

The Gualala Bluff Trail

When completed, the Gualala Bluff Trail will extend along the entire oceanfront of downtown Gualala from the Seacliff Center to the south end of Oceansong.

HISTORY OF THE GUALALA BLUFF TRAIL

1972 California Coastal Zone Conservation Act passed by voters.

1976 California Coastal Act of 1976 passed by California Legislature further implementing the Coastal Initiative of 1972.

1977 and 1981 The California State Coastal Commission requires John J. and Ida Bower to execute Offers to Dedicate Easements (OTDs) for the Gualala Bluff Trail as a condition of approving their permit application for the expansion of the Surf Super and other properties. These offers provide for a 25-foot wide easement from the daily bluff edge for pedestrian access and use along and adjacent to the bluff.

Offers To Dedicate (OTD) easements were established by the State of California to insure that new developments along the coast did not significantly impair the public's right to access and enjoy the ocean views.

October 1992 The Gualala Area Coalition, a planning group which was the predecessor to GMAC, encourages the formation of the Redwood Coast Land Conservancy as a local land trust to accept the OTDs for the Gualala Bluff Trail.

October 1994 RCLC accepts these and other offers to dedicate public access easements for the Gualala Bluff trail and begins work on planning for the trail.

Summer 1995 Gualala Municipal Advisory Council sends the Gualala Town Plan, which describes the bluff top trail easements as the town's primary public access to ocean views to Mendocino County for adoption.

May 1997 Mendocino County issues Coastal Development Permit 22-96 approving Phase One of the Gualala Bluff Trail.

Summer 1998 RCLC builds the first phase of the trail, a 500-foot landscaped path which runs along the bluff behind the Sea Cliff and the Surf Motel.

Gualala Bluff Trail Phase Two

Spring 1998 – Phase Two Planning begins for extending the trail from the Surf Motel to the south end of Oceansong.

May 1999 – 2001 RCLC arranges for geotechnical reports to be prepared on how best to construct the trail behind the Breakers Inn. RCLC also hires engineers to design the trail and completes the botanical and archaeological surveys required for County permits.

2002 Planning continues by RCLC volunteers to design the trail and complete application requirements for the necessary permits, following the guidelines for coastal properties, the Gualala Town Plan, and the reports from the technical experts. Informal discussions are held with landowners along the trail route. RCLC applies to the State Coastal Conservancy (SCC) to help with the funding of the trail.

May 2003 Plans for the trail are presented to the GMAC. GMAC members vote unanimously to write a letter of support for the trail to the Planning Department of Mendocino County.

July 2003 The local California Native Plant Society, Congressman Mike Thompson, and Assembly member Patty Berg send letters of support to the State Coastal Conservancy for grant funding for Phase Two.

August 2003 -RCLC representatives meet with representatives of the two landowners of the easements on the planned trail extension to share detailed plans for Phase Two of the Bluff Trail. The consensus of those attending is that the two groups will be able to work together on planned projects.

October 2003 RCLC receives the signed document for a grant of up to \$38,500 for Phase Two.

January 2004 A management plan for Phase Two of the Gualala Bluff Trail is finalized and signed by RCLC, The California Coastal Commission, and the Coastal Conservancy.

April 29, 2004 The hearing for CDP #23-03 to install Phase Two of the Trail is held. After the allotted time for an appeal passes without an appeal, the permit is granted.

September 15, 2004 RCLC Bluff Trail committee members meet with Steve May, Paul Styskal, and John H. Bower at the site to talk about plans to start construction of the trail. For the first time, Bower expresses an objection that building the trail behind the Surf Market would limit his ability to use this area for parking and make it more difficult for trucks to back in to unload their goods. RCLC delays plans to begin construction of the trail pending further discussions with Mr. Bower.

October 2004 Mendocino County issues a Building Permit to construct the trail.

November, December 2004 The trail is discussed at two GMAC meetings. Mr. Bower states that he has long-term development plans for his property and regards the easement as an obstacle to those plans. The GMAC determines it will not revisit its decision to recommend approval of the trail.

RCLC is strongly advised by the CCC that the 25-foot easement for the trail belongs to the people of the state of California and that RCLC cannot agree to move or reduce the size of the easement.

Fall and Winter 2004-2005 RCLC holds discussions with Mr. Bower in an attempt to resolve his concerns and avoid litigation. RCLC agrees to postpone building the trail while talks are in progress even though both the CCC and Mendocino County assure RCLC volunteers that they have a legal right to build the trail as they have fulfilled all the requirements and have valid permits.

February 25, 2005 John H. Bower files a lawsuit against RCLC and the California Coastal Commission contesting the legitimacy of the easement and attempting to stop construction of the trail.

Spring 2005 After RCLC organizes a few work parties to begin site clearing, a temporary restraining order is issued, causing work on the trail to be halted until the case can be heard.

July 8, 2005 Judge Leonard LaCasse of the Mendocino County Superior Court rules on the case and denies Mr. Bower's request to bar construction of Phase II. He orders him to remove all obstructions placed in the way of the trail.

Judge LaCasse determines that the original offers to dedicate in 1977 and 1981 by Bower's father are sufficiently valid and enforceable to permit construction to proceed.

July 18, 2005 Petitions signed by more than 600 local residents are delivered to John H. Bower asking him to withdraw his opposition to the project and to support the volunteers who are working to construct a trail that will provide an outstanding benefit to Gualala.

August 13, 2005 Volunteers begin to clear the brush and weeds along the easement. Weekly volunteer work parties are started. After many weeks of weeding and improving the view, work is begun on digging a ramp and making a temporary crossing over the swale between the Bower and Humber properties so that volunteers can access the Humber property to construct the trail.

