

MANAGEMENT PLAN FOR DEHAVEN BEACH & HEADLANDS

Assessor's Parcel 013-890-0105



Two photographs are merged to show the parcel in 1987 (courtesy of Kenneth & Gabrielle Adelman)

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Approved by the State Coastal Conservancy
23 September 2023

INTRODUCTION

The DeHaven Beach and Headlands property is located approximately one mile north of Westport in Mendocino County, California (Figure 1). That 26-acre parcel was acquired in 2022 by the Westport Village Society, a nonprofit corporation, to conserve its resources and facilitate responsible public access with generous assistance from the State Coastal Conservancy (SCC) and private donors.

This management plan was developed with input from the SCC, public, and local tribes. The purpose of the plan is to protect, enhance, and restore the natural resources and habitats on the DeHaven property while enabling access for the public and traditional tribal uses compatible with that conservation goal. Proposed access improvements include developing a half mile segment of the California Coastal Trail with parking and a stairway within the property on the headland south of DeHaven Creek.

The WVS conservation mission is first defined before describing the property and its natural habitats and resources. Traditional uses and management challenges identified by public input and research are then discussed. Goals are defined for conserving and, as feasible, restoring natural habitats and resources while providing for sound public access and sustainable use. This plan is intended as a living document that may be updated as patterns of use and physical changes in the property and its resources evolve.

OUR CONSERVATION MISSION

The WVS was organized in 1992 to foster the preservation, enhancement, and interpretation of the natural and historic area around Westport and to support local charitable and educational projects. The DeHaven property acquisition was compatible with key elements of the WVS Bylaws, namely:

- (2) To acquire, hold and manage land and interests in land, including "qualified conservation contributions" and open space easements in and around the village of Westport, California as a "qualified organization" under Internal Revenue Code 170(b), including (but not limited to) contributions and acquisitions intended to:
- (a) preserve land areas for outdoor recreation and education of the general public;
 - (b) protect relatively natural habitat of fish, wildlife, plants, or similar ecosystems;
 - (c) preserve open spaces (including farmland and forest land) where such preservation is for the scenic enjoyment of the general public or pursuant to clearly delineated Federal, State, or local governmental conservation policy, and will yield a significant public benefit; or,
 - (d) preserve historically important land areas or certified historic structures.

In addition to those broad goals, this management plan addresses the purposes defined in a restrictive covenant granted to the State Coastal Conservancy (SCC) and recorded with the property title. That covenant defines those purposes as follows: "The offeror (WVS) has acquired the real property for the purposes of cultural resources protection; open space protection; protection, enhancement, and restoration of natural resources and habitat; and public access and beach recreation compatible with such uses (collectively, the "acquisition purposes"). . . No use of the real property inconsistent with the acquisition purposes is permitted. No development, as defined in California Public Resources Code section 30106, shall be permitted on the real property except as reasonably necessary for the acquisition purposes."



Figure 1. Project vicinity

Drawing on those principles, the WVS management philosophy for this property balances protection and enhancement of its scenic and environmental qualities with maintaining and enhancing responsible public access. It is our intention to support traditional activities like walking; picnicking; sustainable fishing and seafood gathering; and access for surfing and small hand-carried boats. Cultural programs and environmental interpretation will be encouraged in a manner that enhances conservation and restoration of the property's environmental values. Before defining how those goals will be implemented the property, its long history of human use, and its natural condition are described.

PROPERTY DESCRIPTION

The 26.09 acre oceanfront land that comprises the DeHaven Beach and Headlands property is located approximately one mile north of Westport in Mendocino County, California. It consists of a single parcel (AP#013-890-0105) on the west side of State Route 1 at its intersection with Branscomb Road. That parcel was created as a portion of the Westport Beach Subdivision approved in 1971. It has a street address of 39000 North Highway 1 and was listed as Parcel 80 on the subdivision map (Figure 2). The parcel was acquired by WVS on December 15, 2022 (*Official Records* 2022-13615).

The property borders Westport Union Landing State Beach (WULSB) to the north and the privately owned Wages Creek Beach Campground to the south. The parcel map shows three connected 10 ft wide pedestrian access easements in the northern portion of the property that include a 238.92 ft long segment bordering the northern lot line; a 760.31 ft segment traversing south from the northeast lot corner along the east lot line; and a 510.12 ft segment extending southwest to the bluff edge. Those dedicated pedestrian access easements surround the beach at the mouth of DeHaven Creek, a stream earlier called Packard or Gordon creek.

PARCEL HISTORY

Past human use of the parcel provides a context for understanding future access. The local coast was originally settled by people arriving in successive waves of migration from Asia beginning 15,000 years ago (Van Bueren 2012). When Europeans first visited this coastline in 1805 it was densely inhabited by indigenous people who spoke languages of the Yukian family (Gifford 1939; Kroeber 1925:159; Powers 1976:125). The area around the mouth of DeHaven Creek and extending east up Lincoln Ridge was the traditional territory of the Yuki-speaking *Alwasa-ontilka* tribelet according to descendant Tony Bell (Gifford 1939:299). They had a summer camp near the mouth of DeHaven Creek called *Lilp'inkeml*, roughly translated as "rocks lie." In the winter the tribe moved to *Onbit* village on Lincoln Ridge (Figure 3).

The Pomo knew the Coast Yuki village at DeHaven Beach and called it *Kabedima* (Barrett 1908). An unpublished manuscript by Layton and others (2011) contains a photograph of that village taken by the Gordon family sometime before 1901. Eleven villagers stood in front of two conical structures made of milled planks near the bottom of the bluff below the Gordon house north of DeHaven Creek. Tony Bell and his wife Nellie lived there and were confined to their house on the beach by the County Sherriff in 1902 when they contracted smallpox (Layton et al. 2011; Van Bueren 2012:99). Nellie subsequently died of the disease and she was cremated in the structure with all its contents. Surviving members of Tony Bell's family and Florence Bowen's family continued to live there from 1903 into the 1920s and collected seaweed to sell to a Chinese entrepreneur during that period (Van Bueren 2012:73).

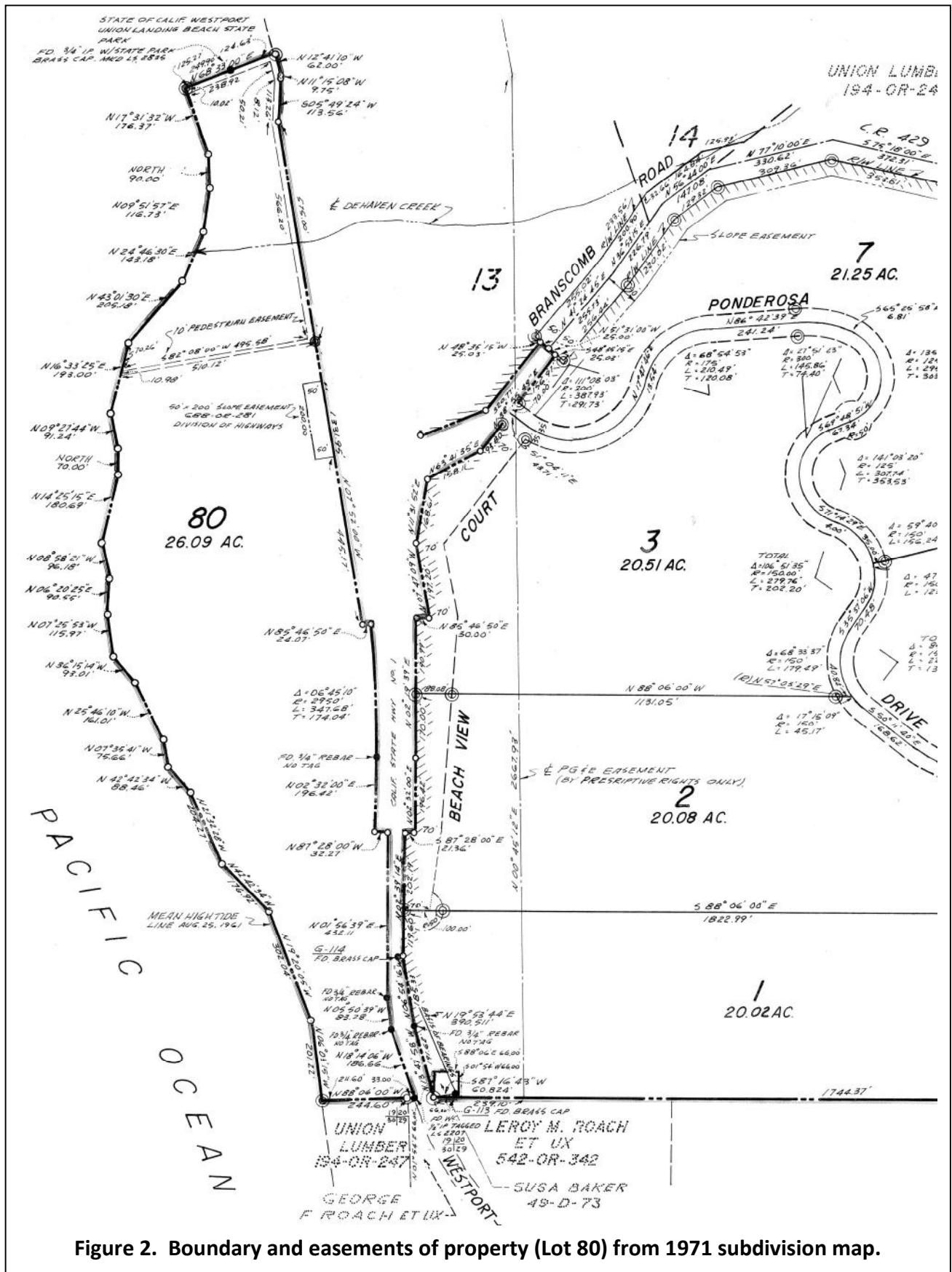


Figure 2. Boundary and easements of property (Lot 80) from 1971 subdivision map.

