** Fw: Mill Site Development

fyi

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**From:** [william.e.roberts@gmail.com](mailto:william.e.roberts@gmail.com) <[william.e.roberts@gmail.com](mailto:william.e.roberts@gmail.com)>  
**Sent:** Wednesday, June 1, 2022 7:06 PM  
**To:** Brownsey, Donne@Coastal <[donne.brownsey@coastal.ca.gov](mailto:donne.brownsey@coastal.ca.gov)>; Hart, Caryl@Coastal <[caryl.hart@coastal.ca.gov](mailto:caryl.hart@coastal.ca.gov)>; Turnbull-Sanders, Effie@Coastal <[effie.turnbull-sanders@coastal.ca.gov](mailto:effie.turnbull-sanders@coastal.ca.gov)>; Aminzadeh, Sara@Coastal <[sara.aminzadeh@coastal.ca.gov](mailto:sara.aminzadeh@coastal.ca.gov)>; Escalante, Linda@Coastal <[linda.escalante@coastal.ca.gov](mailto:linda.escalante@coastal.ca.gov)>; Wilson, Mike@Coastal <[mike.wilson@coastal.ca.gov](mailto:mike.wilson@coastal.ca.gov)>; Rice, Katie@Coastal <[katie.rice@coastal.ca.gov](mailto:katie.rice@coastal.ca.gov)>; Padilla, Stephen@Coastal <[Stephen.Padilla@coastal.ca.gov](mailto:Stephen.Padilla@coastal.ca.gov)>; Harmon, Meagan@Coastal <[meagan.harmon@coastal.ca.gov](mailto:meagan.harmon@coastal.ca.gov)>; Uranga, Roberto@Coastal <[roberto.uranga@coastal.ca.gov](mailto:roberto.uranga@coastal.ca.gov)>; Groom, Carole@Coastal <[carole.groom@coastal.ca.gov](mailto:carole.groom@coastal.ca.gov)>  
**Subject:** Mill Site Development

Dear Coastal Commission and Associates,

I am a retiree living just south of Fort Bragg. When we moved here 13 years ago we were surprised at the condition of the old mill site and even more amazed to learn of the stalemate which rendered this choice property undeveloped. When the wonderful headlands trail was put in we all had a view of the industrial mess left after 150 years of mill activity. As a concerned environmentalist I urge the commission to prioritize the clean-up of all toxic soils as a first step before any development is begun.

I believe the best use of the property is mixed use—a handful of houses at various levels of expense, a few stores, perhaps a hotel. And parkland, a beautiful park to compliment the existing trail. I don't want to see expansive development which would alter the quiet character of our community, as well as add traffic to the highway.

A careful balance, in other words. But clean-up first.

Thank you,

William E. Roberts

Sent from my iPad

**From:** [ExecutiveStaff@Coastal](mailto:ExecutiveStaff@Coastal)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** FW: Noyo Headlands  
**Date:** Thursday, July 14, 2022 10:36:06 AM

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fyi

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**From:** Donna Schuler <schuler.donna@gmail.com>  
**Sent:** Wednesday, July 13, 2022 11:18 PM  
**To:** ExecutiveStaff@Coastal <ExecutiveStaff@coastal.ca.gov>  
**Subject:** Noyo Headlands

Dear Coastal Commissioners,

I am writing to you as a 31 year resident of the coastal City of Fort Bragg. I am a public health professional, naturalist, and property owner downwind of the former mill site. We know about a few of the many health and environmental wrongs that were committed during the years the mill operated. A few that we knew of were the burning of toxic substances, PCB electrical transformers and landfill materials, which were trucked into our small city from out of the area - to incinerate - incredulously, upwind from where our children lived, played and went to school.

We will not stand by and allow a hasty real estate transaction to release the former Georgia Pacific Mill site owners of their responsibility of cleaning up toxic waste on the Noyo Headlands. We oppose the real estate sales transaction under the guise of a sale to a 'public utility' to the excursion and tourist train operator. The Georgia Pacific Mill site owners sold at a ridiculously reduced price in order to free themselves from toxic waste clean up obligations. Something stinks in this town, and it is this rotten deal, which reeks of corporate owners intending on leaving their filth behind for others - the City of Fort Bragg and its residents to deal with. We oppose and say - no way!

