



# REDWOOD COAST LAND CONSERVANCY

*Dedicated to protection of open spaces and natural resources from the Navarro to the Russian rivers*

## NEW HEARN GULCH PURCHASE IMPROVES PUBLIC ACCESS

The Hearn Gulch headlands have long been a favorite vista point for local residents and visitors alike. Now, with the help of many RCLC members and contributors, the entire bluff will be forever preserved for public use and enjoyment.

Two parcels totaling 1.89 acres on the south end of the bluff were purchased from Ardath Schwab by RCLC in April 2005 as an important addition to the Hearn Gulch public access project. The property had been offered for sale as a potential home site and was sold to RCLC below the final appraised value. The California Coastal Conservancy provided the majority of the funding for the \$250,000 purchase, which included \$10,000 in match-



*Beautiful pocket beach on the south end of the bluff is part of the new RCLC acquisition for Hearn Gulch. By Rosemarie Hocker.*

ing funds from the RCLC. Many donors responded to the RCLC challenge campaign last fall to provide funds for this purchase.

The new property adjoins the 3.91 acres that RCLC purchased from Jon Bell in 2001. With the addition of these

two parcels, the Redwood Coast Land Conservancy can now move ahead with its plans to improve the trail down to the cove on the north end of the headlands and to protect and restore the native vegetation.

The new addition will also enable RCLC to provide safe vehicle access to the headlands and sufficient space for parking.

*For further information on RCLC plans for the site, see related article on page 3. 🌲*

## JUDGE RULES THAT RCLC CAN PROCEED WITH TRAIL

In a decisive ruling on July 8, Judge Leonard LaCasse of the Mendocino County Superior Court upheld RCLC's right to build the Gualala Bluff Trail along the easement behind the Surf Super. He denied landowner John Bower, Jr.'s request to ban construction of the trail and ordered Mr. Bower to remove all obstructions blocking the trail easement. Ruling from the bench, Judge LaCasse determined that the original offers to dedicate in 1977 and 1981 by Bower's parents were valid and enforceable.

RCLC wants to thank all the members of the community for signing petitions and contributing to cover our legal

expenses. Over 600 people signed petitions asking that the lawsuit be withdrawn.

The Gualala Bluff Trail begins behind the Sea Cliff Center and extends along the bluff edge through the southern end of the Surf Motel. Phase II, which is at issue in the lawsuit, will extend the trail from the Surf Motel along the bluff behind the Surf Super through the southern end of Ocean Song.

In allowing construction of Phase II to proceed, Judge LaCasse pointed to the express language in the easement that provided for both "access and use," concluding that

*continued on page 4*

## REDWOOD COAST LAND CONSERVANCY

### BOARD OF DIRECTORS

PRESIDENT: Shirley Eberly  
VICE PRESIDENT: Laurie Mueller  
SECRETARY: Lois Lutz  
TREASURER: Bob Rutemoeller  
DIRECTORS: George Anderson, Rosemarie Hocker, Ray Van de Water

### RCLC VOLUNTEERS

*Many people volunteer their time and professional expertise to help RCLC preserve and protect our local coast.*

**ADVISORS:** Randy Burke, Sharon Burningham, Roger Dingman, Jeanne Gadol, Vivian Green, Cindy Kennedy, Mary Sue Ittner, Ray Jackman, Irene Leidner, Jim Lotter, Cecilia Moelter, Fiona O'Neill, David Pitocco, Brian Regan, Mary Rhyne, Dorothy Scherer, Doug Simmonds, Jon Thompson, Jan Venolia, Julie Verran and Bill Wiemeyer

**BLUFF TRAIL COMMITTEE:** Shirley Eberly, Mary Sue Ittner, Ray Jackman, Cecilia Moelter, Bob Rutemoeller and Bill Wiemeyer

**TRAIL MONITORS:** Heinz and Lisa Gewing, Paula Gordon, Chris Howard, Mary Sue Ittner, Nancy Killian, Bob and Sue Lease, Kathleen Sandidge, John and Jackie Peterson, Cora Lee Seale, Harmony Susalla, Gail Taylor, and Jan Venolia

**WEBSITE EDITORS:** Jeanne Gadol, assisted by Dave and Charlotte Scholz

**HISTORIAN:** Ramona Crooks

**NEWSLETTER EDITORS:** Rosemarie Hocker and Laurie Mueller

**CONTRIBUTORS** to this issue include George Anderson, Shirley Eberly, Rosemarie Hocker, Laurie Mueller, Bill Perry, Bob Rutemoeller, and Dave Scholz.

