

**STATE COASTAL CONSERVANCY  
INITIAL STATEMENT OF REASONS (ISOR)**

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California Code of Regulations  
Title 14. Natural Resources  
Division 5.6. State Coastal Conservancy  
Chapter 5: Use of Pedro Point Headlands in San Mateo County  
(Section 13770 to Section 13796)

**INTRODUCTION**

The State Coastal Conservancy (Conservancy) is a state agency established in 1976 to protect and improve natural lands and waterways, help people access and enjoy the outdoors, and sustain local economies along California’s coast and around the San Francisco Bay. In carrying out this charge, the Conservancy has established partnerships along the California coast, in coastal watersheds, and in the San Francisco Bay Area to protect and restore coastal resources and increase opportunities for the public to enjoy the coast.

The Conservancy’s enabling legislation is located at Division 21 of the Public Resources Code of Public Resources Code. Pursuant to Section 31105 of the Public Resources Code, the Conservancy is authorized to acquire real property or interests for purposes specified in Division 21. In addition, pursuant to Section 31104.1 of the Public Resources Code, the Conservancy serves as a repository for lands whose reservation is required to meet the policies and objectives of the California Coastal Act of 1976 (Division 20 of the Public Resources Code), a certified local coastal plan or program, or the San Francisco Bay Plan as implemented by the San Francisco Bay Conservation and Development Commission pursuant to Title 7.2 of the Government Code. Pursuant to the authority derived from Section 31104.1 of the Public Resources Code, the Conservancy may accept dedication of fee title, easements, development rights, or other interests in lands, including interests required to provide public access to recreation and resources areas in the coastal zone. For these reasons, the Conservancy owns land across the State of California, including popular visitor destinations on the coast and in the San Francisco Bay, such as a portion of property within Pedro Point Headlands in San Mateo County (“Pedro Point Headlands”). At Pedro Point Headlands, the Conservancy’s land is used for public access and protection and restoration of natural resources.

**PROBLEM STATEMENT**

Historically, Pedro Point Headlands was used by a motorcycle club, leading to erosion and gullyng on the landscape. In 1995, the Conservancy acquired a portion of the Pedro Point Headlands to protect the land from development and conserve the land for the purposes of natural resource conservation, habitat restoration, and public access. As part of the acquisition, the Conservancy entered into an agreement with a local non-profit organization (NGO) for management of Pedro Point Headlands, including restoration activities and facilitation of public

access. The NGO restored natural habitats, such as coastal scrub, and improved the trail system for public access. The Conservancy awarded additional grants to the NGO in 2007 and 2017 to steward Pedro Point Headlands. The NGO installed several Conservancy-approved amenities, including wayfinding signage, water tanks, and a shed to store maintenance equipment. Unfortunately, the signs were removed, water tanks were graffitied, the storage unit was vandalized, and maintenance equipment was stolen. Pedro Point Headlands has multi-use trails, some of which are near the bluff's edge, many of which are steep with limited visibility. The Arroyo Trail, for example, is particularly narrow (in some places, fewer than two feet wide), making it unsafe for non-pedestrian users to pass one another safely on this trail. Aside from steep terrain, there has been unauthorized "off-trail" use, resulting in damage to previously restored habitat areas; use of chainsaws to clear vegetation; installation of a slackline high above a ravine, posing a threat to public safety and natural resources; and unauthorized construction of a structure near the bluff's edge.

After sunset there is minimal to no lighting on Pedro Point Headlands, which contains bluffs. Therefore, the risk of unsafe and illegal behavior, such as graffiti, theft, and vandalism, is higher during nighttime hours. Finally, the Conservancy has contracted with a firm to plan for a priority segment of the California Coastal Trail (CCT) over Pedro Point Headlands, with the intent to recommend construction of the trail once it is "shovel ready." With the potential addition of a new segment of CCT, Pedro Point Headlands might experience an increase in visitation and user groups, requiring additional balancing of safety, natural resource protection, wildfire prevention, and recreational uses.

