

COASTAL CONSERVANCY

Staff Recommendation
December 11, 2003

PISMO BEACH COASTAL TRAIL

File No. 03-047
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$115,000 to the City of Pismo Beach for construction of the Coastal Trail between Pismo Beach and Grover Beach.

LOCATION: West of Highway 1, south of the Pismo Beach Pier to the city of Grover Beach, San Luis Obispo County (Exhibit 1)

PROGRAM CATEGORY: Access

EXHIBITS

- Exhibit 1: Regional Location Map
 - Exhibit 2: Project Site Map
 - Exhibit 3: Cypress Street Pedestrian Bridge
 - Exhibit 4: Initial Study & Mitigated Negative Declaration (Pismo Beach)
 - Exhibit 5: Initial Study & Mitigated Negative Declaration (Grover Beach)
 - Exhibit 6: Public Access Easement
 - Exhibit 7: Letters of Support
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred fifteen thousand dollars (\$115,000) to the City of Pismo Beach (City) for construction of a two-mile segment of the coastal trail subject to the condition that prior to the disbursement of funds for construction, the City shall submit for the review and approval of the Executive Officer of the Conservancy:

1. Evidence that the City has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
 2. A final work program, including final construction drawings, a final budget, schedule, and names of any contractors and subcontractors to be employed for these tasks.
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3. A signing plan for the project acknowledging Conservancy participation.
4. The trail design shall be consistent with the Conservancy's Standards and Recommendations for Accessway Location and Development.
5. Evidence that the City has opened and will maintain for public access the existing public access easement located on San Luis Obispo County Assessor Parcel Nos. 005-163-024, -025, -026, and -027, shown on Exhibit 6 to the accompanying staff recommendation.

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives of Sections 31400 *et seq.* of Division 21 of the Public Resources Code regarding coastal access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Conservancy has reviewed the Mitigated Negative Declarations and Mitigation Monitoring Programs adopted by the City of Pismo Beach on February 12, 2002 and the City of Grover Beach on January 9, 2001, collectively attached as Exhibits 4 and 5 to this staff recommendation, and concurs that the project, as mitigated, will not have a significant effect on the environment as defined in 14 Cal. Code of Regulations Section 15382.
4. The proposed project serves greater than local needs.”

PROJECT SUMMARY:

Construction of a one-mile Coastal Trail segment linking the beach boardwalk at the Pismo Beach pier to the primary beach access point in the City of Grover Beach is recommended in the Conservancy's Coastal Trail Report. From Grover Beach, the trail would traverse the dunes of Pismo Beach State Park and through a monarch butterfly grove, run adjacent to Highway 1 and across Pismo Creek before connecting to a Pismo Beach city street where a recently built boardwalk promenade extends to the Pismo Beach pier (Exhibit 2). The pedestrian pathway would include a raised wood boardwalk over the dunes, decomposed granite trails, concrete pathways, a renovated pedestrian bridge over Pismo Creek, interpretive signs, and a viewing platform. Conservancy funds would be directed specifically to renovating the existing pedestrian bridge crossing and walkway at Pismo Creek in order to provide safe and attractive pedestrian access along this segment of the proposed trail (Exhibit 3).

Establishing a pedestrian boardwalk linking two of the most popular beach destinations in the two cities would enhance public access and protect sensitive dune habitat, including habitat for the snowy plover, a federally listed endangered species. The proposed boardwalk through the dunes would establish one designated trail that, together with the suggested signs and fencing, would help to reduce unrestricted access that has degraded the area's dune vegetation and snowy plover habitat. The project would thus serve to protect sensitive dune habitat, while providing a continuous pedestrian pathway linking existing beach access facilities situated at both ends of the project area.

As a condition of the grant, the City has agreed to open and maintain an existing public access easement located alongside Pismo Creek and in front of an existing private development (Exhibit 6). In the future, the City intends to obtain additional easements on adjacent parcels to connect this easement to the beach. In the meantime, the public will be able to access this existing trail easement that provides scenic views of the creek and lagoon, or continue down a nearby city street to reach the beach.

Site Description: Stretching from the Pismo Beach pier south approximately one mile to the City of Grover Beach, the broad sandy beaches, campgrounds, and RV parks in and around Pismo Beach State Park are highly popular destinations receiving an estimated two million visitors annually. A tourist-oriented commercial district surrounds the Pismo Pier at the north end of the project area, while a heavily used beachfront parking lot at the project area's south end in Grover Beach provides visitors with convenient access to the southern beaches and dunes of Pismo Beach State Park. As a result of intensive visitor use, the site's sensitive dune areas have been degraded, causing adverse impacts to habitat for the snowy plover. It is expected that a Habitat Conservation Plan currently being prepared for this region designate the state park's dunes as critical habitat for the snowy plover and, in turn, mandate increased protection and management measures in the future.