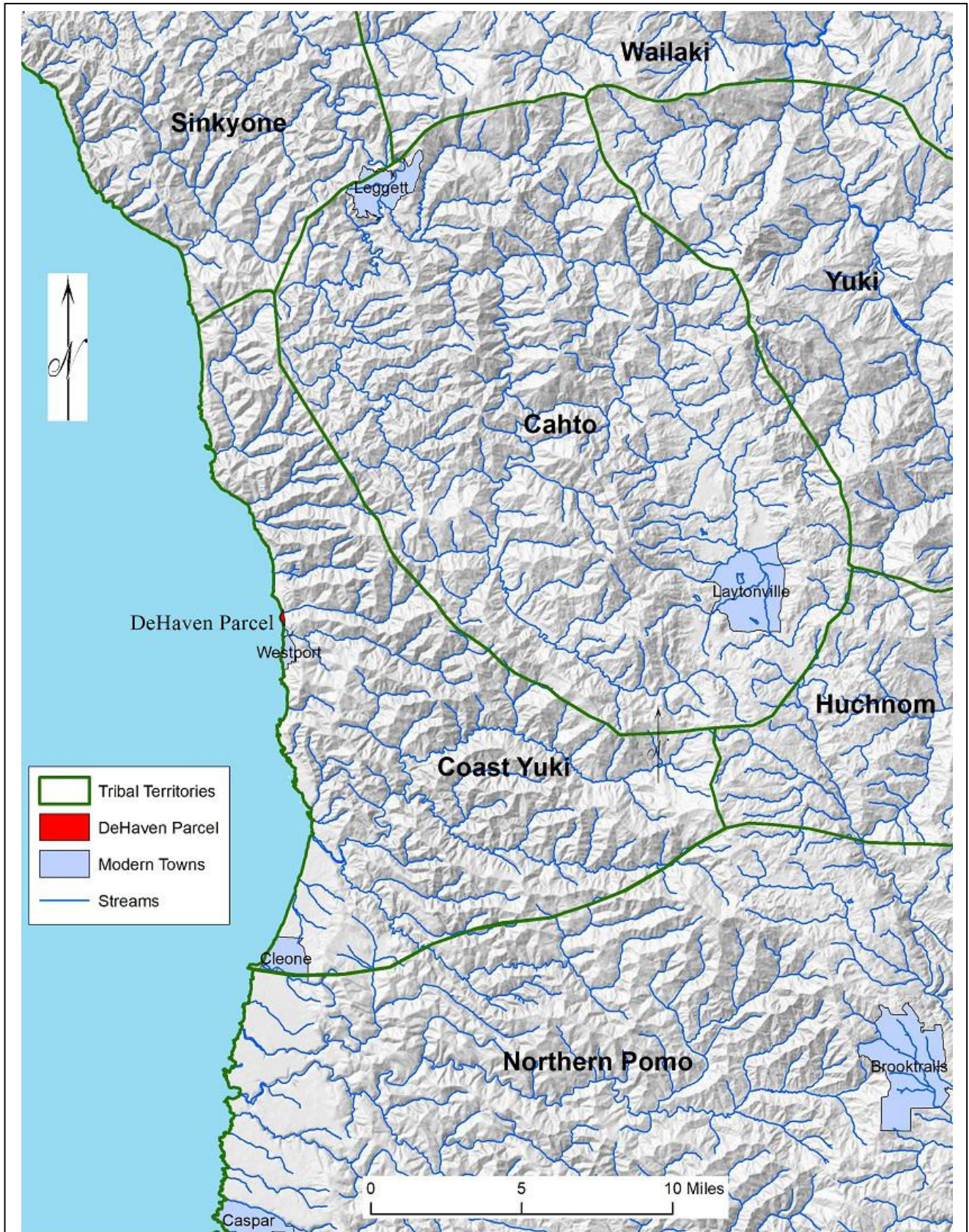


Figure 3. Precontact Tribal territories in the local region

According to Gifford (1939:299) “Tony insisted that the name *Lilp’inkem* originally applied to an ancient site on the nearly level top of the bluff south of DeHaven Beach, as well as to the site at the beach. The soil at this bluff site was dark and contained a quantity of shell and stone. Trace of an old assembly house pit is still to be seen, in spite of plowing. The site was not occupied in Tony’s life time, but an old Sinkyone told Tony of a whale feast he had attended there, following the stranding of a whale below the bluff.” No trace of a large village was found on the WVS DeHaven property in a recent archaeological survey (Van Bueren 2022), but a small shellfish processing area was observed and recorded on the south headland. It is thus likely the village Tony Bell mentioned to Edward Gifford is located on neighboring lands, perhaps buried under the modern highway.

The Yuki hamlet near the mouth of DeHaven Creek was surrounded by other politically autonomous Yuki-speaking tribelets. Both ethnographic and archaeological evidence imply lengthy occupation of the local coast by Yuki-speaking people. For example, the Coast Yuki had many words and myths related to the ocean. However, surrounding indigenous groups also regularly visited the area, engaged in trade with Coastal Yuki hamlets, and intermarried with the local inhabitants according to recollections shared with ethnographers. For example Gifford (1939) mentions members of Coast Yuki communities near the mouth of the Ten Mile River intermarried extensively with the Sherwood Valley Pomo who resided near its headwaters, while the Coast Yuki at Usal intermarried with their Sinkyone neighbors to the north. In other cases, relations between local coastal tribelets and other neighboring groups were more difficult, constraining visitation or sometimes even resulting in hostilities.

Place names offer insights into the geographic range of tribes. Naming a place implied visitation or knowledge, not necessarily occupation. The Coast Yuki had names for places as far north as Shelter Cove, south to the Albion River, and east as far as Round Valley and Sherwood Valley (Gifford 1939:303). Coast Yuki groups regularly visited friendly neighbors in areas beyond their own tribal territories (Gifford 1939). Neighboring tribes also had names for places within the Coast Yuki territory, a fact suggesting visitation and familiarity with the landscape. The Pomo had names for places north as far as Cape Vizcaino (Barrett 1908). Even neighboring tribes who were hostile to the Coast Yuki had names for places in the local area because they sometimes encroached without invitation or permission.

The situation changed radically after Euro-American explorers and settlers began to arrive. The first impact on local Native American populations resulted from introduced diseases that spread even before the first visitors appeared in the local vicinity (Cook 1976). That was followed by the more brutal impacts from direct contact. The technological superiority of the settler’s weapons resulted in forced displacement, violence, and genocide. There was no foreign settlement of the local area until after California was claimed as a territory by the United States in 1846 (Van Bueren 2012).

Following statehood in 1850 a few settlers began to arrive along the Mendocino coast. They initially established farms and lumber camps in more easily accessible areas south of Westport. After the Mendocino Indian Reservation was established in 1854, settlers pushed north into the Westport area by the early 1860s. That had devastating consequences for the indigenous population. Kroeber (1925:883) conservatively estimates the precontact Coast Yuki population at 500, while Cook’s (1956:108) analysis suggests a slightly higher figure of 756 people based on the number of inhabited villages. Table 2.1 compiles the best estimates of regional indigenous populations during the following decades.

Table 1. Tribal Populations in Mendocino County in the Historic Period

| Year | Coast Yuki | Yuki | Huchnom | Northern Pomo | Kato | Wailaki | Sinkyone | Source |
|------|------------|------|---------|---------------|------|---------|----------|----------------------|
| 1850 | 756 | 6880 | 2100 | 5040 | 1100 | 3350 | 2900 | Cook 1956 |
| 1864 | 50 | 300 | nd | nd | nd | 400 | nd | SOI 1865:119 |
| 1870 | nd | 238 | 79 | nd | nd | 115 | nd | SOI 1871:75 |
| 1880 | nd | 168 | 50 | 673 | 64 | nd | nd | US Census |
| 1908 | nd | nd | nd | 705 | nd | nd | nd | Barrett 1908 |
| 1910 | 15 | 95 | 15 | nd | 50 | 200 | 25 | Kroeber 1925 |
| 1911 | | 231 | | 452 | 52 | nd | nd | BIA Census |
| 1926 | 4 | nd | nd | nd | nd | nd | nd | Gifford 1939:292-293 |
| 1937 | nd | 50 | 8 | nd | nd | nd | nd | Foster 1944 |

nd=no data

While the Bureau of the Census did not systematically gather data on Indians until the twentieth century, the Bureau of Indian Affairs began enumerating Indians in the 1860s in reports submitted to the Secretary of the Interior. The drastic reduction of the population of local tribes was the result of disease, genocide, and removal to other areas by slave traders and government agents (Carranco and Beard 1981; Cook 1976; Van Bueren 2012). Cook (1976:352) lists 573 Yuki casualties between 1851 and 1865 during the Mendocino Indian War, although it is unclear how many were killed in the coastal area.

The decimation of the local Coast Yuki population shifted the balance of power between surviving members of that tribe and neighboring tribal groups. As Coast Yuki numbers were reduced, other tribal groups could visit the coastal area around Westport with greater impunity because so few of the indigenous people remained. However, the influx of American settlers likely deterred Native American occupation and visitation of places like the mouth of DeHaven Creek due to the unpredictable danger that posed (Van Bueren 2012). The surviving Coast Yuki people continued to live or periodically visit DeHaven into the early 1900s, intermarrying with other native people.

In 1926 four people of Coast Yuki descent were interviewed by Gifford (1939). Tony Bell was full blooded, Mary Standley and Tom Bell were half Coast Yuki, and William Bowen was half Sherwood Pomo and one quarter Coast Yuki. Intermarriage among tribal groups increased as survivors banded together for survival. By 1928 the BIA Indian Census lists 18 Native Americans living in the Westport vicinity. Of those, ten were half blood Indians of Sinkyone, Sherwood Pomo, and Wiyot descent, four had one quarter Wailaki blood, and the rest had just one eighth Indian blood.

After 1846 California was controlled and presumptively owned by the United States. However, the Government Land Office had to survey it before it could be assigned by the federal government to government agencies, individuals, or companies. The original survey encompassing the DeHaven property took place in 1869 as shown in Figure 4. The subject property lay within Lots 3 and 4 of Section 19 in Township 21 North and Range 18 West of the Mount Diablo base meridian. That land consisting of 28.93 acres that was awarded to John O. Walker on October 15, 1875 as a cash entry Patent No. 1854. At that time DeHaven Creek bore the name "Packard Creek." The nascent town of Westport was in Sections 31 and 32 to the south at "Beall's Warehouse."

