



Mill Site Update

Planning Commission

September 28, 2022

Early Site History

Indigenous People: Native Americans have inhabited the Mendocino Coast for over 2,000 years

1856: Mendocino Indian Reservation established encompassing 25,000 acres in the area north of Abalobadiah Creek, south to the Noyo Harbor, and eastward to Bald Hill – discontinued in 1866

1885: Timber Mill Established under ownership of Union Lumber Company

2002: Mill shut down, and Georgia Pacific began decommissioning

2007: City invoked the Polanco Act and California's Department of Toxic Substance Control issues Site Investigation & Remediation Order

2022: Mendocino Railway is added to Site Investigation & Remediation Order

Recent Site History

2002: Georgia Pacific Mill shut down

2007: City invoked the Polanco Act to address hazardous materials and site came under control of California's Department of Toxic Substance Control issues Site Investigation & Remediation Order (2022 Mendocino Railway added)

2009: City began acquiring oceanfront property, opening the first segment of Noyo Headlands Park Trail in 2014, and subsequent segments in 2016 and 2018, including two parking lots and public access road.

2007-2012: Georgia Pacific Specific Plan Process

2017-2020: City Initiated Comprehensive Planning Process

What is the status of the City's LCP update to rezone Timber Resources Industrial on the former mill site?

2017-2020: City initiated a comprehensive community-based planning process for reuse of former mill site.

2019: Mendocino Railway acquired +/-70-acres (north of Redwood Ave) and the Mill Site Ad Hoc Committee was appointed to focus the community planning effort on the northern portion of site (Plan Area A) in order to facilitate Mendocino Railway development plans.

2020: City staff transitions and the COVID-19 pandemic stalled planning for the southern portion (Plan Area B)

2020: City initiated conversations with Sherwood Valley Band of Pomo Indians about partnering on reuse strategy and working with US Environmental Protection Agency (EPA) on funding opportunities to remediate mill ponds, including removing the dam and beach berm to restore tidal flow and wetlands, as well as daylighting of Maple and Alder creeks.

2021: Mendocino Railway filed an eminent domain claim against Georgia Pacific, who dropped verbal agreement with City and instead ceded remaining 210-acres to Mendocino Railway.

Currently...

The City is seeking a court declaration stating that Mendocino Railway is an excursion train, does not qualify as a public utility, and is required to adhere to the City's Local Coastal Program (LCP) and Coastal Act regulations.

The City is prepared to work with Mendocino Railway (property owner), the public, California Coastal Commission, and other responsible agencies on LCP amendment grounded in a community-based comprehensive planning process, per Policy LU-7.3 of the Coastal General Plan.



The City's LCP contains policy requiring a comprehensive planning process to rezone the Mill Site

Policy LU-7.2 Comprehensive Planning Process Required

LCP Amendments that propose to re-designate lands designated Timber Resources Industrial must be developed through a comprehensive community based planning process that addresses, at a minimum an area including one or more subareas as shown in Map LU-4. Community participation shall be solicited throughout the planning process in accordance with established City practices and CLUDC requirements. The LCP amendment shall:

- a) Designate new land use classifications, and include development policies and standards that establish the kinds, locations and intensity of land uses;
- b) Identify adequate connections for existing and future infrastructure such as roads, utilities, and coastal access to surrounding developed and undeveloped areas, including ensuring adequate public vehicular, bicycle, and pedestrian access is provided from Hwy 1 to the coastal trail within each of the subareas shown on Map LU-4;
- c) Establish orderly phasing for development and future rezoning activities, including ensuring that adequate public services are available for new development;
- d) Include other measures as needed to protect the health, safety, and well-being of the community'
- e) Map land uses and transportation facilities, including coastal access; and
- f) Be consistent with the policies of the Coastal Act and Fort Bragg's LCP.



Policy C-2.10

Planning Area A and B shown on Map LU-4 shall include the extension of the City's street grid and a north/south arterial, as feasible. Transportation facilities within Planning Areas A and B shall serve local traffic, pedestrian, and bicycle circulation and provide public vehicular, bicycle, and pedestrian access from Highway One to the coastal trail at multiple locations. The trail system in Planning Area A and B shall provide maximum public access to the coast.

Timber Resources Industrial (IT) land use designation and zoning district is intended primarily for timber resource and forest product related manufacturing.

IT also allows for aquaculture, public parks, recreation, open space and conservation uses, as well as public facilities.



DTSC Remedial Action Plan for Operable Unit-E and City Coastal Development Permit and EIR

OU-E consists of ten man-made ponds used for industrial purposes, seasonal wetland areas, and 45-terrestrial acres.

The largest of ponds, the 7.9-acre pond, referred to as “Pond 8”, is perched above the coastal bluff and supported by a 35-foot-high dam and spillway that releases freshwater directly onto the beach.

Pond 8 is located directly south of a 10.3-acre lowland area (20-30 feet above sea level) that contains significant wetlands and is separated from the beach by a 20-foot-high berm fortified on its seaward side with concrete riprap.

Mendocino Railway’s CDP application identifies “Institutional Controls / Containment” as the preferred remedial action and development project.

DTSC & City of Fort Bragg Coordination

Public Review Period for DTSC RAP and City EIR will happen concurrently.

The City's Coastal Development Permit will ensure remediation project is consistent with the City's Local Coastal Program and the Coastal Act.



The EIR examines the environmental impacts of project. The City of Fort Bragg will act as the Lead Agency for CEQA.

DTSC will not approve RAP, until EIR is certified. Regulatory Acceptance is one of nine criteria DTSC consider.

CDP 9-22 Status Update

July 13, 2022: Mendocino Railway submitted a coastal development permit application for mill pond dam improvements in order to implement Institutional Controls / Containment as remedial action for DTSC RAP.

The application was deemed incomplete and the City is awaiting required submittals.

September 14, 2022: The City released a request for proposals (RFP) from qualified environmental consulting firms to prepare a project level EIR.

The RFP process can be time consuming, and not always successful the first solicitation. Securing a consulting team with the expertise to evaluate technical information of application materials is a priority.