Pismo Creek and lagoon, located along the northwest edge of the project area, provide riparian and wetland habitat suitable for federally listed species including the southern steelhead, tidewater goby and California red legged frog. A large stand of eucalyptus trees located adjacent to and west of Highway 1 within the state park boundaries provides seasonable habitat for the monarch butterfly. Meadow Creek provides suitable for habitat for the Southwestern pond turtle. The existing public access easement to be opened and maintained by the City extends for approximately 300 feet over four parcels that were developed with condominiums in the mid-1990s. The easement is located between the Pismo Creek lagoon and the private development.

Project History: In 1985 the Conservancy provided grant funds to the City of Pismo Beach for access improvements associated with the construction of a boardwalk promenade that extends from the pier south towards Pismo Creek. The proposed new pathway would connect to the southern terminus of this accessway. In 1997, a feasibility study for the proposed project was prepared and reviewed by the Pismo Beach and Grover Beach City Councils. During this period a range of alternative routes and construction techniques and features were analyzed in consultation with various state and federal agencies. In December 1999, a preferred project alternative was refined and agreed upon by the participating agencies and the two cities. Between 2000 and summer 2003 the two cities secured a combination of state and federal funds to prepare final engineering designs, complete environmental review, and construct most of the project elements. Conservancy funds are now being requested to complete the construction funding package.

PROJECT FINANCING:

Coastal Conservancy	\$ 115,000
Guadalupe/Unocal Mitigation Fund	75,000
Resources Agency	85,000
State Department of Transportation (Caltrans)	900,000
City of Pismo Beach (in-kind)	<u>20,000</u>
Total	\$1,195,000

The expected source of Conservancy funds for this project is the Conservancy's FY 2001/02 appropriation from Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Fund (Proposition 12). Consistent with the purposes of this funding source, the proposed project would be carried out in accordance with the provisions of the Conservancy's enabling legislation, and would serve to establish public coastal accessways to and along the coast that would serve greater than local needs.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

Public Resources Code Section 31400 directs the Conservancy to have a principal role in the implementation of public accessways to and along the state's coastline. To this end, §31400.3 authorizes the Conservancy to "provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public coastal accessways, and related functions necessary to meet the objectives of this division." Funding this accessway project is consistent with these provisions as well as with §31400.1 which authorizes the Conservancy to award grants to a public agency for purposes of developing lands suitable for, and which be used for, public accessways to and along the coast, when the subject accessways serve greater than local needs. The project would serve the recreational needs of an estimated two million annual visitors to the project area.

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1 Objective B**, the project would result in the posting of Coastal Trail signs on approximately one mile of existing trails within public ownership.

Consistent with **Goal 1 Objective C**, the project would entail construction of approximately one mile of trail within public ownership.

Consistent with **Goal 1 Objective D**, the project would bridge gaps in the Coastal Trail due to river mouths and other obstructions.

Consistent with **Goal 2 Objective D**, the project would increase coastal recreation opportunities for residents and visitors, and correct dangerous conditions by renovating a pedestrian bridge.

Consistent with **Goal 2 Objective E**, the project would serve to alleviate the negative impacts of traffic and congestion on public access by creating a continuous pedestrian pathway between two popular beach destinations.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

- 1 **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.

- 2 **Consistency with purposes of the funding source:** See the “Project Financing” section above.
- 3 **Support of the public:** This project has widespread support, including that of State Senator Bruce McPherson, Assemblyman Abel Maldonado, the County of San Luis Obispo, the Cities of Pismo and Grover Beach, and others. See Exhibit 7 for letters of support.
- 4 **Location:** The proposed project would be located within the coastal zone of the cities of Pismo Beach and Grover Beach.
- 5 **Need:** Conservancy funding is needed to complete the construction funding package.
- 6 **Greater-than-local interest:** The proposed project serves residents from throughout San Luis Obispo County as well as visitors traveling to and along the Central Coast. Pismo Beach State Park and the surrounding visitor-serving facilities provide over two million visitors with access to the region’s broad sandy beaches.