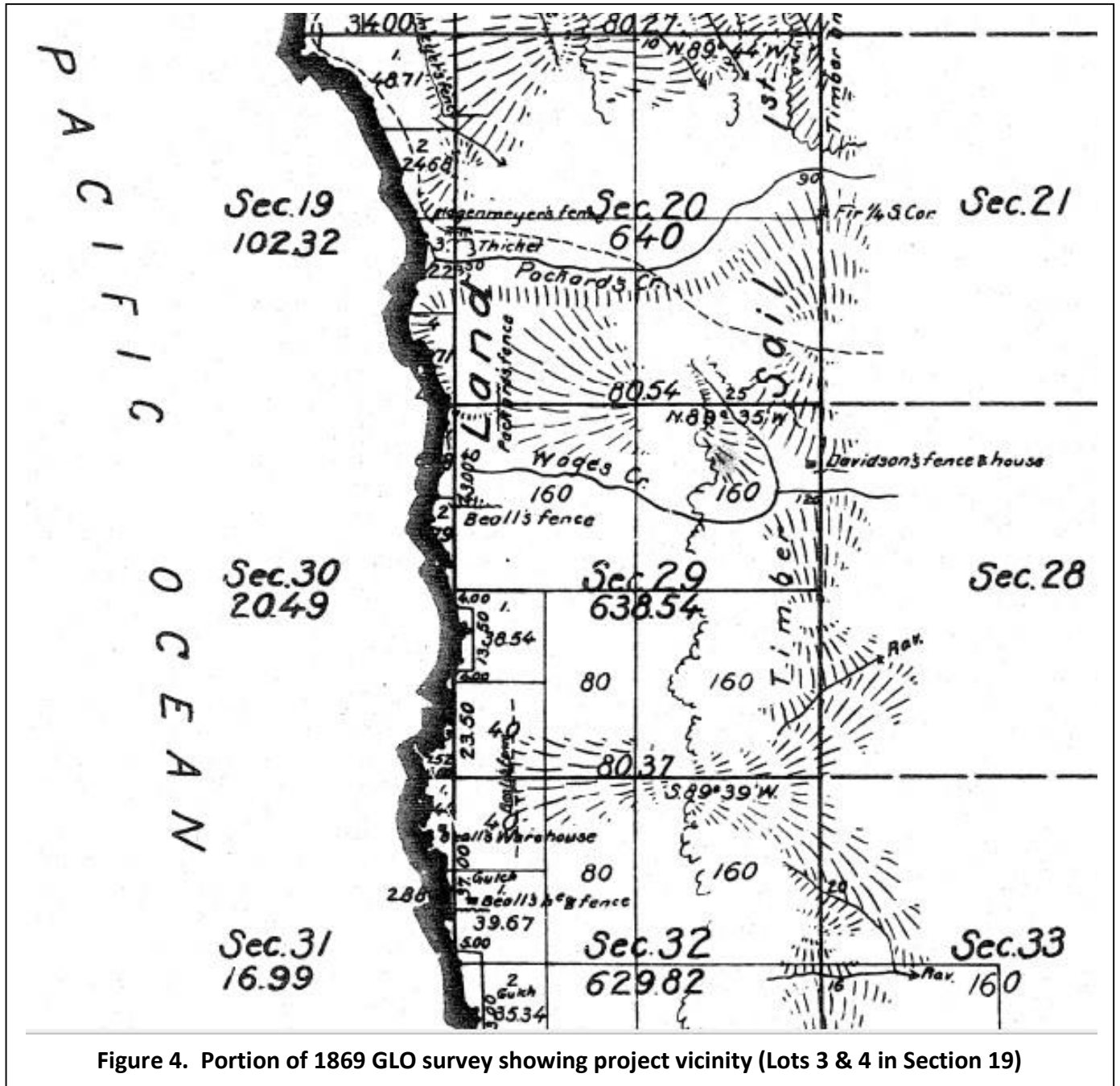


Figure 4. Portion of 1869 GLO survey showing project vicinity (Lots 3 & 4 in Section 19)

An 1874 topographic survey by the US Coast and Geodetic Survey shows no development on the WVS DeHaven Beach and Headlands property at that time (Figure 5). The Gordon house and barn are clearly shown on the north side of what was called Gordon Creek at that time. Several fence lines separated the farm from the undeveloped headlands and a coast road was located east of the WVS property. Subsequent maps including the 1916 and 1921 editions of the US Army of Engineers Cape Vizcaino 15' quadrangles, the 1929 USCGS Nautical Chart Number 4497, the 1950 and 1951 Cape Vizcaino 15' US Geological Survey quadrangles, and the 1966 Westport 7.5' USGS quadrangle continue to reveal no improvements were subsequently built on the land.

During WVS acquisition of the property various studies, reports, and documents were made available by the seller. They were prepared in the 1980s and 1990s to plan for future development. Those documents indicate improvements were limited to a capped test well, a short section of road cut on the north edge of the southern marine terrace, and some intermittent fencing along the eastern property border. Overhead telephone utility poles also follow the modern property line along the highway suggesting they were in place by 1964. Some test trenches were also dug to design a septic system in the middle of the south headland in 1993.

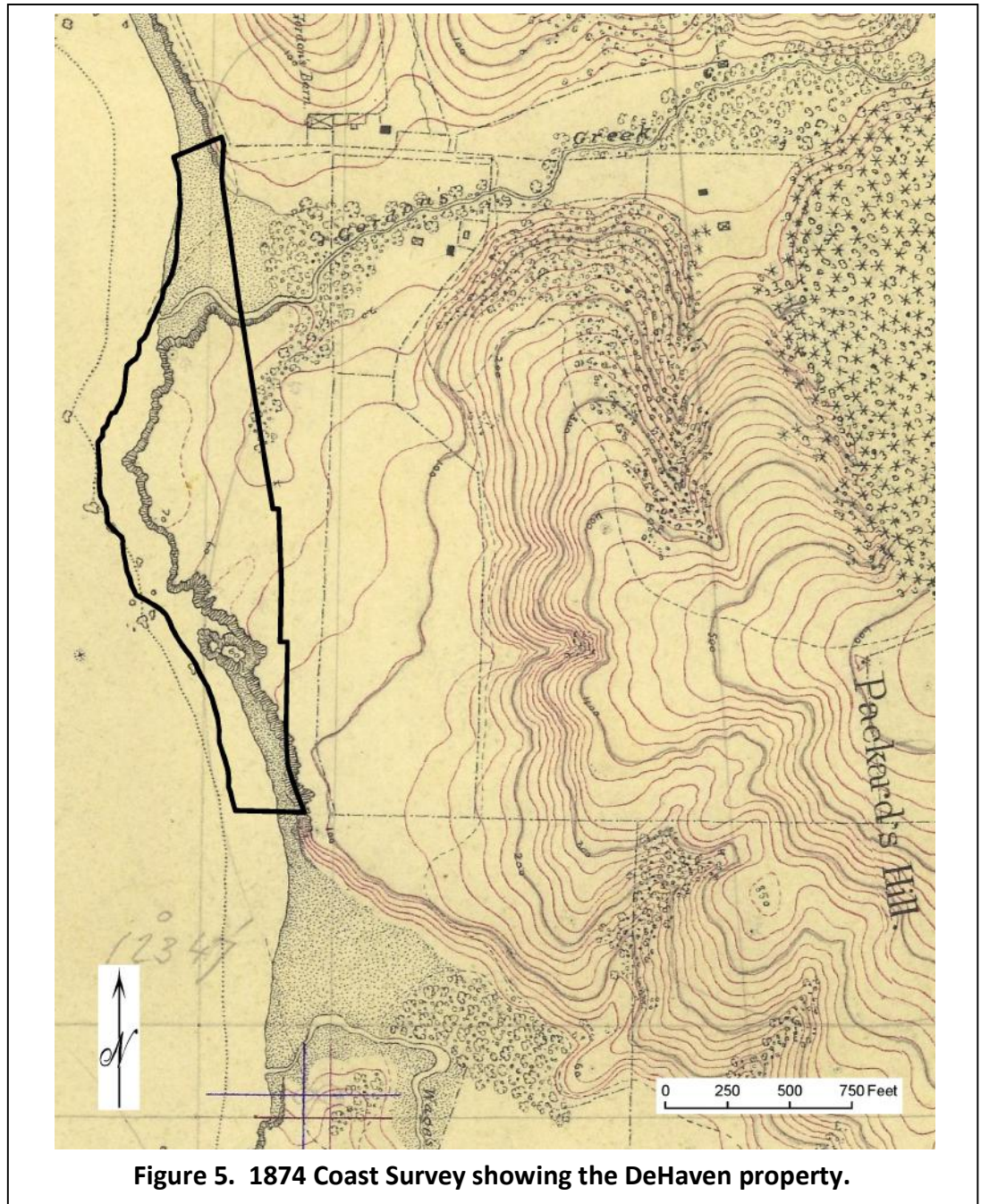


Figure 5. 1874 Coast Survey showing the DeHaven property.

Coast pines were planted along the highway frontage in the southern half of the property within the past two decades according to the previous property owner. Other introduced plants have also gradually encroached.

The Coast Highway bordering the east side of the property was developed along its current alignment in 1964. It previously ran east on Branscomb Road, forded DeHaven Creek at a place shown in Figure 5, and looped back out to the coastal bluff west of the Gordon's house and barn where it continued north. A series of Caltrans photographs for that highway realignment project provide useful baseline images of what the property looked like at the time. Those images include several dozen horizontal and aerial

oblique photographs taken along the planned new highway alignment that established the eastern boundary of the WVS parcel (Figure 6).

Following completion of the highway realignment in 1964 the lands north of the WVS DeHaven property on the west side of Route 1 were transferred to the California Department of Parks and Recreation as excess lands. Planning began for the development of Westport Union Landing State Beach. Construction of the park started in 1983. The facility included several primitive campgrounds on the headlands north of DeHaven Beach, at Abalone Point, and on both sides of Howard Creek.

Pit toilets served each cluster of camp sites at WULSB and a water system was developed near Howard Creek to supply potable

water throughout the park. An agreement with CDP&R was reached to allow local tribes to camp and hold gatherings at no charge within WULSB. Day use parking lots were also established in the park north of DeHaven Beach and on both sides of Howard Creek Beach.

