

COASTAL CONSERVANCY

Staff Recommendation
December 3, 2015

SUNSET CLIFFS NATURAL PARK- IMPLEMENTATION

Project No. 08-061-02
Project Manager: Julia Elkin

RECOMMENDED ACTION: Authorization to disburse up to \$800,000 to the City of San Diego for constructing public access improvements and vegetation restoration on the fifty acre Hillside Park section of Sunset Cliffs Natural Park and adoption of relevant findings under the California Environmental Quality Act.

LOCATION: Sunset Cliffs Natural Park, City of San Diego, San Diego County (Exhibit 1)

PROGRAM CATEGORY: Coastal Resource Enhancement; Public Access

EXHIBITS

- Exhibit 1: [Project Location Maps](#)
 - Exhibit 2: [Existing Site Conditions](#)
 - Exhibit 3: [Site Design Plan](#)
 - Exhibit 4: [Master Environmental Impact Report, Initial Study and Project Findings for the Sunset Cliff Natural Park Hillside Section Improvements](#)
 - Exhibit 5: [Redacted Appeal Hearing Report](#)
 - Exhibit 6: [Project Letters](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 and 31400-31410 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eight hundred thousand dollars (\$800,000) to the City of San Diego (the City) to implement the Sunset Cliff Natural Park Hillside Section Improvements Project (the Project) subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds the City shall submit for the review

and written approval of the Executive Officer of the Conservancy a work plan, budget and schedule, the names and qualifications of any contractors to be employed to carry out these tasks, and evidence that the City has obtained all necessary permits and approvals.

2. In carrying out the project, the City shall:
 - a. Implement the project as described in the Master Environmental Impact Report and Project Findings for the Sunset Cliff Natural Park Hillside Section Improvements project and comply with all applicable mitigation and monitoring measures identified in the mitigation, monitoring and reporting program for the Project (pages 3-21 of the attached Subsequent Project Findings, Exhibit 4).
 - b. Ensure that the project improvements are consistent with the Conservancy's 'Standards and Recommendations for Accessway Location and Development', with the Coastal Development Permit and with all applicable federal and state statutes, regulations and guidelines governing access for persons with disabilities.
 - c. Implement all feasible Best Management Practices to reduce the project's greenhouse gas emissions, and require all contractors to do the same.
3. At the time project improvements are made, the City shall acknowledge Conservancy funding and designate the project as a segment of the California Coastal Trail as identified in a signage plan. The plan shall be reviewed and approved by the Executive Officer and shall also identify, and the City shall sign, all other real property interests controlled, maintained or managed by the City that are deemed to be existing segments of the Coastal Trail."

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 current Conservancy Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code regarding coastal resource enhancement, and Chapter 9 regarding establishment of a system of public accessways.
3. The Conservancy has reviewed the Sunset Cliff Natural Park Master Plan MEIR (2004), the Sunset Cliffs Natural Park Master Plan MEIR (2008), the Initial Study (2013) and the City's Subsequent Project Findings (2013), attached to the accompanying staff recommendation as Exhibit 4, adopts the mitigation and monitoring plan provided in the MEIR, and finds, based on the State Coastal Conservancy's independent judgment and analysis of the whole record before it, including the environmental documents and public comments received, that
 - a. the Project avoids, or reduces the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the Project

may have a significant effect on the environment, as defined in 14 California Code Regulations Section 15382

- b. the Project is within the scope of the MEIR
 - c. although the MEIR is more than 5 years old, no substantial changes have occurred with respect to the Project described in the MEIR
 - d. there is no new information which was not known and could not have been known at the time the MEIR was certified which requires additional environmental review of the Project.
4. The proposed project serves greater-than-local-needs.”

PROJECT SUMMARY:

Staff recommends the Conservancy authorize disbursement of up to \$800,000 to the City of San Diego (“City”) to construct public access improvements and restore vegetation on the fifty acre Hillside Park section of Sunset Cliffs Natural Park (“the park”). (See Exhibit 2). The proposed project builds directly upon a prior Conservancy grant made to the City for design, permitting, and environmental review of public access improvements and vegetation restoration plans at the project area.