**MAILING VOLUNTEERS:** Dwight and Shirley Eberly, Rosemarie Hocker, Cecilia and John Moelter, Bob Rutemoeller, and Ray and Flo Van de Water

### RCLC OBJECTIVES

- To preserve and protect natural resource and open space values in the coastal strand from the Navarro to the Russian rivers
- To provide public access to coastal resources through implementation of dedicated access easements
- To encourage the protection of natural resources on private lands through acceptance of voluntary conservation easements
- To support public awareness and educational activities regarding the importance of natural resource conservation
- To provide support for and participate in public and private resource conservation projects

RCLC is a member of the National Land Trust Alliance, California Council of Land Trusts, and the Redwood Coast Chamber of Commerce.

**PLEASE CHECK YOUR NEWSLETTER LABEL "05" in front of your name means that your most recent contribution to RCLC was during this year. If there is no number to the left of your name or an "03" or "04" (indicating that your last gift was in 2003 or 2004), please consider making a contribution for this year to support the work of the RCLC. A contribution form is printed on the return envelope in this issue. Thank you.**

## RCLC

### PRESIDENT'S LETTER

This year has certainly been challenging for RCLC. We began the year by completing negotiations for the purchase of two parcels to add to our Hearn Gulch property. After many discussions, offers and counteroffers, we finally arrived at an agreement that was acceptable to the property owner and to our primary funder, the California Coastal Conservancy. We want to thank Cindy Kennedy of Kennedy and Associates for her help in acquiring this property.

We now have a wonderful addition to Hearn Gulch that will enable us to protect and restore this beautiful vista point. Project manager Dave Scholz and board member George Anderson are heading up the project to put the improvements we have planned in place.

Another challenge has been the unfortunate delay in building Phase II of the Gualala Bluff Trail because of an unsuccessful attempt to block its construction. An initial ruling has confirmed that RCLC can proceed with the trail but other legal issues have yet to be decided.

Thanks to the thorough and persistent work of board member Ray Van de Water and his assistant Irene Leidner, we have just received funding for developing two other public access easements for Bonham Beach and for St. Orres Creek. The next stage is completing the comprehensive county permit process which will include the geological, archaeological, botanical and other surveys required for applications for coastal development.

While the RCLC board and project volunteers are delighted that we are working on four excellent projects for the public benefit, our resources of time, money and energy are stretched very thin.

There are many ways you can help RCLC. If you are interested in joining others in completing any of these projects, give one of our board members a call. If you would be interested in serving on our board, we are looking for new recruits. (In addition to a commitment to our mission, required skills include patience, perseverance, and a good sense of humor!) And, of course,

your financial support is always greatly appreciated and will be used to match the funds granted by the State Coastal Conservancy and other agencies for our projects.

Thank you again for your support.

Sincerely,

Shirley Eberly 🌲



RCLC President  
Shirley Eberly



*Enjoying the beach at the north end of Hearn Gulch. By Bob Rutemoeller.*



# PRESERVATION AND ACCESS PLAN FOR HEARN GULCH

RCLC's recent acquisition of the Schwab property will enable RCLC to complete plans begun four years ago to preserve and restore the native vegetation of the Hearn Gulch headlands, improve the trail down to the cove, and provide safe public access to the site.

Considerable work is planned for the site:

- As part of the planned improvements for the trail, a unique custom-designed cabled stair system will be installed to allow safe descent over the steep final segment of the planned trail to the cove.
- A parking area will be built with a defined area for vehicles and barriers to prevent the continuation of damage to the fragile headlands and the many species of native plants growing on the site.
- A portion of the highway's western "cut" will be widened to achieve the required line of sight distance for the property's safe ingress and egress from State High-

way 1.

As part of the permit application, the required reports and surveys have been completed for the site, including comprehensive botanical surveys by Dorothy Sherer and Jon Thompson and geological reports by David Paoli and Tom Cochrane. Once the permits are granted, work can begin.

RCLC estimates the cost to accomplish the required improvements to be \$40,000. Dave Scholz and George Anderson are heading up this project and hope to have work completed by spring of 2006.