Figure 7 shows the property as it appeared in 2019 with one meter contours derived from 2018 lidar. The boundaries are approximated from the 1971 subdivision survey. The western boundary is the mean high water line which is subject to change as sea level rises and the bluff erodes. Public access to the beach at the mouth of DeHaven Creek has been ongoing since prehistoric times and continues to the present. Seasonal camping has taken place nearby, but not on this property. Camping is available at the adjoining Westport Union Landing State Beach to the north. Campers and day use visitors both continue to visit the property for recreational purposes, kayaking, fishing, and collecting subsistence resources on DeHaven Beach. That includes local tribes who regularly harvest traditional foods and other materials.

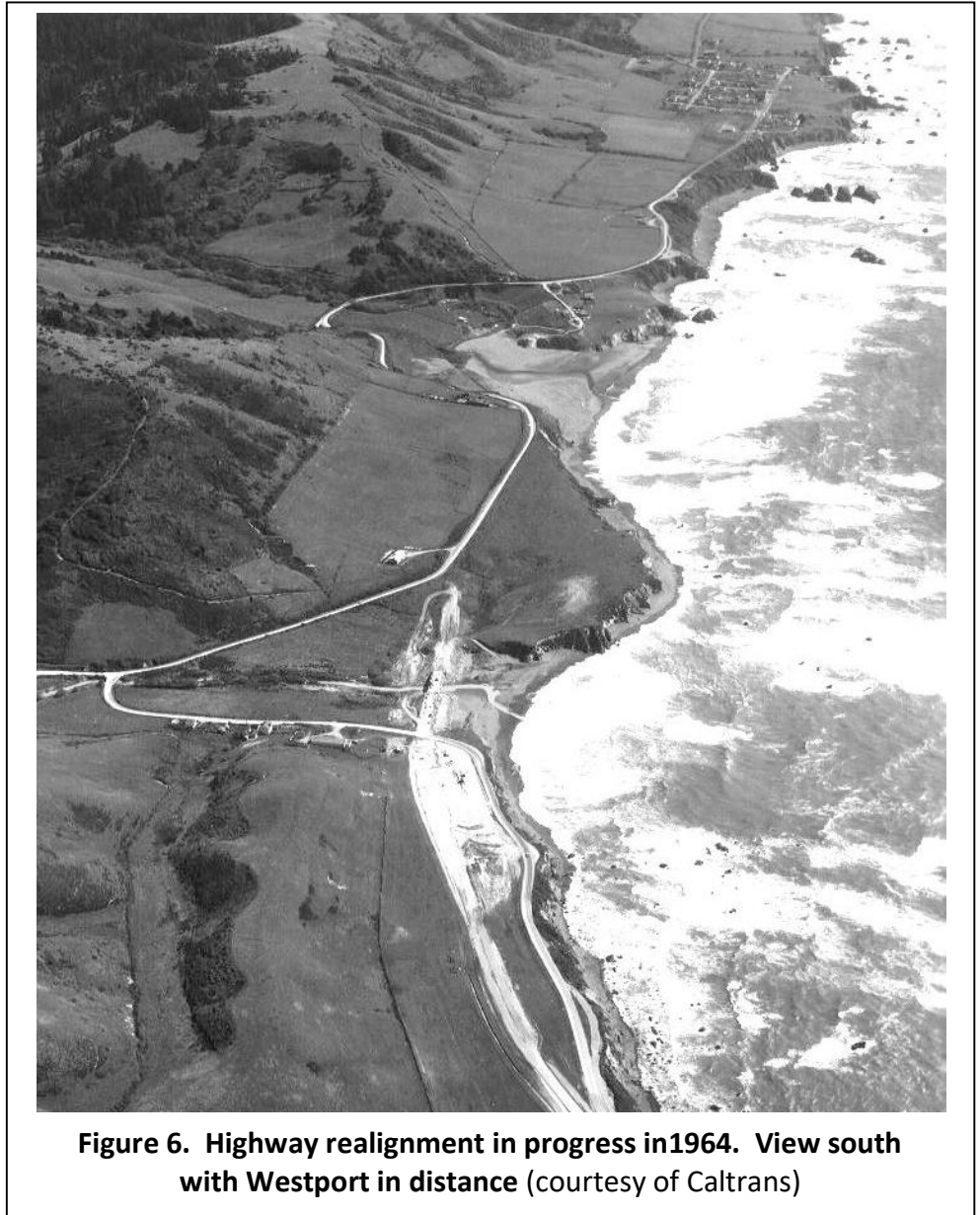


Figure 6. Highway realignment in progress in 1964. View south with Westport in distance (courtesy of Caltrans)

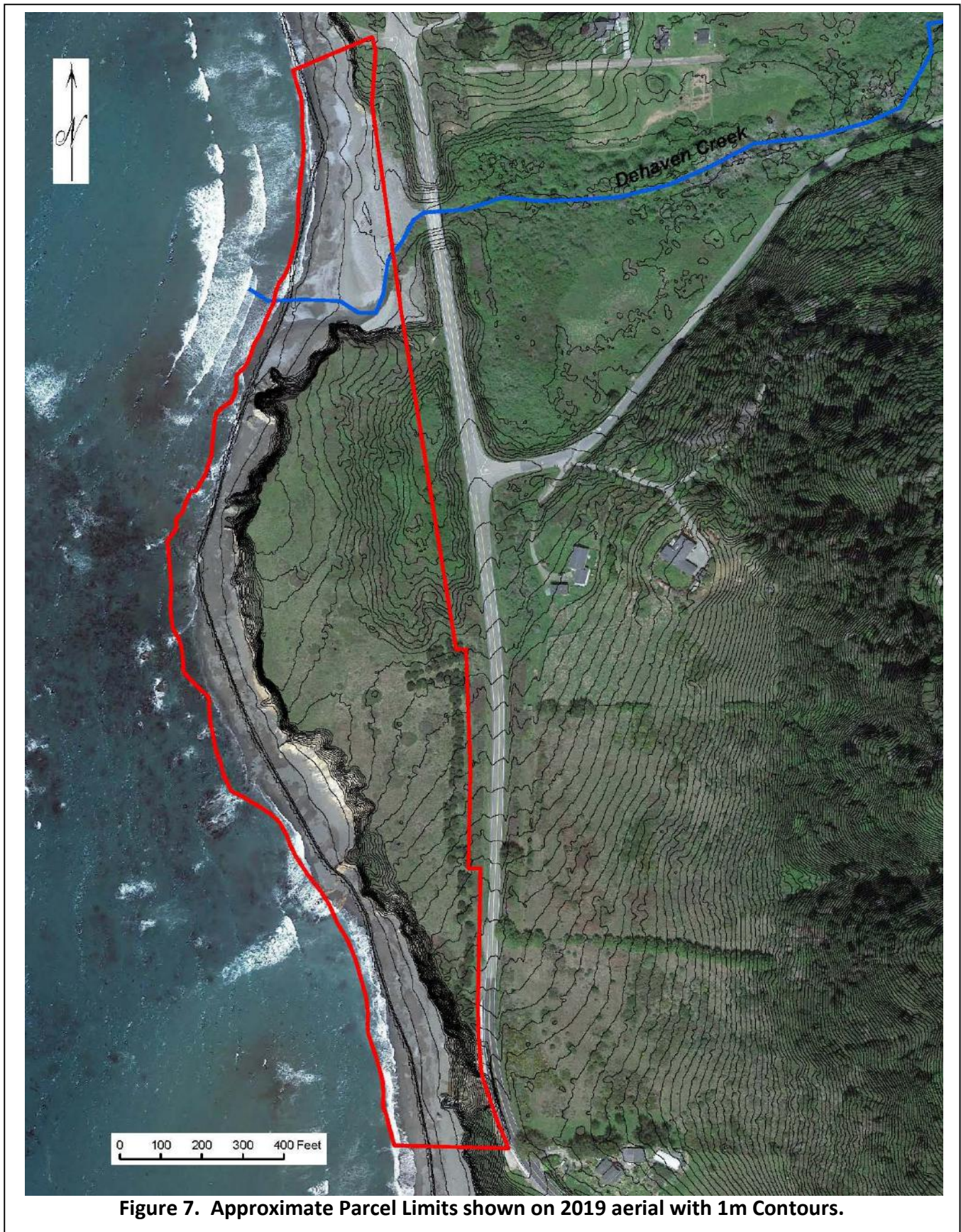
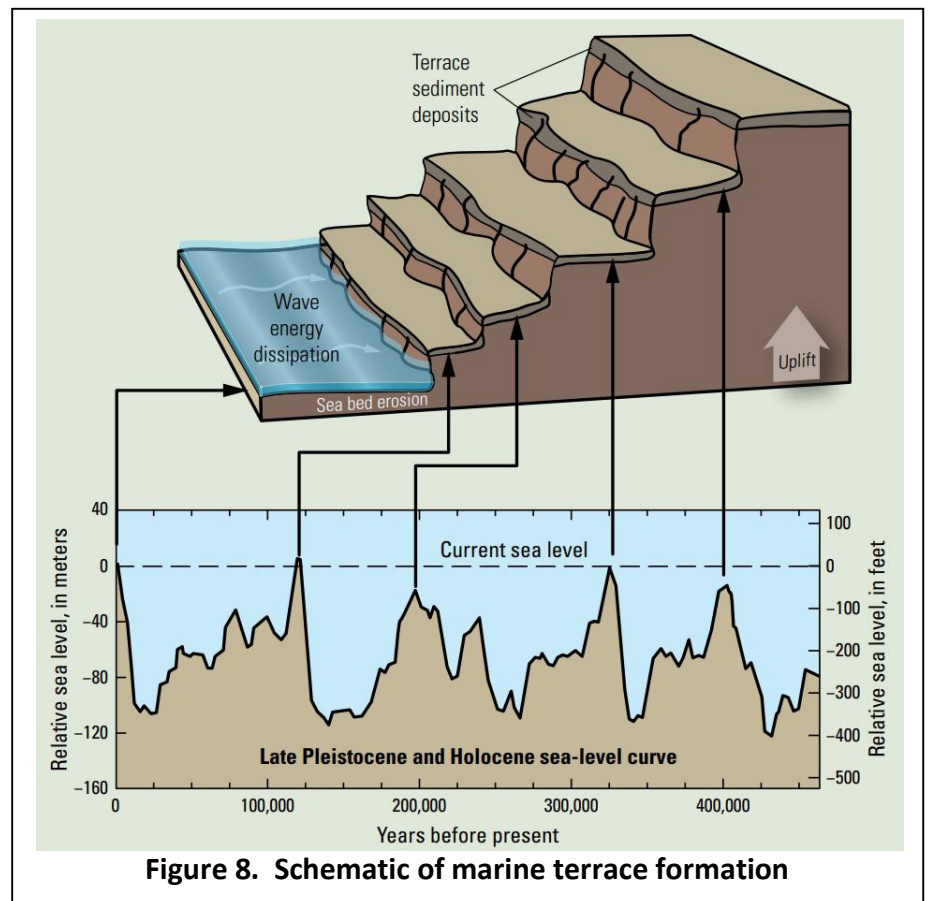


Figure 7. Approximate Parcel Limits shown on 2019 aerial with 1m Contours.