Additional Criteria

- 7 **Urgency:** The proposed project is ready to go to construction this year and Conservancy funds are urgently needed for the project.
- 8 **Resolution of more than one issue:** . The project would protect sensitive dune habitat, while providing a continuous pedestrian pathway linking existing beach access facilities.
- 9 **Leverage:** See the “Project Financing” section above.
- 10 **Conflict resolution:** The project would resolve a conflict between public access through a sensitive dune habitat and protection of this habitat for the benefit of the snowy plover, a federally listed species.
- 12 **Readiness:** If Conservancy funds are authorized, the city be ready to initiate construction of the project this winter.
- 13 **Realization of prior Conservancy goals:** See the “Project History” section above.
- 14 **Return to Conservancy:** See the “Project Financing” section above.
- 15 **Cooperation:** The project entails the cooperation of two cities, and numerous regional, state and federal resource management and planning agencies, and funding partners.

CONSISTENCY WITH CONSERVANCY’S ACCESS PROGRAM STANDARDS:

The project as designed is consistent with Conservancy’s Standards and Recommendations for Accessway Location and Development as follows:

Standard No. 1 Protect Public and Coastal Resources

The project is designed and located to minimize alteration of natural landforms of the Pismo Beach State Park sand dunes and protect environmentally sensitive habitats, including habitat for the snowy plover. The boardwalk is routed through the dunes so as to be subordinate to the dunes complex. The renovation of the pedestrian bridge crossing at Pismo Creek would serve to prevent unwarranted hazards to public safety. The proposed routing of the pathway along a city street would ensure the privacy of adjoining residences.

Standard No. 2 Correct Hazards

By establishing a pedestrian pathway within the Highway 1 corridor that is to include directional signage and a buffer between the roadway and the pathway, the project would serve to reduce existing hazards associated with pedestrians using the Highway 1 shoulder.

Standard No. 4 Privacy

The design and location of the boardwalk considers the privacy of adjoining residences, including those living in a nearby mobile home park, as well as campers at the state park campground.

Standard No. 5 Environmentally Sensitive Areas

The project has been reviewed by the Department of Fish and Game and the California Coastal Commission, and has been found by the Coastal Commission to be consistent with the policies of Chapter Three of the Coastal Act.

Standard No. 8 Trails

The boardwalk and trail would serve to connect the beaches and dunes of Pismo Beach State Park with inland state park attractions, including the popular monarch butterfly grove, and will include footbridges, appropriate paving materials, adequate trail drainage system, trash receptacles, benches, barriers, and signs.

Standard No. 9 Scenic Overlooks

The segment of the boardwalk through the back dunes of Pismo Beach State Park includes a viewing platform that would provide the public with a unique view of the coast and would be accessible to those with physical disabilities.

Standard No. 12 Support Facilities

The project would include support facilities including directional and resource interpretation signs and would serve users of the nearby Pismo State Beach Campground.

Standard No. 13 Barrier-Free Access

The boardwalk would be wheelchair-accessible.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

City of Pismo Beach

The City of Pismo Beach Local Coastal Program (LCP) Policy “PR-31: Boardwalk” calls for a pedestrian boardwalk from Pismo Creek to Grover Beach. LCP Policy “PR-7: Regional Parks and Trails” calls for cooperation with the City of Grover Beach and State agencies to develop regional recreational trails. The proposed boardwalk is consistent with these two LCP policies.

City of Grover Beach

The City of Grover Beach Local Coastal Program (LCP) Recommendations Section 5.7(A), “Maximum Access” Policy 1(b) calls for cooperation between the city and the State Department of Parks and Recreation (DPR) and other public agencies to utilize all opportunities to provide additional public coastal access. Consistent with this policy, DPR, Conservancy, and the Cities of Pismo Beach and Grover Beach are working together to provide additional coastal access. LCP Recommendations Section 5.7(C), “Protection of Natural Resources” Policy 1(b) states that the public shall be adequately informed of regulations and prohibitions designed to protect natural resources from abuse and overuse. Consistent with this policy, the proposed boardwalk and interpretive signs would direct the public away from sensitive dune habitat.

COMPLIANCE WITH CEQA:

For those segments of the project located within the jurisdiction of the City of Pismo Beach, the City's Community Development Department served as the lead agency for purposes of the California Environmental Quality Act (CEQA), and prepared an Initial Study and Mitigated Negative Declaration (Exhibit 4). No comments were received in response. On February 12, 2002 the City approved the project, adopted the Mitigated Negative Declaration, and determined that there was no evidence before it that the project would have any potential adverse impacts on fish and wildlife resources or the habitat upon which wildlife depends as defined under California Fish and Game Code 711.2. On February 25, 2002 the City filed a Notice of Determination with the County Clerk of San Luis Obispo.