Sunset Cliffs Natural Park Council estimates that the park receives 1.7 million visitors per year including local, national, and international visitors. As the number of visitors continues to swell, the impacts of uncontrolled bicycle and pedestrian traffic continue to degrade the site’s natural resources. Storm water runoff, originating from both the park itself and from the surrounding urban area, has resulted in severe erosion of the bluff terraces and the creation of large gullies. Other problems include soils compaction and displacement of native plants by exotic invasive vegetation. These problems pose risks to public safety and degrade the park’s natural beauty and coastal resource ecosystems.

In 2005, the City developed a Master Plan for SCNP in order to address these issues and to make recommendations for improvements. That Master Plan directly informed the development of designs for public access improvements and vegetation restoration, leading to a Master EIR on the Sunset Cliffs Natural Park Master Plan in 2008. The specific design plans for the Hillside Park Section were reviewed under the Master EIR- Subsequent Project Findings in October 2013 and full permitting and environmental review in May of 2014. The design improvements which are now ready to be implemented at the Hillside Park section of SCNP under this proposed project include:

- Development of pedestrian trails:
 - o 0.23 acres of multi-use trail (8’-12’ wide, stabilized de-composed granite) for park ranger and bicycle access through park;
 - o 0.35 acres of primary trails (6’ maximum width, natural surfacing) to connect various park uses and link the park to the surrounding community;
 - o 0.36 acres of secondary trails (4’ maximum width, of natural surfacing);
 - o 0.09 acres of ADA trail (6’ wide, of stabilized de-composed granite) to allow access from lower parking lot to an observation point

- Construction of four observation points:
 - o located along the primary trail where environmentally appropriate, to take advantage of the dramatic cliff and seaside views;
 - o include benches to allow visitors to sit and enjoy the views;
 - o provide that the observation points shall be ADA accessible and compliant
- Construction of three entryway monuments to the Hillside Park Section of the park
- Implementation of a phased re-vegetation program including:
 - o an emphasis on the use of native plants species;
 - o removal of exotic, non-native, invasive plant species;
 - o re-contouring and re-vegetation of the existing ball field with native plant material.

Site Description:

Dedicated in 1983, Sunset Cliffs Natural Park is a breathtaking 68-acre park bordering the western edge of Point Loma along the Pacific Ocean. The park consists of two sections: an 18-acre “Linear Park” section lying west of Sunset Cliffs Boulevard between Adair and Ladera Streets and a 50-acre south adjacent coastal terrace “Hillside Park” section which is the focus of the proposed project. The Hillside Park section of SCNP connects to the 640-acre Point Loma Ecological Reserve beginning at the Navy property to the south and is bordered on the east by Point Loma Nazarene University (See Exhibit 3).

The Park's topography includes intricately carved coastal bluffs, arches and sea caves, and affords inspiring panoramic ocean views (See Exhibit 2). From the cliffs, gray whales can be seen migrating annually from the Bering Sea to Baja California. Below the Park's cliffs are pocket beaches and tide pools. The beaches below Sunset Cliffs are popular with surfers, kayakers, and snorkelers. The location of the Hillside Park within the City of San Diego Multiple Species Conservation Plan (MSCP), as well as its popularity among residents and tourists alike affords both an opportune and urgent site for restoration and preservation.

Project History:

In 2008 the City of San Diego received a Coastal Conservancy grant of \$380,000 for design planning of the Sunset Cliffs Natural Park Trail and Habitat Restoration Project. This design phase successfully produced 100% design plans for both the Hillside Park section and Linear Park section of Sunset Cliffs Natural Park. This current project phase now will commence implementation of those design plans and construction improvements specific to the 50-acre Hillside Park section of the park.

PROJECT FINANCING

Coastal Conservancy	\$800,000
City of San Diego	\$1,000,000
City of San Diego (expected 2017)	\$1,000,000
Project Total	\$2,800,000

The anticipated source of Conservancy funds is the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (“Proposition 84”). This funding may be expended, consistent with the Conservancy’s enabling statute, “for the protection of San Diego Bay and adjacent watersheds” as specified in section 75060(f) of the Public Resources Code. “San Diego Bay and adjacent watersheds” includes all coastal and bay watersheds within San Diego County (*Id.* § 75072.6). In addition, Proposition 84 funds may be used to “promote access to and enjoyment of the coastal resources of the state” in accordance with Division 21 of the Public Resources Code (*Id.* § 75060). This project is located in a coastal watershed and will secure positive impacts to water quality in the coastal zone. As discussed below, the project is consistent with Chapter 6 and Chapter 9 of Division 21.