NATURAL CONDITIONS AND RESOURCES

The WVS DeHaven property is dominated by an uplifted marine terrace bisected by DeHaven Creek. The property goes from mean sea level to a maximum elevation of 112 feet. Marine terraces result from the interaction of geological uplift and recurrent fluctuations of sea levels (Schulz et al. 2018). Local sedimentary rock layers formed on the ocean floor are steadily being thrust upward while high sea-level stands periodically erode notches into that uplifting terrain (Figure 8). Where the rate of sea level rise exceeds the rate of up thrust, waves cut the shore and the sediments abrade a flat terrace in the wave zone off shore. When the sea level drops in relation to the steady rise of the earth's crust a new bedrock surface emerges. Soil formation processes, erosion, and the spread of vegetation then work to gradually create a terrace gently sloping down toward the west.

Earthquakes on California's coastal faults, along with other processes that deform the Earth's crust, cause uplift of the land surface. Uplift in the local area is taking place at an average rate of about 50 cm every 1000 years based on fossils dated in the three lowest marine terraces (Kennedy et al. 1982; Leibson 2004). That implies the marine terrace on the subject property was uplifted approximately 86,000 years ago. For the past 15 millennia since humans first arrived the sea level has been rising faster than the crust due to the recession of the latest ice age (the Wisconsin glacial epoch), a process expected to continue for a long time. The ocean is cutting the bluff face and abrading the next submerged terrace.



The horizontal layers of sedimentary rock west of the property are currently being scoured by waves that form a rich intertidal ecosystem. Attrition of the property can be expected to continue as climate warming melts ice locked up on land and floating on the sea. Climatic conditions have undergone significant change since the region was first inhabited. The sea level was some 328 feet lower than the present 15,000 years ago (Bickel 1978). The shore was at that time several miles to the west based on local bathymetry. Sea level rise is expected to accelerate in the coming years due to anthropogenic global warming. The latest scientific consensus suggests an intermediate scenario of sea level rise along the local coast of about 1.0 m by 2050 and 1.9 m by 2100 (Sweet et al. 2022).

A geotechnical assessment identified two active faults along the bluff edge in the central portion of the property (Bace Geotechnical 1999). The bluff margins throughout the property are unstable and pose public safety hazards. This will need to be closely monitored with any signs of cracking or separation informing the setback of pedestrian trails from the bluff edge. A minimum setback of 25 feet is recommended. Cracks observed near the bluff edge should be taken as a sign to prudently enlarge those bluff setbacks. The terrace in the northeast corner of the property next to the locked WULSB gate rises to 43 ft above mean sea level. This is presently the only viable beach access and it is in regular use. The terrace south of DeHaven Creek rises to a maximum elevation of 112 feet in the southeast property corner and is not presently accessible from the beach.

The marine terrace formations on this parcel are dominated by a thick sandstone layer overlying a tougher and more durable deeply buried layer of greywacke and shale. The bedrock is capped by dark brown silty loam soil averaging about 50-100 cm in depth that supports a variety of vegetation communities. A Phase 1 Environmental Site Assessment by Partner ESI (2022) revealed no evidence of environmental conditions or risks that might imply hazardous wastes are present.

Special status plants, animals, natural communities, wetlands, and archaeological and historic resources require protection under various federal and state laws. The locations where those resources are found are managed as Environmentally Sensitive Habitat Areas (ESHAs) to avoid significant impacts from development and ongoing public access and use. The following discussion summarizes studies that have been undertaken to characterize protected resources and habitats on the property.

The property was initially surveyed by botanist Gordon E. McBride in 1994. It was covered at that time by a mosaic of Northern Coastal Scrub, Coastal Terrace Prairie, Beach Strand, and wetlands. No special status plants listed by the California Department of Fish and Wildlife (CDFW) in the Natural Diversity Database were found on the property at that time. A total of 64 plant species were observed and a 4-acre wetland was delineated. McBride recommended an Environmentally Sensitive Habitat Area (ESHA) around the wetland, as well as protection of the Beach Strand community on Dehaven Beach.

Another botanical survey and wetland delineation was completed in 2023 by Kyle Wear to update the previous findings. That new survey took into consideration current lists of special status plants, plant communities, and criteria used to define wetlands. The California Natural Diversity Database (CNDD) was consulted for special status plants listed on the Westport USGS quadrangle and surrounding lands. None of those special status native plant species occur on this property. Wear's (2023) survey identified 120 plant species on the property. Those plants include 20 species traditionally used by local tribes according to Chestnut (1902)(see Table 2 below). Seaweeds found offshore were also gathered for food.

Wear's (2023) botanical survey identified five special status natural communities listed in the Inventory of Rare and Endangered Plants (CNPS 2023). Those communities consist of Coastal Dune Willow-Sitka willow-Douglas spiraea thickets, Dune Mat communities, Idaho fescue-California oatgrass grasslands, Seaside woolly sunflower-Seaside daisy-buckwheat patches, and Slough sedge-water parsley-small-fruited bulrush marshes. A 2.7 acre wetland was also delineated based on sampling for the presence of hydrophytic vegetation, hydric soil, and wetland hydrology. ESHAs for the special status plant communities are shown in Figure 9.