September 2005 No trespassing signs are erected on the Bower property and RCLC volunteers are advised that they are not entitled to pass over the Bower property to bring in materials or to work on the trail. Until this matter is settled, volunteers must carry in materials and tools through the access to the trail at the Surf Motel.

October 27, 2005 The California Coastal Conservancy authorizes an additional amount of up to \$105,000 to RCLC to construct the second phase of the Gualala Bluff trail.

November 4, 2005 Judge Leonard LaCasse rules that Bower and his employees cannot withhold reasonable access to the easement during construction of the trail. He states that materials can be brought in and RCLC volunteers, contractors and their employees can pass over the Bower property and park on the easement in order to work on the trail.

Late Fall 2005 - Early Winter 2005 The trail to and from the rock outcrop behind the Breakers Inn is constructed. Shale is added to segments of the trail that have been worked on to protect them from winter rainfall. The trail behind Oceansong is dug out, railroad ties are added, and stones are moved. A railing is built to make the ascent down to the trail more manageable.

Winter 2005 A more permanent crossing over the swale is constructed. Drilling platforms are built for the pedestrian bridge which will be constructed to traverse the gully west of Breakers Inn. The trail segment that connects with the trail behind Oceansong on the other side of the pedestrian bridge is dug out, and railroad ties, weedcloth, and shale are added to define the trail in this area.

January 16, 2006 – RCLC reports to parties involved as part of ongoing monitoring that there has been erosion on the easement behind the Surf market in the area of the failing retaining wall. The retaining wall has been a source of concern for some time.

February 3, 2006 It is discovered that most of the retaining wall at the south end of the Surf Supermarket is washed away in heavy rainfall, taking part of the Gualala Bluff Trail easement with it—making building of the trail in this area impossible until the retaining wall is replaced. RCLC urges Mr. Bower to apply for a permit to replace the retaining wall before the next rainy season can cause more damage.

Spring 2006 Boulders are added to the bank on the portion of the trail behind Oceansong to prevent erosion on the bank next to the trail. Many work parties are devoted to removing weeds that have returned during the rainy season in areas which had been cleared earlier.

May 2, 2006 A letter is received from Rick Miller, Senior Planner for Mendocino County confirming that CDP #23-03 has now been vested and does not need to be renewed because sufficient work on the trail has been performed by RCLC volunteers in their weekly work parties.

The letter reminds RCLC that for the permit to remain valid that continuous progress needs to be made. Mr. Miller wishes RCLC “the best in completing this exciting and important project”.

July 12, 2006 Coastal Commission staff meet with Mr. Bower to discuss his future development plans, the possibility of moving the location of the existing easement, and the failed retaining wall.

July 2006 After clearing the rock outcrop site of weeds, the area is measured for the stainless steel railing being built by local blacksmith Kentucky John Melanson. Several weeks later the railing structure is carried down to the site and attached to the rock.

July 25, 2006 In a follow-up letter to the July 12 meeting, Coastal Planner Tiffany Tauber notes in regard to moving the easement, that since the Coastal Commission “would have difficulty finding such an amendment acceptable”, that Mr. Bower is encouraged to “revise your development plans for the site in a manner that would not rely on relocating the existing established lateral access easement”.

September 2006 Work begins on the pedestrian bridge to be built west of the Breakers Inn starting with drilling holes for the piers. RCLC volunteers continue to work on the trail and to assist the contractor and his workers who are constructing the bridge.

September 2006 RCLC representatives meet again with John Bower to discuss the failed retaining wall and continued construction of the trail. We agree to continue to talk about ways the trail can be connected between the Humber and Bower property. RCLC explains that once the work on the Humber property nears completion that work will begin on the segment of the trail on the Bower property adjoining Bluff One and invites Bower and his engineer to provide input about how the drainage issues on this section of the trail can be resolved.

October 2006 RCLC representatives meet with John Bower and the building inspector from Mendocino County to discuss the temporary ramp RCLC built in order to be able to bring in materials to build the trail. This ramp is now included in the new drawings approved by the county when the design of the bridge was changed. No decision was reached about whether the ramp will become a permanent part of the trail or what could be substituted for it.

November 15, 2006 A settlement conference is held in Ukiah. Most of the issues of the lawsuit were agreed to. Bower agrees that the easements are valid, that he will abide by the 1999 survey markings of the easement, that the trail can be built as designed in the permits on the easement, and to pay a fine for violation of the Coastal Act along with attorney’s fees for the California Coastal Commission counter suit.

December 2006 Judge Leonard LaCasse awards RCLC \$39,000 for attorney fees and court costs.

December 2006 The foundation for the pedestrian bridge is poured. Twenty-eight community volunteers come to a work party scheduled to move the stainless steel railings for the bridge down to the bridge. A few watch, but most participate in accomplishing this feat and return later to help move the railings onto the bridge so they can be secured.

January-February 2007 Work on the bridge is completed and the connecting steps created, sheep fencing added, rocks and plants added near the rock outcrop.

February 16, 2007 The lawsuit is settled as all parties have signed the final document.

March 2007 The rest of the plants and mulch are added to the Humber property, a bench installed, and railings to the platform over the ramp added.

April 2007 Most of the work on the Humber property is now completed and work begins on the Bower property. Large boulders are placed for the landscaping mounds and soil added. Much attention is taken to be sure the drainage patterns are not altered. The trail is added on a short portion of the Bower property ending at the northern septic tanks.

May 2007 The installation of bollards and chains on a portion of the Bower property is completed. Plants and a watering system are added to the mounds and a bench installed.

RCLC awaits word from the Coastal Commission about approval for the application to replace the failed retaining wall before the trail in that area can be planned. The trail cannot be completed until the retaining wall is replaced.