RCLC provided \$10,000 in matching funds for this project, raised from



*Bluff top will need extensive restora-*



the supporters of RCLC's on-going mission to preserve notable features of the north coast's exceptional natural heritage. Donations of time, talent and treasure will be needed to complete this project and preserve for all time

this dramatic piece of the Mendocino coast. For more information go to [www.rc-lc.org](http://www.rc-lc.org) 🌲



*Beautiful view and small cove are part of new acquisition for Hearn Gulch. By Rosemarie Hocker.*

## GRANT FOR HEARN GULCH

RCLC has received a \$5,000 grant from The Community Foundation of Mendocino County to help fund completion of RCLC's Hearn Gulch Preservation and Public Access Project. RCLC would like to thank the Foundation for this generous grant, which provides funds to furnish and install the fencing needed to protect the native vegetation in the fragile headlands area. The Foundation congratulated RCLC on receiving the grant, noting the record number of grant applications (75) received, and thanked our organization for working to preserve open space for public use. 🌲



### Lawsuit continued from p. 1

the word use means that RCLC can include plantings, benches and safety barriers in its trail design.

#### Lawsuit Creates Delays

The lawsuit, which placed a restraining order on breaking ground for the trail, has delayed construction originally scheduled to begin last fall. RCLC will begin construction on Phase II of the trail as soon as funding is completed and work schedules for contractors and volunteers can be re-established.

This delay has been discouraging for the many RCLC volunteers who have worked to design and engineer the trail, fulfill requirements for a county permit, go through the lengthy permit application process and acquire the necessary funding.

Still unresolved in the lawsuit is Mr. Bower's claim that the deeded easement may not be valid because RCLC and the Coastal Commission never signed a formal agreement with Bower regarding liability insurance coverage. (RCLC has maintained an insurance policy in excess of the amount required by the terms of the easement every year since 1994 when RCLC first assumed responsibility for the project.) This issue will be ruled on in a separate hearing.

The lawsuit has cost RCLC \$7,774 to date, with more expenses expected unless the lawsuit is withdrawn. Fortunately, \$8,640 in contributions have been received so far to cover the legal costs of the suit. 🌲

## STATE GRANTS \$100,000 FOR RCLC PROJECTS

The State Coastal Conservancy has granted RCLC \$100,000 to construct three public access trail projects for Bourn's Landing/Bonham Beach and St. Orres Creek.

The coastal access projects will be constructed on easements held by RCLC. The Bourn's Landing/Bonham Beach project will provide a bluff-top viewpoint overlooking the beach and will substantially upgrade the trail down the bluff to the beach by grading, adding base rock, and installing cabled steps.

The trail will connect with the easement RCLC holds at Bonham Beach for the 900 feet of sandy beach between the foot of the bluff and the ocean mean high tide line.

The St. Orres Creek Trail project will provide safe public access to this scenic pocket beach and protect the access from further erosion. The steep first section of the current informal path to the beach will be abandoned. RCLC will build a new trail section running roughly parallel to the highway from the paved parking area just south of the beach, through Cal Trans property, north to connect with the lower segment of the existing path. From that point the trail bed will be improved and a cable-step ramp will be installed along the cliff face where the current trail drops precipitously about 15' down to the beach.

Construction on these projects will begin as soon as permits are granted and is scheduled to be completed next summer. 🌲

## COINS FOR CONSERVANCY CAMPAIGN

Do you have a stash of spare coins on your dresser? Put them to good use by participating in RCLC's "Coins For Conservancy" campaign.

At the encouragement of donor Doug Patterson, The Redwood Coast Land Conservancy is announcing a

"Coins for Conservancy" fund raising project to ask residents to save their coins for RCLC after emptying their pockets at night.

Doug set an excellent example by handing RCLC Treasurer Bob Rutemoeller two large coffee cans filled with coins he accumulated over a year's time. This collection totaled \$226.80 in support of our local coastal land and trails. His gift fol-



RCLC Treasurer Bob Rutemoeller (left) and coin donors Doug Patterson and Charlie Murphy kick off "Coins for Conservancy" campaign.

lows an earlier donation of coins by Charlie Murphy.