The Conservancy seeks to adopt regulations concerning management of Pedro Point Headlands, including rules that protect the developments and improvements made by the NGO, establish official hours and processes for property closures, designate trail speeds, and prohibit damage and signage removal, to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment. Public land closures, for example, are a tool used by public land managers when there is a wildfire, landslide, or other emergency to protect the public. While the Conservancy may rely on existing state statutes and local ordinances to address some management issues, those laws are not always sufficient. In addition, the Conservancy may transfer a portion of Pedro Point Headlands to another land management agency, and the Conservancy is partnering with other agencies and organizations to ensure the proposed regulatory action is compatible with local use and consistent with, but not duplicative of, the potential transferee's management rules. The proposed regulations create a clear path for the Conservancy to manage Pedro Point Headlands and establish clear guidance for the public to safely recreate at Pedro Point Headlands.

## **OVERALL PURPOSE, NECESSITY, AND ANTICIPATED BENEFITS**

The proposed regulations provide the Conservancy with a clear pathway to manage Pedro Point Headlands, protect the public, preserve the scenic beauty, and protect and restore the natural environment.

The proposed regulations are necessary to improve the Conservancy's ability to manage Pedro Point Headlands, deliver clear guidance to the public, and provide safe and equitable public access to state-owned land.

The anticipated benefits of the proposed regulations include increasing public safety, reducing conflict between different user groups, and protecting and restoring the natural environment. The benefits to Pedro Point Headlands and the public outweigh minor limitations to public access and are consistent with the Conservancy's responsibility as a steward of public land.

### **SPECIFIC PURPOSE OF AND RATIONALE FOR EACH PROPOSED REGULATION**

#### Add Article 1, Section 13700, Subsections (a)-(o) (Definitions)

The specific purpose of adding Section 13900(a) is to define "Division 21," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(b) is to define "Conservancy," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(c) is to define "Board Members," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(d) is to define "board meeting," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(e) is to define "Executive Officer," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(f) is to define "authorized representative" and "authorized representatives," terms used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(g) is to define "Chapter 5," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(h) is to define "designated area," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(i) is to define "designated trail," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(j) is to define "official hours," a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(k) is to define “person,” a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(l) is to define “Pedro Point Headlands,” a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(m) is to define “property closure,” a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(n) is to define “smoke,” a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

The specific purpose of adding Section 13900(o) is to define “written authorization,” a term used in Chapter 5 on Use of Pedro Point Headlands in San Mateo County.

Adding Section 13900(a)-(o) is reasonably necessary to provide clarity to those directly affected by the proposed regulations, eliminate ambiguity in interpretation of the proposed regulations, ensure uniform application of the proposed regulations, and comply with clarity standard in the Administrative Procedure Act.

#### Add Article 1, Section 13771 (Chapter 5 Application)

The specific purpose of adding Section 13771(a) is to clarify that the regulations only apply to Chapter 5, concerning Pedro Point Headlands.

Adding Section 13771(a) is reasonably necessary to clarify that the regulations apply to Pedro Point Headlands because the Conservancy owns land across the State of California.

#### Add Article 1, Section 13772 (Notice and Signs)

The specific purpose of adding Section 13772(a) is to notify visitors of areas designated for specific purposes, these regulations, applicable law, ongoing or future maintenance, or emergency conditions; and require the signs and notices include the Conservancy’s logo and a citation to the regulations or other applicable law.

The specific purpose of adding Section 13772(b) is to prohibit unauthorized removal or damage of signs and notices.

The specific purpose of adding Section 13772(c) is to establish a process for how the Executive Officer will notice the public about designations and restrictions.

The specific purpose of adding Section 13772(d) is to clarify where those directly affected can locate the notice process for a property closure (Sections 13775), bicycles (Section 13784), and horses (Section 13791).

Adding Section 13772 is reasonably necessary to notify the public of designated areas and the existence of the regulations; how to comply with the regulations and other applicable laws, such as the penal code; and of hazardous conditions. This regulation specifically addresses the problem of the public leaving designated trails and harming natural resource restoration areas and causing damage to habitats.

#### Add Article 1, Section 13773 (Compliance)

The specific purpose of Section 13773(a) is to clarify who is subject to the proposed regulations, the provisions of any sign or notice posted or erected pursuant to these regulations or applicable law, the terms and conditions of any written authorization, the lawful order of a peace officer, the laws of the State of California, and applicable Federal law.