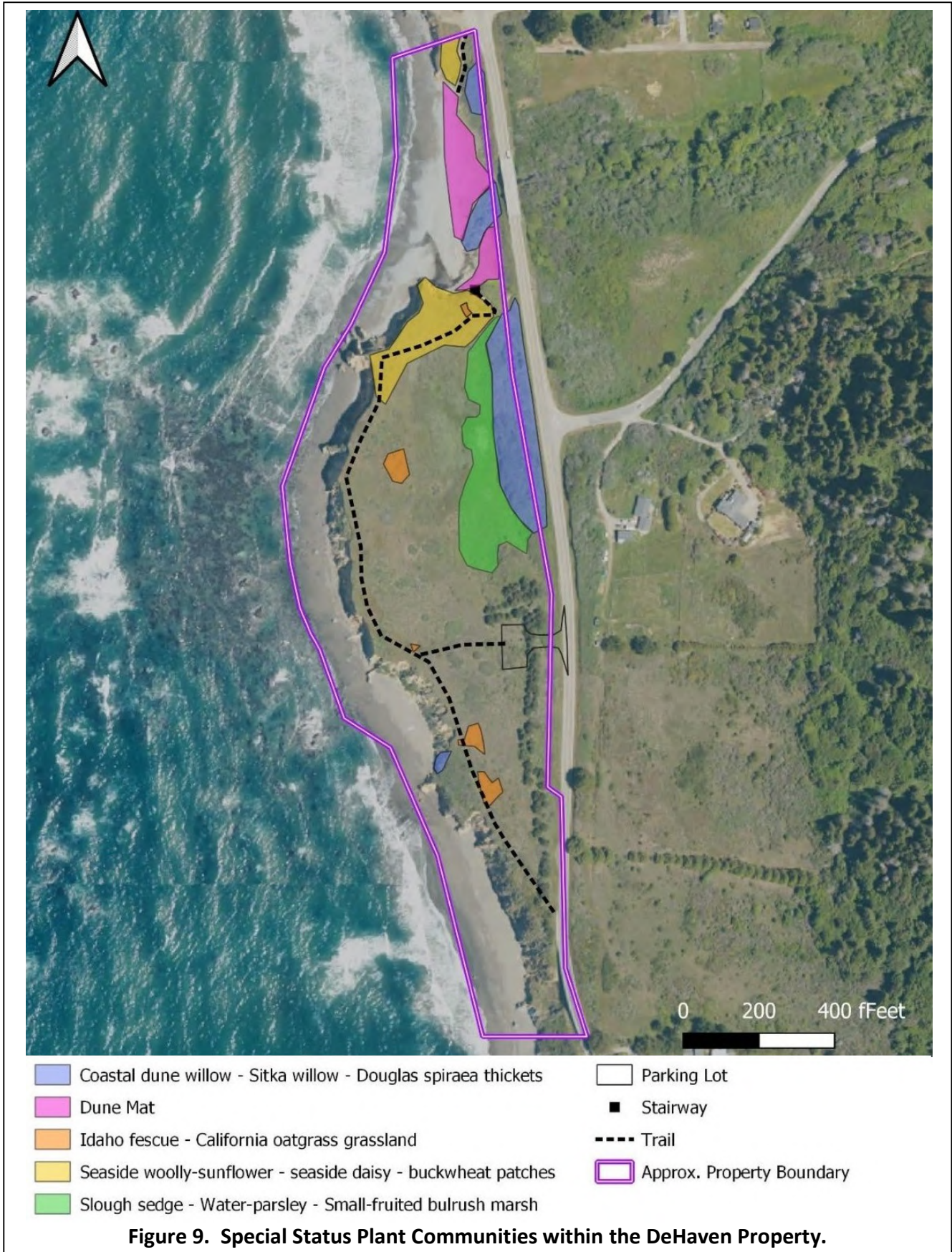


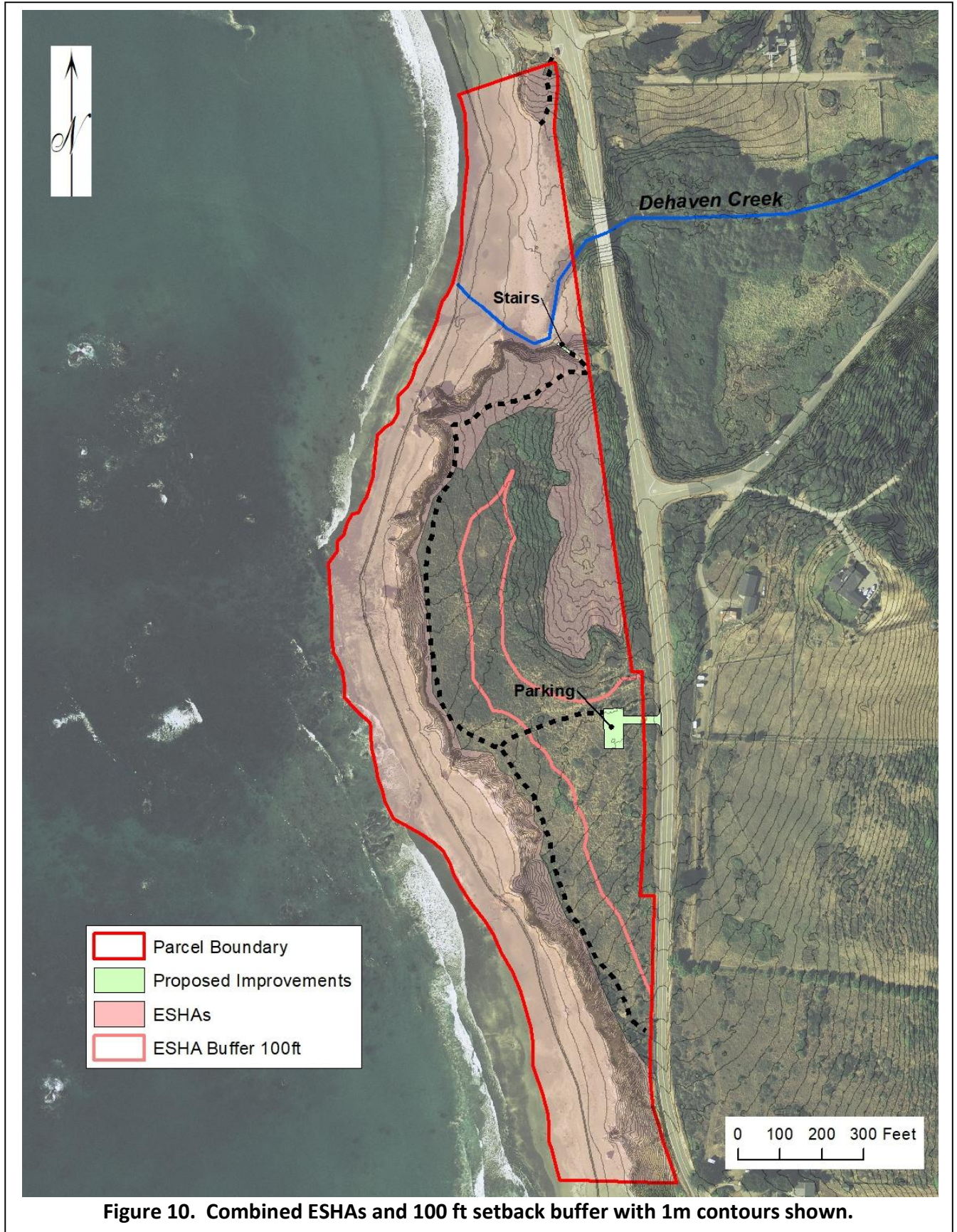
Table 2. Plants on DeHaven Property Traditionally Used by Local Tribes

| <i>Scientific Name</i> | <i>Common Name</i> | <i>Native Name</i> (Yuki unless noted) | <i>Traditional Uses</i> |
|---|------------------------|---|-----------------------------|
| <i>Achillea millefolium</i> | common yarrow | nun-äłt'-mil | medicine |
| <i>Angelica hendersonii</i> | Henderson's angelica | chi-en' | eaten raw |
| <i>Artemisia pycnocephala</i> | beach sage | (Pomo: komp'-lū''-li) | medicine |
| <i>Carex obnupta</i> | slough sedge | tē | basketry, cordage |
| <i>Equisetum telmateia ssp. Braunii</i> | giant horsetail | shân-tum' | sanding arrow shafts |
| <i>Eriogonum latifolium</i> | coast buckwheat | al-bō'-tē | medicine |
| <i>Eschscholzia californica</i> | California poppy | hō-yō-con'-el | medicine |
| <i>Fragaria vesca</i> | wood strawberry | pol-put' mäm | eaten raw |
| <i>Grindelia stricta</i> | gumplant | (Pomo: kä-pä' shō'-pä) | medicine; tea |
| <i>Iris douglasiana</i> | Douglas iris | chē-wish' | cordage |
| <i>Juncus effusus</i> | common rush | lol'-um | basketry, cordage |
| <i>Marah oreganus</i> | wild cucumber | zhâl-zhoi'-ē | used as poison |
| <i>Pteridium aquilinum var. pubescens</i> | bracken fern | bé-bi' (Pomo) | basketry |
| <i>Ranunculus repens</i> | creeping buttercup | wē | used as food |
| <i>Ribes sanguinuem var. glutinosum</i> | pink-flowering currant | äl-tē''-hēz'-mil | eaten raw |
| <i>Rubus ursinus</i> | California blackberry | tē-täm' kä-lā' mäm | eaten raw |
| <i>Salix sitchensis</i> | Sitka willow | pät'-mil | basketry, cordage, medicine |
| <i>Sanicula crassicaulis</i> | Pacific snakeroot | (Pomo: kā'-ā bö) | eaten raw |
| <i>Scirpus microcarpus</i> | small-flowered bulrush | (Pomo: tsū-ish') | basketry |
| <i>Trifolium dubium</i> | little hop clover | sik | used for greens |

The DeHaven Creek watershed was inventoried in 1996 (Hines and Wright 1996). It hosts Coho Salmon (*Oncorhynchus kisutch*) and Steelhead (*Oncorhynchus mykiss irideus*) currently listed as threatened species. The stream, beach, and bluff slopes are all considered areas that require protection as ESHAs. There is some possibility additional special status animals may occasionally visit the property, but their presence or periodic visitation has not been reported.

An intensive archaeological survey recorded a small shell midden (P-23-6384/CA-MEN-3851) on the south headland near the bluff edge and an isolated chert projectile point (P-23-6385) was collected nearby (Van Bueren 2022). Site CA-MEN-3851 will be protected in an ESHA with trails routed more than 25 feet outside of its exterior limits while the isolated find was curated by WVS to protect it. Two archaeological resources on neighboring properties do not appear to extend onto this parcel. Site CA-MEN-575 (P-23-2955) is buried under State Route 1 and may be one of the locations of the Coast Yuki village of *Lilp'inkem* (Gifford 1939:299). Site CA-MEN-1630 (P-23-1517) recorded near the south end of WULSB no longer survives. Portions of the DeHaven property near those neighboring sites will be treated as ESHAs to avoid any potential impacts to possible buried or otherwise concealed portions of those nearby sites.

Collectively, about 15.6 acres within the DeHaven property are classified as ESHAs to protect all types of resources and special status habitats as shown in Figure 10. Proposed public access improvements are a resource-dependent use of the ESHAs for plant communities in the approved Mendocino County Local Coastal Plan. All of the foot trails already exist and do not require improvement. Those trails will need to be mowed and gradually moved east as the bluff retreats in order to maintain at least a 25-foot setback for safety. The proposed stairs are in a barren rock exposure, while the parking is comfortably outside of the ESHAs and a 100 ft buffer zone beyond its exterior limits.



PUBLIC INPUT ON ACCESS AND CONSERVATION GOALS

The DeHaven Beach and Headlands property has a long history of use summarized earlier in this plan. That use likely began when humans first arrived in the region some 15 millennia ago and has continued up to the present time. Evidence of that use is derived from archaeological remains, historical accounts postdating the arrival of literate settlers after 1805, oral history, public input processes, and recent observations. Traditional tribal use and later historic visitation on this property have focused on day use of the beach and rocky intertidal zone near the mouth of the creek. There is no archaeological evidence of sustained occupation on the parcel, only periodic visitation to collect shellfish reflected in a small shell midden recorded as archaeological site CA-MEN-3851 (Van Bueren 2022).

Seasonal camping and occupation likely occurred on adjacent parcels to the east. Two former locations of the known ethnographic village of *Lilp'inkeml* are likely buried under State Route 1 on either side of DeHaven Creek. Camping continues to take place in WULSB at Abalone Point and on the headlands on both sides of Howard Creek. Public use of the WVS property is limited to day use that accesses DeHaven Beach on an informal foot trail in the northeastern corner of the property. That trail descends a modest slope from the top of 40 foot marine terrace down to the beach (Figure 11).

Visitors park outside of the locked southern gate of WULSB. That former day use parking area within was closed a dozen years ago due to bluff recession. It is still well used year round. Local

tribes and the public fish and collect other resources while camping or visiting WULSB on a day use basis. An annual tribal walk from inland areas along Branscomb Road to the coast typically occurs in June. It is common to encounter up to a dozen vehicles parked outside the closed southern gate of WULSB most summer days and at least two or three vehicles on all but the rainiest winter days. No formal survey has been conducted to count the total number of visitors per day at various times of year.

Traces of a former trail at the north edge of the southern headland are still present but no longer useable due to bluff erosion (Figure 12). A sloping path is cut into the sandstone bedrock on an inclined gradient that presently ends in a six foot vertical cliff that precludes ascent/descent. That route is the only reasonable location for vertical pedestrian access (e.g., a stairway) between the beach and the top of the south headland.



Figure 11. View south from northwest corner of property



Figure 12. View southeast toward south bluff vertical access.

The sensitive beach strand and riparian corridor at the mouth of DeHaven Creek precludes any development or improvement of access there. The visiting public will continue to be able to traverse that area on foot without improvements or modifications of the natural setting.

There is a recognized need for vehicular parking to support safe pedestrian access. The only feasible place to locate that parking is on the southern headland south of the combined ESHA and Branscomb Road intersection. It is also the only segment of highway frontage for this property where Caltrans will allow an encroachment.

A public input process began in early 2022 to identify access and conservation priorities for the property. A public meeting was held February 5, 2022 with input tallied from oral testimony, questionnaires, and other written input. Articles published in the monthly Westport

community newsletter invited ongoing input. That input favored management of the property for public access, habitat and resource conservation, traditional tribal use, and recreation. There was widespread agreement that the property should be managed to conserve resources and habitats with minimal improvements to maintain and, as feasible, improve coastal access.

