



Mendocino County

Legislation Text

File #: 24-0709, Version: 1

To: BOARD OF SUPERVISORS

From: Planning and Building Services

Meeting Date: July 9, 2024

Department Contact: Julia Krog

Phone: 707-234-6650

Department Contact: John Burkes

Phone: 707-234-6650

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Resolution Authorizing the Processing of a Consolidated Coastal Development Permit, LCP_2024-0003 (California Department of Transportation (Caltrans)), by the California Coastal Commission, for Caltrans to Subdivide a Parcel at Blues Beach/Chadbourne Gulch in order to Maintain Right of Way and Maintenance Access While Transferring the Majority of the Parcel to Kai Poma

Recommended Action/Motion:

Adopt Resolution authorizing the processing of a Consolidated Coastal Development Permit, LCP_2024-0003 (California Department of Transportation (Caltrans)), by the California Coastal Commission, for Caltrans to subdivide a parcel at Blues Beach/Chadbourne Gulch in order to maintain Right of Way and maintenance access while transferring the majority of the parcel to Kai Poma; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

None.

Summary of Request:

In 2021, the Legislature passed and Governor Newsom signed Senate Bill 231, which added Section 118.9 to the Streets and Highways Code ("SHC"), authorizing Caltrans to transfer the Blues Beach Property at no cost to a tax-exempt nonprofit organized by the Tribes for environmental and cultural protection. Caltrans requests the processing of a Consolidated Coastal Development Permit to subdivide a Caltrans parcel at Blues Beach/Chadbourne Gulch on State Route 1 near Westport in order to maintain Right of Way and maintenance access at Blues Beach while transferring the majority of the Parcel to Kai Poma, a 501(c)(3) non-profit made up of three federally recognized local Tribes, to manage the property for Public Access, Natural Resources Management, and Cultural Resource Protection. The request does not require the processing of a subdivision application with the County as public agencies are exempt from the Subdivision Map Act. Despite this exemption from the Subdivision Map Act, the California Coastal Commission has determined that a Coastal Development Permit is required.

A Boundary Determination was completed by the California Coastal Commission on April 22, 2024, which demonstrates that the project is located in the Coastal Commission's retained permit jurisdiction and County permit jurisdiction. The Coastal Act was amended by Senate Bill 1843 effective January 1, 2007, which allows for a consolidated permitting process for projects in which the Coastal Development Permit authority is shared

by local governments and the Coastal Commission. Therefore, Caltrans is seeking adoption of a resolution which would consolidate the permit review under the Coastal Commission for only this project to streamline the permit process. Consolidation of the Coastal Development Permit would not substantially impair public participation in review of the Coastal Development Permit because a public hearing will be held by the Coastal Commission and may be attended by interested parties and the participation opportunities are the same as would be provided if two permits were processed instead. Please see attached memorandum for additional information.

Alternative Action/Motion:

Reject the Resolution and direct staff to process a Coastal Development Permit for the portion of the project located in the County's jurisdiction.

Strategic Plan Priority Designation: A Prepared and Resilient County

Supervisory District: District 4

Vote Requirement: Majority

Supplemental Information Available Online At:

<https://www.mendocinocounty.gov/departments/planning-building-services/public-noticing>

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

budget clarification: N/A

annual recurring cost: N/A

budgeted in current f/y (if no, please describe): N/A

revenue agreement: N/A

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO Liaison: Steve Dunicliff, Deputy CEO

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Senior Deputy Clerk

Date: July 9, 2024

Final Status: **Adopted**

Executed Item Type: Resolution

Number: 24-111