For those segments of the project located within the jurisdiction of Grover Beach, the City's Community Development Department served as the lead agency for purposes of CEQA, and on November 8, 2000 prepared an Initial Study and Mitigated Negative Declaration (Exhibit 5). No comments were received in response. On January 9, 2001, the City approved the project, adopted the Mitigated Negative Declaration, and on January 23, 2001 filed a Notice of Determination.

The Mitigated Negative Declarations prepared by each of the two local jurisdictions identified potentially significant effects in the areas of Aesthetics, Biological Resources, and Mandatory Findings of Significance. Mitigation measures have been incorporated to reduce these potential effects to a level of insignificance, as summarized below.

Aesthetics

The portion of the proposed project that traverses the dunes includes a viewing platform deck that will be located at grade on the crest of a dune and be visible against the horizon when viewed from the east and south. Generally however, the proposed route will be in the backdune and will conform closely to natural grade and between dune crests. To avoid potentially significant effects on the scenic vista of the dune area, the boardwalk will for the most part be subordinate to the landform and will not silhouette against the dune horizon.

Biological Resources

Potential indirect impacts to coastal foredune habitat, dune scrub, coastal freshwater marsh, and associated sensitive plant communities and species have been identified. Impacts to vegetation are primarily on exotic ice plant. To avoid potentially significant effects on other more sensitive plant species, the path route will be located to minimize or avoid impacts on such species, including native dune plants. Due to the limited footprint of the path and reliance on hand operated power tools to construct the improvements, sensitive plants will largely be avoided. Where sensitive plants cannot be avoided, a revegetation plan will be implemented to replace affected plants at a 10:1 ratio with plants propagated onsite. In addition, the replanting program will include other dune species as appropriate to the specific impact area. Replanting will be maintained and monitored for three years for a 50 percent survival at the end of three years. Jurisdictional wetlands and associated plant communities will be avoided entirely by project design and location.

Habitat and movement corridors for the California red-legged frog (CRLF), Southwestern pond turtle, and snowy plover could be impacted by the project. While no CRLF were identified in the protocol survey, suitable habitat does exist and will be avoided. Prior to construction, surveys within the vicinity of the proposed route will be conducted, and if CRLF are identified, protective measures will be implemented to exclude frogs prior to and during construction. To avoid disturbance to the frog's breeding lifestage, the timing of construction will be restricted to avoid

the typical breeding period. To mitigate potential impediments to turtle movement, the path will be constructed of a smooth surface and, where appropriate, with space for turtles to crawl under the path. A pre-construction survey and fencing of habitat areas will also be implemented. The project will have no direct impacts on snowy plover habitat, but indirect impacts including temporary construction noise and continued use of the dunes by pedestrians will be minimized by limiting construction activities that require heavy equipment to periods outside the nesting season and installing railings on the duneward side of the boardwalk to limit foot traffic off the path. Signage will also be posted warning users of the sensitive nature of the plover's habitat. A pre-construction survey will be conducted for plover nests within 100 feet seaward of the route in the dunes, and if nests are present, the alignment will be modified to achieve a 100-foot setback.

Mandatory Findings of Significance

Due to its limited scope and location, the project does not have the potential to substantially reduce sensitive habitat, cause wildlife species to drop below self-sustaining levels or eliminate examples of California history or prehistory. The project by design and location will avoid sensitive habitat.

Mitigation Monitoring

Mitigation monitoring programs be prepared and staff from both cities verify that a qualified biologist is retained for monitoring and compliance with pre-construction and construction-stage measures in coordination with state and federal resource agency staff. City staff will ensure that final construction plans and proposed routes comply with all required mitigation measures prior to issuance of building permits and will ensure compliance during construction in the field. In addition, the cities will retain a qualified professional to identify monitoring activities related to protection of sensitive plants.

Conclusion

After reviewing the two Mitigated Negative Declarations, staff concurs that the project, as mitigated, will not have a significant effect on the environment, and recommends that the Conservancy make such a finding. Upon approval, staff will file a Notice of Determination for the Pismo Beach Coastal Trail project. Both Cities also determined, consistent with 14 Cal. Code of Regulations Section 753.5(d), that the project would not have an adverse effect on wildlife resources as defined under California Fish and Game Code Section 711.2.