The WVS also consulted representatives of local tribes both prior to acquisition and while scoping this management plan. A Zoom teleconference hosted by WVS took place on June 7, 2022 and was attended by Fanny Yang (SCC), Aimee Lucas (Cahto Tribe), Eddie Knight (Coyote Valley Band of Pomo), and Melanie Rafanan and Adilene Jimenez (Sherwood Valley Band of Pomo). An on-site meeting was subsequently hosted by WVS on May 13, 2023 with key representatives of the Cahto Tribe, Coyote Valley Band of Pomo, Intertribal Sinkyone Wilderness Council, Kai Poma nonprofit, Potter Valley Tribe, Round Valley, Scotts Valley Band of Pomo, and Sherwood Valley Band of Pomo invited to attend. Their input favored protecting cultural resources, conserving natural resources and habitats, and maintaining access for traditional gathering, fishing, and cultural activities.

A rough draft of this Management Plan was first distributed to the SCC and WVS Board August 1, 2023. Comments on that preliminary draft were then used to prepare a draft MP released for public review on August 14, 2023. An article in the August 1 Westport Wave newsletter announced the impending release and requested input by September 15, 2023. A notice was widely distributed to the public, SCC, and local tribes on August 14, 2023 providing a link to download the draft MP asking for input by mid-September and inviting participation in a public meeting Saturday September 9 at the property.

Written comments were received from five people and five persons also attended the public meeting and included some of the people who earlier commented in writing. The comments supported the broad goals of the project but raised questions about the proposed improvements to public access which include a stairway between the beach and the top of the southern headland and a parking lot near Highway 1 on the south headland. Those comments are discussed below under “Maintaining and Improving Public Access” and were used to make some adjustments in the proposed improvements.

PROPOSED MANAGEMENT ACTIONS

Based on the input and background research discussed above, five management actions are recommended to conserve the resources and habitats on this property while facilitating public access that does not harm those qualities. Those proposed actions are designed to: 1.) conserve resources and natural habitats; 2.) maintain and improve coastal access; 3.) enhance the scenic character of the property; 4.) secure ownership of deeply buried mineral resources; and 5.) facilitate public education and sustainable traditional tribal uses. Each objective is discussed separately recommendations for scheduling tasks and periodic assessment to evaluate implementation. A final section then considers ongoing maintenance and the wherewithal to implement this plan, including a provision to periodically review and adjust the plan.

Conserving Resources and Natural Habitats

A primary imperative of this plan is to conserve the diverse environmental resources and natural communities identified on the DeHaven property. The combined ESHA map shown above in Figure 10 delineates the area within the property where care must be taken to avoid significant impacts to the resources, special status communities, and habitats summarized in this plan and described in greater details in cited reports on file with the WVS and SCC.

The approved LCP allows existing foot trails through that ESHA to be maintained and will also allow construction of the modest access improvements described in this plan as long as they avoid significant environmental impacts as defined in the California Environmental Quality Act and California Coastal Act. The proposed access improvements are designed to avoid such significant impacts. Ongoing maintenance will also avoid impacts to protected resources and habitats.

Recognizing the property is subject to natural processes beyond human control, the WVS proposes monitoring physical processes to inform conservation strategies and manage ongoing public access. The DeHaven property is a dynamic landscape where processes like bluff retreat, sea level rise, changes in the stream alignment, and maximum tides can be directly observed. Those changes will be monitored and

reported annually by the WVS. Bluff retreat may be monitored at more frequent intervals to inform realignment of foot trails at least 25 feet back from the bluff edge.

The distribution of plants and animals can be expected to evolve due to factors such as climate change, periodic fluctuations in the temperature of surface waters in the eastern Pacific Ocean (the El Niño-Southern Oscillation), and associated precipitation. Those changes would be useful to monitor if experts can be engaged as volunteers. The WVS will pursue partnerships with academic institutions, agencies, and groups like the Audubon Society and CNPS to accomplish this task. Assuming this work can be undertaken through cooperative arrangements with experts, it may provide opportunities for participation by the public and tribal partners and could inform educational programs and potential ecological restoration or rehabilitation projects supported by grants. No specific schedule is proposed for this task.

Yearly monitoring for this task will include an assessment of impacts from public access made during the peak usage in the mid-summer. That assessment will survey the number of daily visitors, types of recreational uses, and the general scope and severity of impacts to protected resources and habitats resulting from public visitation. Reasonable measures will be recommended and undertaken to control or abate patterns of use that are resulting in significant impacts such as damage, destruction, depletion, or extirpation of protected resources.

Maintaining and Improving Public Access

A major objective of the grant used to purchase the DeHaven property is to provide public access and recreational opportunities consistent with conservation of its natural and cultural resources, habitats, and scenic character. Striking that balance between conservation and facilitating visitation requires careful consideration of the likely environmental impacts of facilities built to support access and recreation on this property.

This property has a long history of human use that continues to the present time. In the past few decades most visitors access the property using an informal foot trail connecting the northeast corner of the property at Highway 1 to DeHaven Beach (see Figure 11 above). That popular northern trail will be maintained without improvement by keeping vegetation trimmed. An advisory sign was placed at that trailhead shortly after acquisition of the property to encourage resource conservation and public safety. Visitors access that informal northern trail by parking immediately outside of the closed gate at the south end of Westport Union Landing State Beach (WULSB).

The south headland on the WVS property contains remnants of an informal trail including a path down to the beach along a bare exposure of the sandstone bedrock shown in Figure 12 above. That existing trail alignment is an allowable use under the Mendocino County LCP even though part of it traverses the combined ESHA. Taking those factors into consideration, it is feasible to improve public access to the southern uplands on the property without causing significant environmental impacts. The access improvement project proposed here consists of a new stairway and parking lot on the south headland that is connected to the existing network of foot trails on the south headland as shown in Figure 13. A network of foot trails will be mowed but otherwise unimproved to connect the stairs and parking along routes that avoid resource impacts. The two proposed improvements are discussed in detail below.

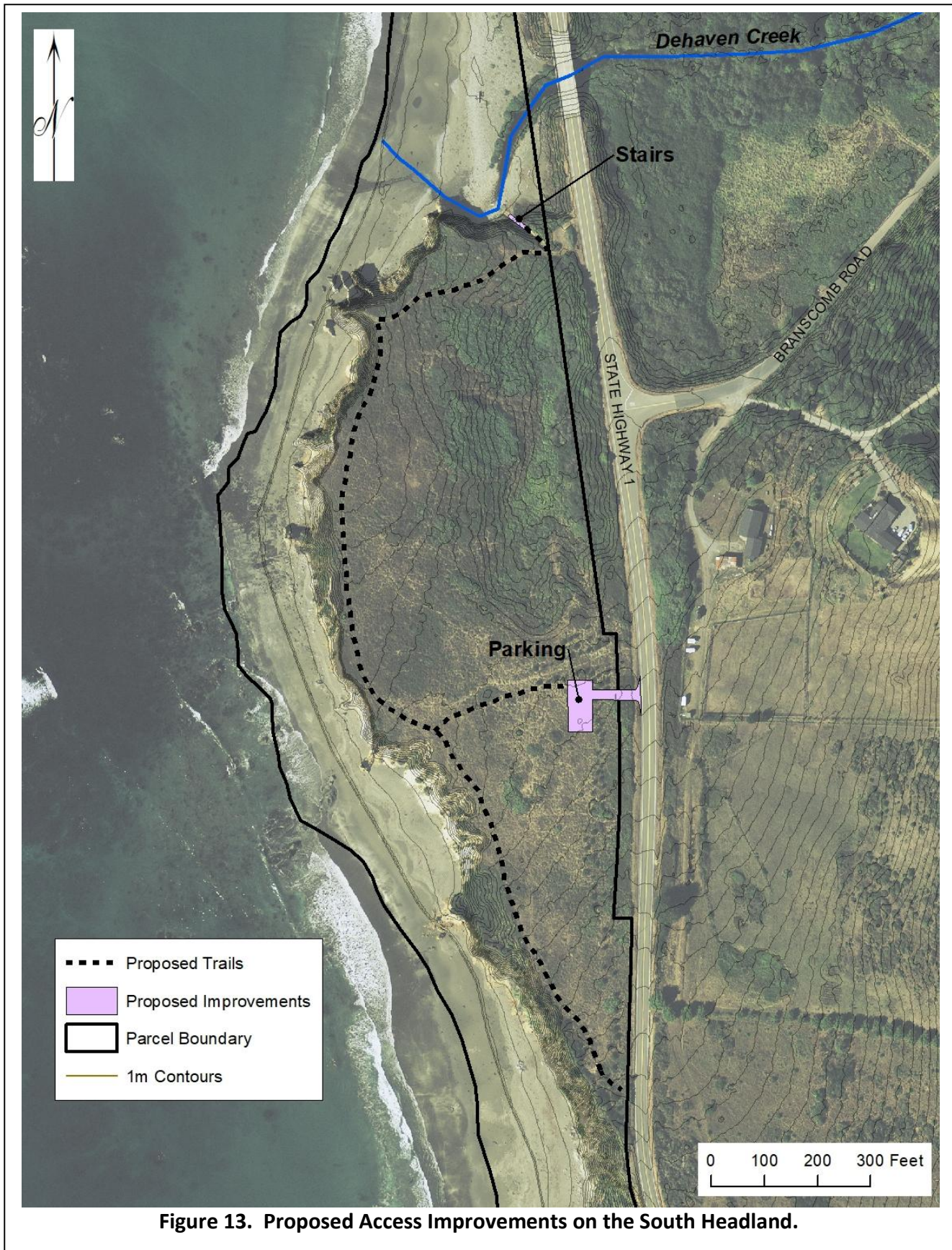


Figure 13. Proposed Access Improvements on the South Headland.

Proposed Stairway

A concrete stairway with wood rails is proposed to provide vertical pedestrian access between the beach and the top of the south headland. The location follows an existing bedrock exposure at the north edge of the south headland situated farthest way from the ocean (see Figure 12 above). That location is the highest portion of the beach close to the east property boundary where the bluff height is at its lowest point along the margin of that headland. The bedrock there offers a place to firmly anchor a short flight of stairs comprised of 16 risers each seven inches in height.

