

**MEMORANDUM OF AGREEMENT
BY AND BETWEEN
COUNTY OF HUMBOLDT
AND
CALIFORNIA DEPARTMENT OF PARKS AND RECREATION**

1. Purpose:

This Memorandum of Agreement (“MOA”) reflects the intention and commitment of the County of Humboldt, by and through its Department of Public Works and County Administrative Office – ADA Compliance Team, herein after referred to as “County,” and the California Department of Parks and Recreation – North Coast Redwoods District, hereinafter referred to as “State Parks,” to collaborate in providing access for beach wheelchairs and individuals with mobility disabilities at Clam Beach County Park and Little River State Beach.

2. Recitals:

- A. County and State Parks desire to establish a route at Clam Beach County Park and Little River State Beach to provide access for people with mobility impairments to travel from the North Lot parking area to the edge of the beach (above the high tide line).
- B. The North Lot parking area is equipped with accessible parking spaces near the trailhead for the beach access trail.
- C. County received a grant from the State Coastal Conservancy to purchase two beach wheelchairs and intends to offer a program for members of the public to check out and use a beach wheelchair at no cost. The wheelchairs will be stored within the restroom building on County property.
- D. The beach access trail between the North Lot parking area and the beach passes through both County and State Parks property.
- E. The sand along the beach access trail does not provide a firm and stable surface.
- F. County intends to purchase, install, and maintain a set of recycled polyester mats on the beach access trail to enable use by beach wheelchairs and individuals with mobility disabilities.
- G. Installation of the recycled polyester mats will include limited removal of non-native vegetation such as European beachgrass and yellow bush lupine to widen the beach access trail. A biologist from State Parks inspected the area of proposed vegetation removal on September 14, 2021, and confirmed that sensitive plants are not present.

3. Agreements

- A. County will purchase, install, and maintain a set of recycled polyester mats for the beach access trail. County will obtain a permit, or other form of approval, from the California Coastal Commission prior to installation.
- B. State Parks authorizes County to remove vegetation along the beach access trail for the purpose of creating sufficient space for recycled polyester mats and a parallel path on open sand.
- C. State Parks authorizes County to install and maintain recycled polyester mats on State Parks property.

- D. Vegetation removal and grading for mat installation and maintenance may include the use of heavy equipment. Removed vegetation and excess sand may be spread within the vicinity of the beach access trail or taken off-site.
- E. In the event that improvements, repairs or modifications are required for the beach wheelchair program, County and State Parks will each seek to contribute funding for the costs of enacting such improvements. This provision is not a pre-commitment to provide any amount of funding.
- F. This MOA is effective upon execution by both parties and shall remain in full force and effect for a minimum of five (5) years after the effective date.
- H. After the initial five (5) year effective period, this MOA will remain in effect until either party withdraws from the MOA. Either party may withdraw from the MOA after the initial five (5) year effective period for any reason, upon providing written notice. This MOA will terminate sixty (60) days after one of the parties provides written notice of withdrawal.
- I. This MOA may be amended at any time during the term hereof upon the mutual consent of both parties. No addition to, or alteration of, the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto.
- J. This MOA, and any amendments hereto, may be executed in one (1) or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one (1) and the same agreement. This MOA, and any amendments hereto, may be signed by manual or electronic signatures in accordance with any and all applicable local, state and federal laws, regulations and standards, and such signatures shall constitute original signatures for all purposes. A signed copy of this MOA, and any amendments hereto, transmitted by email or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this MOA and any amendments hereto.
- K. Each person executing this MOA represents and warrants that he or she is duly authorized and has legal authority to execute and deliver this MOA. Each party represents and warrants to the other that the execution and delivery of this MOA and the performance of such party's obligations hereunder have been duly authorized.

COUNTY OF HUMBOLDT:

By: _____
 Thomas K. Mattson, Public Works Director
 (Pursuant to the authority delegated by the
 Humboldt County Board of Supervisors on
 _____, 20____ [Item _____])

Date: _____

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION:

By: Victor Bjelajac
 Victor Bjelajac, Superintendent

Date: 10/26/2011