The project match funds listed above from the City of San Diego consist of \$1,000,000 from the City of San Diego’s Fiscal Year 2016 Adopted Capital Improvement Program (CIP) Budget, whose allocation is a public process (presented by the Mayor and approved by City Council in June 2015) and \$1,000,000 from the City’s Regional Park Improvement Fund which is scheduled to be received in FY 2017. The City will also contribute in-kind services through overseeing contracting and construction.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 6 of Division 21 of the Public Resources Code (Sections 31251, *et seq.*) regarding coastal resource enhancement projects. Section 31251 states that the Conservancy may award grants to public agencies to be utilized for corrective measures that will enhance the natural and scenic character of areas that have lost natural and scenic values. The implementation actions proposed under this project would allow the City of San Diego to directly increase the natural and scenic values of Sunset Cliffs Natural Park by restoring degraded park resources and planting native vegetation.

Consistent with Section 31252, the proposed project is identified by and consistent with the Peninsula Community Plan and Local Coastal Program Land Use Plan (LUP) as an area in need of restoration, which is part of the City of San Diego’s certified LCP as described in the Consistency with Local Coastal Program Policies below.

Consistent with Section 31253 and Section 31400.2 (for Chapter 9 purposes), staff have evaluated the proposed authorization in light of the total amount of funding available for coastal resource enhancement projects and public access projects, the fiscal resources of the applicant, the urgency of the project relative to other eligible coastal resource enhancement and access projects, and the Conservancy’s project selection criteria, as discussed below.

The proposed project is also consistent with Chapter 9 of Division 21 of the Public Resources Code (Sections 31400, *et seq.*), regarding public access and enjoyment of coastal resources. Section 31400 states that the Conservancy shall have a principal role in the implementation of a system of public accessways to and along the state's coastline. Through the proposed action, the Conservancy would continue its role in supporting improvements to an important public accessway along a major segment of the California coast.

Section 31400.1 allows the Conservancy to award grants to a public agency for accessways that serve more than local public needs. The dramatic bluffs and spectacular vistas of Sunset Cliffs Natural Park make it a popular destination for visitors to the San Diego area from throughout the state and country. Improvements implemented under this project will improve the Park's accessibility and public safety as well as preserve its natural beauty for future generations.

Consistent with Section 31401, the project is consistent with the Conservancy's Access Program Standards, as detailed immediately below.

Section 31408 states that the Conservancy shall coordinate with other public agencies in development of the California Coastal Trail. The proposed project's improvements to 1.82 miles of California Coastal trail directly support this objective.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

Standard No. 1, Protect Public and Coastal Resources: This project will increase accessibility and safety for public visitors to Sunset Cliffs Natural Park while also restoring native coastal habitat and increasing the resilience of the park's ecological functions.

Standard No. 2, Correct Hazards: Trail improvements undertaken by this project will correct existing hazards posed by renegade trails that lead park visitors too close to unstable bluff edges.

Standard No. 4, Privacy: As the Hillside Section of Sunset Cliffs Natural Park does not adjoin any private residences, there are no privacy concerns.

Standard No. 5, Environmentally Sensitive Areas: By improving the public use trail network, this project will decrease disturbances to sensitive native habitats on the park property.

Standard No. 8, Trails: This project will create and improve 1.84 miles of public coastal trail.

Standard No. 9, Scenic Overlooks: Three scenic overlooks will be constructed on the project site, one of which will be fully ADA accessible.

Standard No. 10, Coastal Bikeways: The project includes creation of a multi-use trail

Standard No. 12, Support Facilities: The project will install three entryway monuments as well as appropriate trail signage, trash receptacles, and benches.

Standard No. 13, Barrier-Free Access: An ADA accessible trail will be created and lead from the parking area to a scenic overlook.

**CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN
GOAL(S) & OBJECTIVE(S), AS REVISED JUNE 25, 2015:**

Consistent with **Goal 1, Objective 1F**, the proposed project will improve facilities at an existing coastal accessway and provide features that improve accessibility for people with disabilities.

Consistent with **Goal 2, Objective D**, the proposed project will fund reconstruction of dilapidated and unsafe facilities to increase and enhance coastal recreation opportunities.

Consistent with **Goal 5, Objective 5B**, the proposed project will restore coastal habitat including coastal sage scrub.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, 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. **Promotion and implementation of state plans and policies:**

CA Wildlife Action Plan: In support of CWAP *Goal 2.2 to "enhance ecosystem condition, community structure and composition"*, this project will strengthen native species biodiversity and contribute to a healthier ecosystem within the Multiple Habitat Preservation Areas on-site. Restoration of Coastal sage scrub within the park will provide higher quality habitat for animals targeted for protection under the City of San Diego MSCP and trail improvements will protect native flora and fauna within the park by better defining areas open to recreational impacts.

State and Federal Species Recovery Plans: *City of San Diego Multiple Species Conservation Program (MSCP):* The California gnatcatcher (*Polioptila californica californica*), a species protected under the Endangered Species Act and the City's MSCP, occurs in areas of Coastal sage scrub and is known to occur in the project area. While the project area currently has limited quality habitat to support the California gnatcatcher, this project will increase available quality habitat through restoring non-native vegetation to coastal sage scrub. Additionally, existing, unauthorized trails will be restored to native vegetation as part of the Project, creating additional habitat for wildlife.

CA Natural Community Conservation Plans: The City's MSCP Subarea Plan meets the requirements of the CA Natural Communities Conservation Planning (NCCP) Act of 1992.

Most of the Hillside Section of Sunset Cliffs Natural Park is within Multi-Habitat Planning Area (MHPA) of the **City of San Diego's Multiple Species Conservation Program (MSCP)**. This Project will support the goals of the MSCP by providing Coastal sage scrub habitat in the park, removing non-native vegetation, and reducing effects of trespass into habitat areas.

4. **Support of the public:** The project has strong support from both the City of San Diego and local community groups and non-profits including the San Diego City Council, Mayor of San Diego Kevin Faulconer, Office of City Council Member Lorie Zapf– District 2, City of San Diego Park and Recreation Department, City of San Diego Public Works Department, Peninsula Community Planning Board (City of San Diego), The San Diego Foundation – Frank and Ellen Quick Fund, San Diego Audubon Society, Sunset Cliffs Natural Park Council, and Friends of Sunset Cliffs (see Exhibit 6). The Sunset Cliffs Association, a local non-profit, has expressed opposition to the project (see Exhibit 6).
5. **Location:** The proposed project is located within the coastal zone of the City of San Diego.
6. **Need:** Hillside erosion within the park will continue to damage existing vegetation and sensitive plants until this project is done. The project will not be undertaken without Conservancy support.
7. **Greater-than-local interest:** Sunset Cliffs Natural Park constitutes one of the most unique coastal environments in San Diego County and is a popular park destination for residents and tourists alike. The park serves a broad range of neighborhood, community, and regional recreational needs, attracting joggers, walkers, hikers, surfers, kayakers, and local artists looking for beautiful ocean views as well as visitors from around the country and worldwide. Coastal resources at the park feature dramatic cliff formations, coastal terraces, and exposed geologic strata containing sensitive paleontological resources.
8. **Sea level rise vulnerability:** As Sunset Cliffs Natural Park is situated high above the shoreline on bluffs overlooking the ocean, the project site is not vulnerable to sea level rise, however natural cliff side geologic processes will continue to drive ongoing bluff retreat.

Additional Criteria

9. **Urgency:** In spite of continuing erosion problems, degradation of plant communities on site, and unsafe trail conditions, more people continue to visit SCNP each year. It is urgent that the City implement erosion control, native plant community restoration, and construct trail and accessway improvements as soon as possible in order to prevent further damage and improve site safety for visitors.
10. **Resolution of more than one issue:** Elimination of duplicative informal trails, construction of new, properly graded trails, and restoration of denuded hillside areas with native plant communities will help resolve erosion problems as well as restore native habitats and increase safety and enjoyment for park visitors.
11. **Leverage:** See the “Project Financing” section above.
14. **Readiness:** Upon receipt of the requested Conservancy grant, the project would be fully funded and the City would be ready to begin construction on July 1, 2016.