The specific purpose of Section 13773(b) is to carve out a narrow exception to Section 13773(a) for Conservancy Board Members, officials, and employees acting within the scope of their authorized duties; and clarify that while there may be exemptions from certain regulations when acting within the scope of their duties, these individuals are still bound by the laws of the State of California and applicable Federal law.

The specific purpose of Section 13773(c) is to carve out a narrow exception to Section 13773(a) for Conservancy licensees, lessees, contractors, consultants, grantees, and agents, and their respective contractors, subcontractors, and volunteers, who have executed a written lease, contract, or other agreement with the Conservancy; and clarify that while there may be exemptions, these individuals are still bound by the laws of the State of California and applicable Federal law.

Adding Section 13773 is reasonably necessary to clarify that visitors are subject to the proposed regulations, Conservancy-approved signs and notice, written authorizations, lawful orders of peace officers, the laws of the State of California, and applicable Federal law; and narrowly define the exceptions.

#### Add Article 1, Section 13774 (Official Hours)

The specific purpose of Section 13774 is to establish when Pedro Point Headlands are open to the public, which is defined as the period of one-half hour before sunrise to one-half hour after sunset year-round.

Adding Section 13774 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment. This regulation specifically addresses the problem of unsafe and illegal behavior during nighttime hours.

#### Add Article 1, Section 13775 (Property Closure)

The specific purpose of Section 13775(a) is to establish when an area on Pedro Point Headlands is closed or subject to limited or specific use by the public.

The specific purpose of Section 13775(b) is to establish how the Executive Officer will notice the public of closures or restrictions.

The specific purpose of Section 13775(c) is to require the public to comply with property closures.

Adding Section 13775 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment.

#### Add Article 1, Section 13776 (Parking)

The specific purpose of Section 13776(a) is to prevent parking on Pedro Point Headlands and define vehicle for purposes of this regulation.

The specific purpose of Section 13776(b) is to carve out a narrow exception to Section 13776(a) for emergency vehicles operating within the scope of official use or Conservancy-authorized vehicles necessary to further Division 21.

Adding Section 13776 is reasonably necessary to protect the public because much of the property's terrain is steep and unsafe for parking and to prevent habitat degradation or disruption to wildlife.

#### Add Article 1, Section 13777 (Trail Speed Limit)

The specific purpose of Section 13777(a) is to authorize the Executive Officer to designate trail speed limits on specific trails to protect the public, environment, and wildlife.

The specific purpose of Section 13777(b) is to limit trail speed to 5 miles per hour, unless a sign or notice indicates a different speed.

The specific purpose of Section 13777(c) is to require the public to comply with trail speeds.

Adding Section 13777 is reasonably necessary to protect the public because Pedro Point Headlands has multi-use trails near bluffs, including steep trails with limited visibility; in the case of the narrow Arroyo Trail, it is unsafe for any users besides hikers. In addition, adding Section 13777 is reasonably necessary to prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment.

#### Add Article 1, Section 13778 (Off-Trail Use)

The specific purpose of Section 13778(a) is to authorize the Executive Officer to designate areas on Pedro Point Headlands as outside of a designated trail, when the Executive Officer deems necessary for public safety or to further Division 21.

The specific purpose of Section 13778(b) is to prohibit trail users from entering or remaining in an area designated as “off-trail.”

Adding Section 13778 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment. This regulation will prevent the public from entering sensitive habitat and/or unsafe terrain, prevent creation of unauthorized trails, and preserve wildlife corridors.

#### Add Article 1, Section 13779 (Dogs and Other Animals)

The specific purpose of Section 13779(a) is to prevent dogs from entering Pedro Point Headlands that exhibit, or have exhibited, dangerous behavior, including attacking, biting, or causing injury to a person or animal.

The specific purpose of Section 13779(b) is to ensure dogs are crated or restrained on a leash that does not exceed six feet, except service animals, emergency search and rescue animals, and law enforcement dogs in the performance of their official duties; and define “leash” and “service animals.”

The specific purpose of Section 13779(c) is to ensure dogs’ excrement is placed in a designated receptacle or removed from Pedro Point Headlands.