RCLC has a goal of persuading fifty participants—men, women, and children—to empty their pockets by the end of the year. You can drop off your Coins for Conservancy at Copy Plus at Sundstrom Mall (upstairs) in Gualala or contact Bob Rutemoeller at 884-4426. 🌲



## VISIT YOUR COASTAL BEACHES

### Bonham Beach

Bonham Beach (formerly Cooks Beach) is a wide sandy beach just north of Gualala. RCLC holds a conservation easement for the beach above the high tide line and has just received funding to build a vista point on the bluff above and improve the trail down to the beach. To visit Bonham Beach, head north out of Gualala on Highway One, turn left at the Old Coast Highway, across from Glennen Drive. Travel almost to the end of the Old Highway where you will see the overlook and trail to the beach. 🌲



*Bonham Beach viewed from the bench at the beach entrance. By Rosemarie Hocker.*



*A new trail will be constructed to provide access to St. Orres Beach. By Rosemarie Hocker.*

### St. Orres Creek

RCLC holds another easement north of Gualala at St. Orres Creek just across from the landmark St. Orres Inn and Restaurant. This small scenic beach is beautiful but currently difficult to access. RCLC has recently received funding to improve the trail down to the beach and to install stairs along the cliff face. Local contributions will be needed to match funds granted by the State Coastal Conservancy for both this and the Bonham Beach public access projects. 🌲

## LOOK FOR THE ROUND LOGO MARKER

RCLC's new Round Logo will soon appear discreetly on signs that identify land being conserved for the benefit of the public. Which reminds us, if you would like to inquire about a Conservation Easement for a portion of your land, please call Bob at 884-4426 or Shirley at 785-3327 or check our website [rc-lc.org](http://rc-lc.org) 🌲



## GENEROUS DONATIONS

RCLC treasures the opportunity to conserve, for public benefit, the spectacular lands in Northern California's ridges and coast. Your contributions make it happen. Thank you!

*For the Gualala Bluff Trail  
and other projects*

Doug Hammerstrom; Diane Harris; Bill and Connie Chapman; Cindy Kennedy and Kennedy and Associates; Anne and Alex Long; MacIntosh Users Group; Ray Huff and Community Health Charities of California

*In Memory of*

*Jeff Abbey* – John and Cecilia Moelter  
*Howard Z. Bogert* – Carol Bogert; Friedman and Associates, Wealth Management Advisors, Inc.

*Lorraine Johansen* – Lucie S. Marshall  
*Freda Mueller* – Rosemarie Hocker  
*Reina Schulz* – John and Cecilia Moelter

*In Honor of*

*Ray Van de Water* – Dave and Charlotte Scholz

We would also like to thank the 68 RCLC members who contributed \$8,640 towards legal expenses for protecting public access to the Gualala Bluff Trail. 🌲

### TO OUR CONTRIBUTORS:

In our next issue of the RCLC newsletter, we plan to acknowledge all our donors for 2005. We want to make certain that we list everyone's name correctly. If you have a specific way you would like your name to be listed or would rather not be publicly acknowledged, please let us know. Just indicate your wishes on the enclosed return envelope or email Bob Rutemoeller at [brutem@mcn.org](mailto:brutem@mcn.org).

## TAX DEDUCTIONS FOR CONSERVATION EASEMENTS AT RISK

*by Dave Scholz*

In the last 25 years, voluntary private conservation in the U.S. has protected more than 34 million acres of working farms and forests, wildlife habitats, coastal access, historic landscapes and parklands. Much of this has come about for two reasons: the tax code and land trusts.

In the 1980s, Congress determined that the best way to conserve America's natural legacy is through incentives to private landowners. These incentives encourage voluntary charitable gifts, respect private property rights, and for the most part, keep land on the tax rolls. These Congressional decisions were also an important factor in the considerable growth in the number of land trusts formed since that time.

Unfortunately along with this upsurge came a few instances of abuse. Some examples: overly generous appraisals, questionable conservation values, poor property monitoring, and conflicts of interest.

These abuses have prompted Congress to take another look. The Joint Committee on Taxation (JCT) has already issued its recommendations. The Senate Finance Committee (SFC) is currently holding hearings, with recommendations scheduled for the end of July. The JCT recommendations would make changes in the tax law that would *discourage* donations of property, including land and easements. If the Senate Finance Committee agrees, local north coast conservation ease-

ment successes such as Stornetta Ranch and the Dobbins property will most likely not be possible in the future. Even RCLC's recent purchase of the Schwab property, a "bargain" sale below the property's state certified appraisal value, would be more difficult (i.e., more expensive).

The solution? The abuses can be halted by improving appraisal standards and by implementing higher standards and better practices for land trusts. The Land Trust Alliance (LTA), a national organization of land trusts, has taken the lead on this issue and has already published a revised set of standards and practices that land trusts (including RCLC) are now putting into practice. In addition, the LTA is initiating a voluntary accreditation program that will further insure accountability and community trust.

