

Timeline for the Gualala Bluff Trail

1977 and 1981 OTDs are executed to provide a 25-foot wide easement from the bluff edge for pedestrian access and use along and adjacent to the bluff

Early 1980s A building required to be set back 55 feet from the bluff edge at the southwest corner to protect the trail easement is only set back 24 feet. A retaining wall is allowed as mitigation to protect the trail. A condition of CDP 1-83-270 requires it to be maintained for the life of the development.

October 1992 The Redwood Coast Land Conservancy (RCLC) is created as a local land trust to accept the OTDs for the Gualala Bluff Trail (GBT).

October 1994 RCLC accepts the offers to dedicate public access easements for the Gualala Bluff Trail.

Summer 1998 RCLC builds the first phase of the trail, a 500-foot landscaped path that runs along the bluff behind two inns.

2003- 2004 RCLC receives funding from the State Coastal Conservancy, a CDP and a building permit for phase two of the trail. A management plan is signed.

February 25, 2005 John H. Bower and Bower Limited Partnership (BLP) file a lawsuit against RCLC and the California Coastal Commission contesting the legitimacy of the easement and attempting to stop construction of the second phase of the trail.

February 3, 2006 The crumbling retaining wall is washed away in heavy rainfall, taking part of the GBT easement with it. Building the trail in this area is impossible until the retaining wall is replaced.

February 16, 2007 The lawsuit is settled as all parties have signed the final document. BLP agrees that the easement is valid, to abide by the 1999 survey markings of the easement, and that the trail can be built as approved in CDP #23-03. BLP is fined for not maintaining the retaining wall.

May 2007 All of the work on Phase II that can be done is finished. The rest of the trail improvements wait on a decision from the Coastal Commission about replacing the failed retaining wall.

March–April, 2008 The Coastal Commission receives three appeals to the approval of CDP No. 55-2006 for the construction of drainage improvements and an additional retaining wall to connect with the not yet approved replacement of the failed wall. Substantial issue is found. A de Novo hearing will be held at an undetermined future date.

May 2010 The Commission approves the amendment to BLP 1-83-270 allowing the failed retaining wall to be replaced. BLP is required to create a vegetation restoration and weed management plan for this parcel. It and a design plan are to be submitted to the Commission Director for approval before building commences.

May 2010 A-1-MEN-08-015 for the new wall is on the Coastal Commission agenda, but postponed

July 2011 A-1-MEN-08-015 for the new wall is on the Coastal Commission agenda, but postponed

May 2012 RCLC receives word from the State Coastal Conservancy that the Gualala Bluff Trail Phase II grant will officially expire in May 2013. Work must be completed by March 30th, 2013.

May 2012 RCLC requests assistance in writing from the Statewide Enforcement Program for a decision as to whether to complete trail construction before the grant funds expire. Assistance is requested of Nancy Cave, Bob Merrill and Linda Locklin. No formal response is received.

August 2012 RCLC writes to Charles Lester asking for discussion of the GBT II project completion in conjunction with the September Commission meeting in Caspar. No formal response from Lester but Commission does hear the RCLC public input presentation at the Caspar meeting and urges CC staff to have the appeal on the agenda by December 2012. Still no assistance with the question of whether RCLC should proceed with the trail work prior to funds expiration.

August 2012 RCLC notifies BLP in writing that trail construction will commence as of mid-September, despite the lack of resolution of the retaining wall appeal, due to expiration of the grant in 2013. No response from BLP despite offer to discuss. This letter cc's N. Cave & R. Merrill of CCC, P. Jarausch of SCC and Mendocino County Planner, A. Stockwell. No response.

September 2012 The final plan for replacing the failed retaining wall has not been submitted for approval. The de Novo hearing on the Bower Coastal Permit No. 55-2006 for the new wall has not been scheduled. Both delay the completion of the trail on the Bower property.

September 2012 RCLC obtains the required renewal of a Building Permit from Mendocino County and reconfirms that the CDP is fully vested.

September 2012 RCLC submits, and receives approval for, a revised work plan with the Coastal Conservancy for work covered in the grant intended for fall 2012 and winter 2013.

October 2012 RCLC commences work on the final elements to completion of the GBT Phase II.

February 2013 RCLC receives final approval of the Mendocino County Building Permit – no issues.

March 2013 Coastal Conservancy Grant Administrator completes final site walk for final disbursement of grant funds. RCLC offers in writing to BLP to install a short section of sheep fence to block a dangerous access over the bluff edge at a failed wall/fence. BLP fails to respond as requested by March 30th. Work is completed for GBT Phase II by March 30th.

April 2013 RCLC completes the final Request for Disbursement and finalizes Grant 03-039 Gualala Bluff Trail Phase II. RCLC receives word that the CC may hear the BLP Appeal item at its May 2013 Meeting. BLP still has an administrative postponement at its disposal.