The specific purpose of Section 13779(d) is to ensure animals are not left unattended in a vehicle in unsafe conditions.

The specific purpose of Section 13779(e) is to prohibit commercial dog walking.

Adding Section 13779 is reasonably necessary to reduce conflicts among visitors, prevent unsafe conditions for dogs near the bluff edge, minimize wildlife disturbance, prevent environmental contamination from dog waste, protect natural resources, provide clarity for terms used, and comply with clarity standard in the Administrative Procedure Act.

#### Add Article 1, Section 13780 (Smoking)

The specific purpose of Section 13780 is to prohibit smoking on Pedro Point Headlands.

Adding Section 13780 is reasonably necessary to reduce the risk of wildfire.

#### Add Article 1, Section 13781 (Real or Personal Property Damage)

The specific purpose of Section 13781 is to prevent damage to personal or real property belonging to Pedro Point Headlands or an authorized representative.

Adding Section 13781 is reasonably necessary to conserve Pedro Point Headland's natural resources and prevent damage to personal or real property belonging to Pedro Point Headlands or an authorized representative, as defined in Section 13770.

Add Article 1, Section 13782 (Firearms and Other Weapons)

The specific purpose of Section 13782(a) is to prohibit carrying, possessing, or discharging any firearm, ammunition, missile, paintball gun, BB gun, air gun, or similar device from or onto Pedro Point Headlands.

The specific purpose of Section 13782(b) is to prohibit carrying, possessing, or discharging any weapon, spear, bow and arrow, trap, net, or device capable of injuring or killing any person or animal, or capturing any animal, or damaging any public or private property from or onto Pedro Point Headlands.

The specific purpose of Section 13782(c) is to carve out a narrow exception for lawful possession of any firearm or ammunition by a peace officer authorized by their agency to carry a firearm.

Adding Section 13782 is reasonably necessary to protect people and wildlife from injury or loss of life.

Add Article 1, Section 13783 (Written Authorization)

The specific purpose of Section 13783(a) is to establish a process to respond to public requests; namely, for the public to contact the Conservancy to submit a request and justification to participate in an activity prohibited under these regulations.

The specific purpose of Section 13783(b) is to establish a process for the Executive Officer to respond to requests from the public to participate in an activity prohibited under these regulations.

The specific purpose of Section 13783(c) is to require the recipient of a written authorization or person in their party to show proof of written authorization, upon request, to a person authorized to enforce these regulations or act on behalf of the Conservancy.

Adding Section 13783 is reasonably necessary to ensure the public has a designated process for interacting with the Conservancy, that the Conservancy has a uniform process to consider and respond to requests to engage in an activity prohibited under these regulations, and for the Conservancy to verify that anyone engaged in an activity prohibited under these regulations has written authorization to do so.

### Add Article 2, Section 13784 (Bicycles)

The specific purpose of Section 13784(a) is to restrict use of conventional and electric bicycles (“e-bikes”) on Pedro Point Headlands, except where Conservancy signs expressly authorize conventional bicycles or a specific e-bike classification for a designated trail.

The specific purpose of Section 13784(b) is to authorize the Executive Officer to allow conventional bicycles or e-bikes, designate e-bike classifications for a designated trail, and establish speed limits, and bicycle group sizes; and establish a process for such authorizations, including consistency with Division 21 and after consideration of safety, protection of natural resources, infrastructure, staffing, capacity, and public access developments or improvements to support the activity.

The specific purpose of Section 13784(c) is to establish how the Executive Officer will notice the public of permissible e-bike use.

Adding Section 13784 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment. Identifying areas where conventional or certain classifications of e-bikes can be used is critical to protect the public, avoid damaging trails or natural resources, disturbing or injuring wildlife, or endangering other trail users due insufficient trail width, slope, and visibility.

### Add Article 2, Section 13785 (Camping)

The specific purpose of Section 13785 is to prohibit camping.

Adding Section 13785 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, protect or restore the natural environment, and prevent damage to the property belonging to Pedro Point Headlands or an authorized representative; further, this regulation specifically addresses the problem of unauthorized structures, such as shelters or domiciles, being constructed.