### What you can do to help

Unfortunately, the recommendations of the JCT and two of the proposed SFC recommendations will seriously erode the ability of all land trusts to fulfill their preservation mission. This is an issue that can use your help. The August Congressional recess is a good time to contact Senators Feinstein and Boxer and your local Congressional Representative to ask them to support the reasonable reforms identified by the LTA. For more information you can go to the Land Trust Alliance website [www.lta.org/publicpolicy/ppc.htm](http://www.lta.org/publicpolicy/ppc.htm).

Thank you! 🌲

*As a land trust, RCLC works with local landowners who want to conserve the natural qualities of their property, with public agencies to meet their interests and requirements for maintaining natural resources, and with our local community to preserve and protect our natural heritage for public benefit and enjoyment.*





RCLC Board Member  
George Anderson

## PROFILE: GEORGE ANDERSON

the back roads and underdeveloped areas. This experience has taught us how much open space there really is and how much opportunity we have to preserve endangered landscapes.

### Education and training? Vocation and avocational pursuits?

I am a graduate of the University of New Mexico (BA-History) and the University of Arizona (MA-Education Administration). For thirty-five years, I worked in Redlands, California, as a middle school teacher, a high school teacher, and finished my career in public education as the principal of Redlands High School.

My wife and I share a passion for hiking; we try to average 20 miles of trails a week. Birding, rock fishing, gardening, reading and yoga are my other favorite pastimes.

### Tell us about living here on the Redwood Coast. How long have you lived here? How does your life style here compare or contrast with other places you have lived? What makes a special difference and why?

My wife and I first visited the Redwood Coast in 1985; we vacationed here ever since. Building a house here

in 1997, we began to spend all vacations here. After retiring in 2003, the Redwood Coast became our permanent home. Years of living in a congested, urban, traffic-jammed, smoggy place combine to make us never take the Redwood Coast for granted. Enjoying the peace of a rural, remote, and unspoiled North Coast is our Shangri-La.

### What are some of the things you do or have done for the Redwood Coast Land Conservancy? How did you become interested in RCLC?

As a new board member, I am just beginning to learn the many intricacies of land conservancy. My interest in RCLC began through hiking friends who are RCLC members.

### Special places here on the coast?

The North Coast has so many special places. If I have to name a few favorite spots, they include Salt Point, Stillwater, Jughandle, the Russian Gulch, the Stornetta Ranch and Hearn Gulch.

### Why do you support the work of RCLC? How would you encourage others to participate in the work of the Conservancy? Values, benefits?

I strongly believe in land trusts and their role in preserving land for the enjoyment and use of future generations. Public access to scenic areas, providing conscientious owners with opportunities for land conservation, and educating all of us on sustainable land use are values that should encourage all us to be involved in the work of the RCLC. 🌲

### Let's go back in time. Tell us about yourself. Were there early influences that led you or put you on the path toward land trusts?

I was born and raised in DeKalb, Illinois, and did not really move away from there until I was eighteen and left for college. While in college in the Southwestern United States, I became increasingly interested in outdoor activities, particularly national parks, monuments, and forests. During my working years in Southern California, I became more interested in preserving open spaces as I watched agricultural land be fragmented with subdivisions and strip malls, many times at the expense of wildlife and waterways. Also, whenever I returned to DeKalb, I saw the same trend with the loss of family farms and minimal concern for open space preservation.

### Family—special people in your life? Their influence in terms of environmental protection and land conservancies?

The most special person in my life is Kathie, my wife of 35 years. We have always shared a common interest in traveling the United States and the world with emphasis on



Sea stacks in the mist. By Bill Perry.



*Calypso Orchid found among the redwoods. By Bob Rutemoeller.*

## CALL TO ARTISTS AND PHOTOGRAPHERS

To support local artists who capture the beauty of our northern coast, this year RCLC is sponsoring two Environmental Awards at the 44<sup>th</sup> annual Art In The Redwoods Festival on August 20<sup>th</sup> and 21<sup>st</sup>.

We also would like to put out a call for photographs taken along our stretch of coastline. We regularly use scenic photos in our newsletter and on our website. If you have pictures you are willing to share, we would be delighted to add them to our collection. 🌲



REDWOOD COAST  
LAND CONSERVANCY

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