Questions were raised about how long the stairs are likely to last and how much use this facility will get. The proposed stair location is the most protected, geologically stable, and highest portion of the beach with an elevation at the base of the stairs of over 11 feet above mean sea level. The structure will be anchored to an existing bedrock exposure where it is expected to provide durable service for many years although certainly not in perpetuity. It is difficult to accurately predict how much use the stairs will get. However, if no stairway is built the only other way for pedestrians to move between the north and south headlands will be along the shoulder of Highway 1, a route considered unsafe by SCC staff. The stairs will allow pedestrians to move from the north end of the property to the south end of the southern headland enjoying the beach that connects those upland areas. Those unwilling to wade across DeHaven Creek will have the option of detouring onto the shoulder of Highway 1 to cross the stream.

Proposed Parking Lot

A paved parking lot with 10 parking spaces will provide vehicular access onto the south headland from Highway 1 in a location outside of the combined ESHA area and 100 ft setback where an encroachment on the highway is permissible according to Caltrans. The location was also selected to avoid the rapid eastward retreat of the high bluffs at the south end of the property where deep strata composed of very friable soils and known faulting are resulting in massive slumps (BACE Geotechnical 1999). The proposed lot location poses no impacts to known environmental resources and is most likely to provide lasting service.

Some comments questioned the size of the lot, the potential for undesirable activities, and whether it could be surfaced with something other than asphalt concrete (AC) to limit the potential for any hazardous runoff. Responses and adjustments of the proposal are explained below. The size of the proposed lot is the smallest possible configuration that will allow RVs to safely turn around. There is no realistic way to enforce the exclusion of larger motor vehicles. It is thus prudent to allocate enough space for them to turn around. A sign will be placed near the entry on Highway 1 to advise large vehicles not to enter.

To address the potential for undesirable activities such as overnight camping and use of fire WVS will install a sign at the parking lot trailhead advising visitors of rules which limit use to daylight hours and do not allow camping, fires, littering, or fireworks. WVS will add two additional features to the parking lot design to control potential abuses: horizontal pole barriers around the lot perimeter to prevent vehicular entry onto the surrounding property; and an entry gate on the driveway accessing the lot to allow either temporary or permanent closure of the parking facility if problems warrant. Coast pines screening the lot from view may also be thinned between the lot and the highway to deter undesirable activities.

Alternatives to AC paving such as gravel and geogrids filled with gravel were discussed with the project engineer and Caltrans. AC pavement has limited potential for toxic runoff once cured. Toxic runoff during installation can be effectively controlled by implementing a Stormwater Pollution Prevention Plan (SWPPP). Gravel surfacing is slightly less expensive than AC, but poses some concerns. A gravel surface is subject to erosion and will entail more frequent maintenance and ongoing costs. Gravel is also problematic where the driveway approaches the highway because poor traction impacts safety when entering or exiting. That safety concern is a key consideration due to traffic dynamics and sight distance on this section of the highway with a curve to the south and the intersection of Branscomb Road to the north. There is also no reasonable way to maintain parking space delineations on gravel.

Installing geogrids filled with gravel might solve some of the foregoing problems, but is significantly more expensive than AC. AC offers a hard surface that will be durable, allows safe turns on and off of the highway, can be marked with delineations for parking spaces, and will not require much maintenance. WVS proposes use of AC paving that will include SWPPP to control runoff. That choice was made carefully taking into consideration safety, cost, and requirements for maintenance.

The trail from the parking lot west to bluff edge will be accessible for persons with handicaps and one of the ten parking spaces will be designated and signed exclusively for handicapped use. No restrooms, garbage collection, water, or other amenities are planned. A sign at the parking lot will encourage conservation and respectful visitation with no overnight parking, camping, fires, or littering.

Collectively, the existing informal trail and the proposed improvements will extend the California Coastal Trail a half mile south from Westport Union Landing State Beach across this property to the south end of the headland where pedestrians can continue south along the shoulder of Highway 1. At low tides people can alternatively walk from the north end of the property down to DeHaven beach and south around the base of the cliffs to the mouth of Wages Creek south of this property.

Design and permitting costs for the proposed access improvement project are already committed by WVS and the SCC. The design for the stairs and parking lot will be completed after this management plan is finalized in late September of 2023. Required permits are expected to include a Coastal Development Permit and a Caltrans Encroachment Permit. It is anticipated applications for those permits will be prepared and submitted by the WVS before the end of 2023. The permit approval process is expected to take about a year. Grant funds will pay for the issuance of the CDP, while the encroachment permit involves no cost for a nonprofit like the WVS. A follow up grant from the SCC will be required to construction the stairs and parking lot in 2025 following issuance of the required permits.

Maintenance of the foot trails and structural improvements will be required to facilitate continuing safe public access. Trails will be mowed several times a year to clearly delineate preferred routes of access set back from eroding bluff margins along routes that limit impacts to protected resources and habitats. The trails will be moved farther east as the bluff recedes based on periodic monitoring mentioned earlier. Annual inspections of the stair and parking structures will occur in the winter when rainfall, storm events, and high tides afford the best insights into any problems that may require repair. Those problems and repairs will be documented in annual reports.

Enhancing the Scenic Character of the Property

The scenic views from this property, as well as vistas across the property from State Route 1 and other nearby lands are generally spectacular. The only existing development that mars that view is an overhead phone line along the east property boundary. The WVS has an opportunity to improve the scenic character of the property by promoting realignment or undergrounding of those overhead telephone lines.

The WVS will contact the owner of the overhead telephone lines to promote relocation of those facilities east of State Route 1. The other conceptual alternative, undergrounding those lines along their existing eastern property boundary, is probably not feasible for a large number of reasons. Undergrounding would likely be precluded because of the stream crossing and potentially significant impacts to wetlands, special status plant communities, and archaeological resources.

The owner of the overhead telephone line may be convinced to support the project in part because sea level rise and bluff retreat are already threatening the poles on the north side of DeHaven Creek. The phone company may have other reasons that support the realignment of their facilities east of the highway such as replacing aging and degraded copper wires with fiber optic cable to facilitate modern communication modes/services. This has no specific schedule to complete this task.

Securing Buried Mineral Rights

The title to this property has a consequential exception listed in the Title Report and Title Insurance Policy. It involves deeply buried mineral rights that are separately owned and are described as follows: "Excepting there from all oil, gas, other hydrocarbon substances and minerals including rights incidental to such ownership, now or at any time hereafter situated in and under said land and lying below a depth of 500 feet measured from the surface of said land but without any right to go upon said surface for extraction or removal of such oil, gas, other hydrocarbon substances or minerals and without any right to penetrate through the 500 foot space immediately below said surface for purposes of such extraction and removal, as reserved by the Bank of California in a deed recorded July 2, 1971 in Book 860, Official Records, page 297, Mendocino County Records."

Although that deed restricts the right to enter the surface of the WVS DeHaven property and the 500 feet of deposits below the surface, extraction of oil, gas, and other hydrocarbon substances from more deeply buried deposits from adjacent areas has the clear potential to harm the natural resources, habitats, and traditional uses this plan seeks to protect, maintain, and enhance. The most plausible scenario still not precluded by law is offshore drilling resulting in lateral extraction over 500 below the land surface. The consequences of that practice include spills, land subsidence, and increased risk of earthquakes that are well documented in other locations in California and elsewhere.

It would therefore be desirable to acquire those reserved mineral rights from the current owner and to support a permanent moratorium on offshore drilling. The acquisition of the mineral rights will be sought as a tax deductible donation, rather than a direct purchase. Research is needed to determine the current owner of those rights and whether that mineral claim has expired. Any progress made on this task will be included in an annual report on implementation of this plan.

Supporting Education and Traditional Tribal Uses

The WVS understands this unique coastal property affords significant opportunities for public education and environmental restoration. Its diverse resources and habitats, long history of human use, and the visibility of dynamic natural processes such as plate tectonics, sea level rise, and changes in biotic communities provide a natural venue for teaching and learning. Realizing those opportunities will depend on developing partnerships with other groups that possess expertise and are willing to invest in activities compatible with the resource conservation objectives of this plan.

Those opportunities may include but are not limited to partnering with educators, scientists, local tribes, and organizations like the Audubon Society, Noyo Marine Science Center, and the local chapter of the California Native Plant Society. There is a potential for nature walks and citizen science projects led by experts, as well as ecological restoration projects and cooperative management that supports sustainable traditional gathering and fishing by local tribes. Any education programs and partnerships developed with local tribes will be documented in an annual report on implementation of this plan.

MAINTENANCE AND MONITORING

Ongoing maintenance, repairs, and monitoring will be carried out by the WVS to ensure the property is conserved and managed in conformity with the broad goals and specific proposed management actions in this plan. The property will be periodically inspected and monitored to gather the types of data mentioned for each action. Those assessments will be presented in an annual report that also describes the scope and timing of trail mowing, the scope of repairs to built improvements, and how problems caused by public access and recreation were addressed.

Maintenance of the property and proposed improvements will be carried out by volunteer work parties or contractors acting under the supervision of the WVS. The WVS is receptive to and may from time to time negotiate and approve cooperative agreements with other organizations to help it implement this plan including but not limited to maintenance tasks, monitoring activities, educational programs, and ecosystem restoration projects. Those partnerships may include local tribes and groups with expertise in resource assessment and management.

The WVS will maintain liability and other types of insurance to support its management of the property, dedicating necessary funding for monitoring, maintenance, and repairs. The WVS has entered into an agreement with the SCC under Government Code Section 831.5 that qualifies it for partial immunity from liability. The WVS will seek a grant to build the proposed access improvements proposed in this plan and may from time to time apply for other grants that support the purposes of this plan.

In addition to the annual assessments specified to evaluate and report implementation of the five key management tasks, long term monitoring is recommended on this WVS property to assess changes in the distribution and types of protected resources and habitats, especially plants and wetlands. The recommended interval is once per decade. Those decadal reviews may be contracted or sought as volunteer contributions from cooperating experts.

Volunteers will play an important role in the operation of the WVS and its ability to meet its obligations and responsibilities for managing the DeHaven property. If the WVS finds it is no longer able to meet its obligations under this plan at some future date, it will inform the SCC at least a year in advance of its plan to relinquish the property. The SCC retains the right to transfer the title to the property and responsibilities for its ongoing management to another state agency or nonprofit that can meet those obligations.

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