### Add Article 2, Section 13786 (Climbing, Slacklining, and Ziplining)

The specific purpose of Section 13786(a) is to prohibit climbing and rappelling.

The specific purpose of Section 13786(b) is to prohibit slacklining and ziplining.

The specific purpose of Section 13786(c) is to prohibit placing any anchors or bolts in natural or manmade features.

Adding Section 13786 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, protect or restore the natural environment, and prevent

damage to the property belonging to Pedro Point Headlands or an authorized representative; further, this regulation specifically addresses the safety issue created by installation of slacklines, especially in dangerous areas, such as high above a ravine.

#### Add Article 2, Section 13787 (Drones)

The specific purpose of Section 13787 is to prohibit drones or other unmanned aircraft systems from, on, or over the Pedro Point Headlands.

Adding Section 13787 is reasonably necessary to prevent disrupting people and wildlife, due to unnatural noise and visual stimulation.

#### Add Article 2, Section 13788 (Fires)

The specific purpose of Section 13788 is to prohibit fire.

Adding Section 13788 is reasonably necessary to reduce the risk of wildfire at Pedro Point Headlands by prohibiting potential ignition sources, such as campfires.

#### Add Article 2, Section 13789 (Fireworks)

The specific purpose of Section 13789 is to prohibit fireworks.

Adding Section 13789 is reasonably necessary to reduce the risk of wildfire at Pedro Point Headlands by prohibiting potential ignition sources, such as fireworks.

#### Add Article 2, Section 13790 (Harvesting, Collecting, or Planting)

The specific purpose of Section 13790(a) is to prohibit unauthorized destruction or removal of vegetation, including trees and shrubs; protect native plant communities; and prevent erosion and habitat loss.

The specific purpose of Section 13790(b) is to prohibit unauthorized taking or cutting of wood, including downed wood and driftwood; preserve habitat features; and maintain ecological integrity.

The specific purpose of Section 13790(c) is to prohibit agricultural activities, such as planting, cultivation, or harvesting; prevent disruption to natural ecosystems; and ensure consistency with land management goals and protection of habitat.

The specific purpose of Section 13790(d) is to prohibit unauthorized trail maintenance on existing or decommissioned trails or creation of new, unauthorized trails.

Adding Section 13790 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment; this includes protection of native plant communities; prevention of erosion and disruption to natural ecosystems; and preservation of habitat features and maintenance of ecological integrity.

Add Article 2, Section 13791 (Horses)

The specific purpose of Section 13791(a) is to prohibit horses from Pedro Point Headlands, except where Conservancy signs expressly authorize equestrian use.

The specific purpose of Section 13791(b) is to authorize the Executive Officer to designate the number of horses in a group to protect the public, animals, and the environment.

The specific purpose of Section 13791(c) is to authorize the Executive Officer to designate trails for equestrian use if such authorization is consistent with Division 21 and after consideration of safety, protection of natural resources, infrastructure, staffing, capacity, and public access developments or improvements to support the activity.

The specific purpose of Section 13791(d) is to establish how the Executive Officer will notice the public of permissible equestrian uses at Pedro Point Headlands.

Adding Section 13791 is reasonably necessary for public safety, to reduce conflicts between trail users, and limit equestrian use to areas where use will not result in user safety issues or damage to trails or natural resources.

Add Article 2, Section 13792 (Hunting, Fishing, or Disturbing Animals)

The specific purpose of Section 13792(a) is to prohibit hunting and related actions on Pedro Point Headlands.

The specific purpose of Section 13792(b) is to prohibit attempts to hunt or carry out related actions on Pedro Point Headlands.

Adding Section 13792 is reasonably necessary to protect people and wildlife from injury or loss of life.

Add Article 2, Section 13793 (Livestock)

The specific purpose of Section 13793 is to prohibit livestock on Pedro Point Headlands.

Adding Section 13793 is reasonably necessary to protect the public and livestock, prevent habitat degradation or disruption to wildlife native to Pedro Point Headlands, and protect or restore the natural environment.

#### Add Article 2, Section 13794 (Other Vehicles and Devices)

The specific purpose of Section 13794 is to prohibit motorized vehicles and devices operated exclusively off public roads and highways, including “dirt bikes,” except for mobility assistance devices used by people with disabilities, such as wheelchairs.