We are in support of the legal community participatory-driven plan the City of Fort Bragg and residents have spent years creating for redevelopment of the former mill site. This redevelopment includes daylighting natural waterways and restoration of wildlife corridors. The Noyo Headlands is an important natural resource for humans, and an essential wildlife corridor. We must clean up and conserve not only the land, but also protect the tremendous shoreline which supports a rich marine ecosystem. The marine ecosystem also provides sustainable food for humans and animals. The toxic ponds are an enormous threat to the safety of this town, and we can't wait any longer for the next tsunami to take out the junk pile of a dam, which will contaminate our coastal waters.

We implore you to enforce environmental clean up regulations and prevent ill conceived redevelopment plans which do not involve community based participation and input. Please feel free to contact me for any further hearings and Coastal Commission updates on the Noyo Headlands and Fort Bragg vicinity.

Thank you,  
Donna Schuler



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Sent from Gmail Mobile

**From:** [peace@pacific.net](mailto:peace@pacific.net)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Cc:** [Brownsey\\_Donne@Coastal](mailto:Brownsey_Donne@Coastal); [sandy](#)  
**Subject:** Re: Concerning clean-up at old Georgia Pacific mill site in Ft. Bragg  
**Date:** Thursday, July 14, 2022 8:22:45 AM

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To: California Coastal Commission Members,

Thank you for your service to California, with its millions of people and thousands of non-human species that depend on the health of our on-shore and offshore ecosystems. I believe that the CCC is a state agency that is respected and trusted and appreciated by the vast majority of Californians.

Mendocino County has been my home for 35 years, but I have only lived on the coast in Ft. Bragg for about 9 months. We visited the Georgia Pacific public spaces when my kids were young in the 1990s. I was glad when the mill closed and figured that the clean-up of toxins at the site was proceeding smoothly. We were surprised when we moved to Ft. Bragg to learn that not only was there very little clean-up completed at the site but that there were likely some very toxic materials like PCBs and dioxin at the site that were probably not dealt with well.

My wife and I have many concerns about the old mill site, but in particular, we are opposed to the Mendocino Railway taking land on the headlands via eminent domain claiming they are a railroad and therefore a public utility. Many of us in Ft. Bragg disagree. And we question the Mendocino Railway's commitment and capability to handle the extensive clean-up work that needs to happen. We think the city of Ft. Bragg and other local, state, and federal agencies are a better match for doing a thorough and timely clean-up process.

We are especially concerned about the earthen dam/berm that is holding back some toxins from reaching the ocean. I have seen the berm and when we have King Tides in the next few years, it is likely to be severely damaged or destroyed altogether. That would be a disaster for our local marine ecosystem which is already out of balance with the surplus of sea urchins and the lack of kelp.

One final suggestion relates to locating the various toxic substances at the old mill site. I believe that there are many former and current employees of Georgia Pacific that know where various toxins are buried and what kind of containers they are in. It is important to contact some of those people to get that information. It seems urgent to communicate with those people soon because some of those knowledgeable people may have already died or may die in the next few years.

Thanks again for your service to California and for having meetings in our beautiful town this week.

Respectfully yours,

Sandy Turner

1184 N. Main St. space 70

Ft. Bragg CA 95437

707 235-9080

**From:** [ExecutiveStaff@Coastal](mailto:ExecutiveStaff@Coastal)  
**To:** [NorthCoast@Coastal](mailto:NorthCoast@Coastal)  
**Subject:** FW: Public Comment on July 2022 Agenda Item Wednesday 6b - Commission Correspondence  
**Date:** Wednesday, July 13, 2022 4:04:06 PM

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fyi

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**From:** Bill Olkowski <[billoldcowski@gmail.com](mailto:billoldcowski@gmail.com)>  
**Sent:** Wednesday, July 13, 2022 11:08 AM  
**To:** ExecutiveStaff@Coastal <[ExecutiveStaff@coastal.ca.gov](mailto:ExecutiveStaff@coastal.ca.gov)>  
**Subject:** Public Comment on July 2022 Agenda Item Wednesday 6b - Commission Correspondence

The millsite development

I live in ft bragg.

I would like to see a community wide planning process used to develop a plan first. I understand that the contamination at the site has held up planning. I would think the people who previously owned the site should be required to decontamination it before future changes. Ultimately I would prefer any future be much it's today open space. The view as a park would be preferable.

Bill Olkowaski, PhD

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