15. **Realization of prior Conservancy goals:** “See “Project History” above.”
16. **Return to Conservancy:** See the “Project Financing” section above.
17. **Cooperation:** Extensive cooperation between the Park and Recreation Department, the Sunset Cliffs Natural Park Council (an official advisory committee formed by the Park and Recreation Board in 1988), and the Peninsula Community Planning Board (a citizen organization that advises the City on land use-based community goals and development proposals) over the past ten years has secured the support of local residents and landowners for the project moving into implementation.
18. **Vulnerability from climate change impacts other than sea level rise:** Climate change is likely to increase both the frequency and intensity of storm events along this ocean front coastline. With Sunset Cliffs Natural Park situated high above the shoreline on bluffs overlooking the ocean, this project will help protect these sensitive bluffs by reducing existing and future storm water runoff erosion within the park.
19. **Minimization of greenhouse gas emissions:** A nominal amount of GHG will be produced during construction. The Initial Study estimated 85 metric tons would be generated from construction activities, which is well below the 900 metric ton screening criteria used as part of the City of San Diego. In addition, the overall project will result in additional planting, trails, and reduction of paving in an effort to encourage non-motorized recreation. The project is not anticipated to generate significant greenhouse gas emissions from maintenance and patrol activities. Carbon sequestration is more likely, but has not been calculated at this time.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The Sunset Cliffs Natural Park is located within the jurisdiction of the Peninsula Community Plan and Local Coastal Program Land Use Plan (LUP), which is part of the City of San Diego’s certified LCP. The Peninsula Community Plan/Land Use Plan was certified by the Coastal Commission on July 13, 1988. On July 14, 2005, the Coastal Commission approved the City’s proposed LCP amendment (No. 2-04b) to incorporate the Sunset Cliffs Natural Park Master Plan into the certified Peninsula Community Plan/LUP. The Master Plan is essentially a new plan document consisting of an entirely new LCP Land Use Plan (LUP) specifically for the Sunset Cliffs Natural Park. As the proposed Conservancy action would implement specific actions contained within the Master Plan, this project is consistent with the City of San Diego LCP.

COMPLIANCE WITH CEQA:

In 2004, a Master EIR (MEIR) for Sunset Cliffs Natural Park’s Master Plan, previously funded by the Conservancy, was approved by the City of San Diego as the CEQA lead agency. On December 7, 2004, the San Diego City Council adopted the Master Plan and certified the MEIR. (See Exhibit 4; MEIR No. 91-0644). In 2008 the City Council established a new Capital Improvement Project (CIP) for the Park Hillside Section Improvements, developed and approved the City Subarea V Master Environmental Impact Report. The Master Plan divides the Park into two sections: the 18-acres Linear Park and the 50-acre Hillside Section which is the subject of

this authorization. Some of the elements of the Hillside Section have been already implemented or removed from consideration including elimination of the athletic field, new stairs at Ladera Street, and parking lot repaving. In addition, subsequent developments removed some of the Master Plan elements from the Project. With respect to the remaining elements which form the basis for the proposed Project, these actions fall within the Hillside Park section of Master Plan and have been found to be within the scope of that Master EIR.

In 2013 the City conducted an Initial Study (IS) for the Project to determine if the proposed project could have a significant effect on the project environment, and whether new information or changes to the project site require the development of a new environmental document.¹ The IS initially found the potential for significant environmental effect in the areas of biological resources, land use (including the affected multi-species conservation plan), historical resources (including archaeology) and, however the project was reconfigured as a result of IS process. Tiering off the 2004 MEIR which called for project specific mitigation measures, the IS provided a mitigation monitoring and reporting program for the Project (pp. 3 -21 of Exhibit 4) which reduced the impacts to less than significant. In reaching this conclusion the IS analyzed the following elements of the environment.

Biological Resources (mitigation for direct impacts to Tier I-IIIB habitat)

Trail improvements under this project will impact 0.28 acres of sensitive vegetation, requiring mitigation of 0.30 acres. However, the robust revegetation program that will be completed under this project provides a total net increase of 14.67 acres of sensitive vegetation on the project site, thus far surpassing the mitigation requirement.