Adding Section 13794 is reasonably necessary to reduce conflicts among trail users, minimize damage to habitat and wildlife disturbance, and protect the public from injury, while allowing access to the property for mobility assistance devices used by people with disabilities.

#### Add Article 2, Section 13795 (Rolling, Coasting, Sledding, or Sliding Devices)

The specific purpose of Section 13795(a) is to prohibit rolling, coasting, sledding, or sliding devices, except where Conservancy signs expressly authorize use of that activity.

The specific purpose of Section 13795(b) is to authorize the Executive Officer to allow rolling, coasting, sledding, or sliding devices if there are appropriate locations with public access developments or improvements to Pedro Point Headlands and based on safety, infrastructure, staffing, and capacity to support the activity. These devices are not allowed on any bench, sea wall, stairs, stairway, or railing.

Adding Section 13795 is reasonably necessary to protect the public, reduce conflicts among visitors, and minimize damage to habitat and wildlife disturbance.

#### Add Article 2, Section 13796 (Special Events)

The specific purpose of Section 13796(a) is to prohibit special events, games, or recreational activities that endanger the safety of people, property, or resources.

The specific purpose of Section 13796(b) is to prohibit large events.

The specific purpose of Section 13796(c) is to prohibit visitors from charging for events on Pedro Point Headlands.

Adding Section 13796 is reasonably necessary to protect the public, prevent habitat degradation or disruption to wildlife, and protect or restore the natural environment by prohibiting large gatherings that could result in damage to trails or habitats or disrupt wildlife, and to remove the economic incentive of holding such events.

#### **ECONOMIC IMPACT ASSESSMENT – GOVERNMENT CODE SECTIONS 11346.2(b)(2)(A) and 11346.3(b)(1)(A)–(D).**

Per Section 11346.2(b)(2)(A) of the Government Code, the initial statement of reasons must include, for a regulation that is not a major regulation, the economic impact assessment (EIA) required by Section 11346.3(b) of the Government Code. Section 11346.3(b)(1) of the Government Code requires the EIA assess whether and to what extent it will affect the following: (1) the creation or elimination of jobs within California; (2) the creation of new businesses or the elimination of existing businesses within California; (3) the expansion of businesses currently doing business within California; and (4) the benefits of the regulation to the health and welfare of California residents, worker safety, and California's environment.

#### **Creation or Elimination of Jobs Within the State of California**

The proposed regulations are not expected to create or eliminate jobs within the State of California.

#### **Creation of New Businesses or Elimination of Existing Businesses within the State of California**

The proposed regulations are not expected to create or eliminate businesses within the State of California.

#### **Expansion of Businesses Currently Doing Business Within the State of California**

The proposed regulations are not expected to encourage or discourage businesses from expanding their business within the State of California.

#### **Benefits to Health and Welfare of California Residents, Worker Safety, and California's Environment**

The proposed regulatory action will benefit the health and welfare of California residents and the State's environment, by providing the Conservancy with additional tools to manage Pedro Point Headlands. For example, the proposed regulations will benefit the health and welfare of California residents by informing visitors of hazards and how to safely recreate at Pedro Point Headlands and establish a process when closing the property, or a portion of the property, when there is a hazard or maintenance. The proposed regulations will benefit the State's environment by prohibiting uses that would otherwise damage or degrade natural resources and habitats or harm or disrupt wildlife. The proposed regulations will provide for public safety.

#### **OTHER REQUIRED SHOWINGS – GOVERNMENT CODE SECTION 11346.2(b)(2)-(5).**

#### **Technical, Theoretical, and Empirical Study, Report, or Similar Document Relied Upon – Gov. Code § 11346.2(b)(3):**

Per Section 11346.2(b)(3) of the Government Code, the initial statement of reasons must include an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the adoption of a regulation.

The Conservancy relied on its history and experience, regulations of other agencies, and local partner's rules that operate major parks in the City of Pacifica to draft the proposed regulations. The specific documents relied on include: internal progress reports and email correspondence with the NGO that manages the property, 2022-2026; photographs and observations from Conservancy staff during routine property monitoring, 2018-2026; the City of Pacifica's Rules that apply to all Pacifica Beaches and Parks (<https://www.cityofpacifica.org/departments/parks-beaches-recreation/parks-and-beaches-locations-maps-safety-guides>); and the December 30, 2025 edition of the Golden Gate National Recreation Area's Superintendent's Compendium.

**Reasonable Alternatives Considered by the Agency and the Reasons for Rejecting those Alternatives – Gov. Code § 11346.2(b)(4)(A)-(C):** Per Section 11346.2(b)(4) of the Government Code, the initial statement of reasons must include a description of reasonable alternatives to the regulation and the Conservancy's reasons for rejecting those alternatives, and a description of reasonable alternatives to the regulation that would lessen any adverse impact on small business and the agency's reasons for rejecting those alternatives.

The proposed regulatory action provides a solution to the management issues presented in the problem statement, above, and improve the Conservancy's ability to steward Pedro Point Headlands more efficiently, provide safe and equitable public access, and conserve its natural resources and habitats. The alternative is to continue without these regulations and to rely on state statutes and local ordinances. The Conservancy has considered this alternative over the course of its ownership of the property, a timespan of more than thirty years, and without regulations has found that management problems at this property have persisted. Additionally, due to the location of the property, within Pacifica but outside Pacifica's city limits, it has been difficult to identify the appropriate partner for enforcement. The Conservancy is in the process of furthering planning and design for a segment of California Coastal Trail at Pedro Point Headlands that will connect downtown Pacifica and the popular Pacifica State Beach to Devil's Slide County Park. Once this new segment of California Coastal Trail is constructed, visitation to Pedro Point Headlands may increase. Without these regulations, increased visitation will exacerbate existing management problems. This alternative, therefore, is not reasonable, because it does not solve the challenges identified in the problem statement above.

**Evidence Supporting Determination of No Significant Adverse Economic Impact on Business – Government Code Section 11346.2(b)(5):** Per Section 11346.2(b)(5) of the Government Code, the initial statement of reasons must include facts, evidence, documents, testimony, or other evidence on which the Conservancy relies to support an initial determination that the action will not have a significant adverse economic impact on business.

The proposed regulatory action will have no known significant adverse impact on businesses because they do not impose requirements on businesses. The regulations affect the management of Conservancy-owned land at Pedro Point Headlands, and the primary impact will be on members of the public who access the property. Minimal to no impacts are expected

for small businesses. Any such impact will come from the proposed prohibition to charge for events or services on public lands. The proposed regulatory action may affect small businesses that charge the public a fee for events on public property or commercial dog walking. However, such impacts are expected to be minimal to none. The proposed regulatory action establishes a process by which the public can seek written authorization for select events. In addition, Pedro Point Headlands has steep terrain and narrow trails not necessarily compatible for commercial dog walking, and there are other coastal areas in San Mateo County to walk dogs. Thus, it is possible that the regulations may have an impact on small businesses that charge the public a fee for events on public land or provide commercial dog walking, but the impacts are expected to be minimal to none.

**Efforts to Avoid Unnecessary Duplication or Conflicts with the Code of Federal Regulations – Government Code Section 11346.2(b)(6):** Per Section 11346.2(b)(6) of the Government Code, the initial statement of reasons must include—if a department, board, or commission within the Environmental Protection Agency, the Natural Resources Agency, or the Office of the State Fire Marshal—a description of its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from federal regulations contained in the Code of Federal Regulations addressing the same issues upon a finding of one or more of the following justifications: the differing state regulations are authorized by law, and/or the cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

The Conservancy is not aware of any federal regulations that address the specific subject matter covered by the proposed regulatory action. The proposed regulations, if adopted, will apply to state-owned land, the “Pedro Point Headlands,” as defined in Section 13770(I), meaning the area in San Mateo County, California, currently owned by the Conservancy or the State of California on behalf of the Conservancy, including easements; and any real property over which the Conservancy has management authority through a current lease or similar document. Currently, the Conservancy intends to transfer a portion of Pedro Point Headlands to the federal government and has made extensive efforts to collaborate with the federal government and local partners, in connection with the proposed rulemaking process, to avoid conflicts with federal regulations governing land in San Mateo County.