Construction activities that remove habitat for general nesting birds are restricted to occur outside the breeding season (February 1- September 15). Pre-construction surveys will ensure that nesting birds are not present within the remaining calendar range, and if nesting birds are found, the City shall prepare a mitigation plan in conformance with the City's Biology Guidelines and applicable state and federal law will be prepared to ensure no disturbance of breeding activities and no take of the birds or eggs.

Land Use – Multiple Species Conservation Program (MSCP/MHPA)

The project makes extensive contingency plans for the presence of the state- and federally-listed endangered California gnatcatcher, which is known to occur within the area. A qualified biologist possessing valid ESA permits will follow USWFS survey protocols within the breeding season prior to construction in surveying areas that would be subjected to noise impacts during construction. Should gnatcatchers be present, an extensive set of mitigation measures including implementation of noise attenuation measures (berms, walls) would be utilized to prevent noise impacts to occupied areas.

¹ Note that under Public Resources Code § 21156.7, a lead agency can utilize a master environmental impact report that is over five years old if it finds that "no substantial changes have occurred with respect to the circumstances under which the master environmental impact report was certified or that no new information, which was not known and could not have been known at the time that the master environmental impact report was certified as complete, has become available." (Pub. Res. Code § 21157.6(b)(1)).

Historical Resources

The project stipulates a pre-construction and during-construction archaeological monitoring program led by a qualified Principal Investigator with involvement at all process stages by a Native American consultant/monitor where Native American resources may be impacted. Should human remains be discovered on site, work will halt in that area and no soil exported off site until a determination can be made regarding provenance of the remains. CEQA and the California Resources code procedures will be followed for notification and isolating discovery the site. Should remains be determined to be Native American, the Medical Examiner will call the Native American Heritage Commission who will follow set procedures with cooperation from the PI.

Paleontological Resources

The Project requires the development of a Paleontological Monitoring Exhibit (PME) based on the construction documents to identify areas where the potential presence of paleontological resources. The monitor must be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity and must assist in the development of a post project monitoring report.

Subsequent Project Review

On December 11th, 2013 the coastal site development permit for the project was approved. On December 24th, 2013, Dr. Craig Barilotti appealed the project's approval, chiefly expressing concerns about drainage of stormwater runoff from the project area into a discharge location at Garbage Beach on park property.

This appeal led to a hearing before the Planning Commission. In the March 27, 2014 Hearing Officer's Report to the Planning Commission (Exhibit 5), the City responded to the seven issues raised by the appeal and proposed minor modifications to the site designs. The Planning Commission found that the issues raised in the appeal did not evidence new or previously unknown significant adverse environmental impacts. However, in order to address the issues raised, the City incorporated minor modifications to the project design, including elimination of the drainage catch basins and pipes originally proposed for the project and capacity of bio-swales constructed under the project. No new environmental impacts were expected from the modifications, so there was no subsequent further review under CEQA. Subsequently, the coastal site development permit was upheld and the project approved to continue to implementation. Staff concurs with the Planning Commission's findings in the appeal.

Conclusion

Conservancy staff have independently reviewed the Sunset Cliff Natural Park Master Plan MEIR certified in 2004, the Sunset Cliffs Natural Park Master Plan MEIR certified in 2008, the Initial Study for the project approved in 2013, the Subsequent Project Findings for the Project completed in 2013, and the Appeal Hearing Report to the Planning Commission in 2014, all of which are attached to the staff recommendation as Exhibits 4 and 5. Staff recommends the Conservancy adopt the mitigation and monitoring plan and find, based upon its independent

judgment and analysis of the whole record before it that (a) the Project avoids, or reduces the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the Project may have a significant effect on the environment, as defined in 14 California Code Regulations Section 15382, (b) the Project is within the scope of the 2004 and 2008 MEIR, (c) although the MEIR is more than five years old, no substantial changes have occurred with respect to the Project described in the MEIR, and (d) there is no new information which was not known and could not have been known at the time the MEIR was certified requires additional environmental review of the Project.

Upon approval staff will file a Notice of Determination.