

COASTAL CONSERVANCY

Staff Recommendation

July 16, 2007

**ROCKVIEW WALKWAY AND VIEWPOINT ACCESS PROJECT**

File No. 07-057-01

Project Manager: Terri Nevins/Carol Arnold

**RECOMMENDED ACTION:** Authorization to disburse up to \$9,000 to the County of Santa Cruz for capital improvements and three-years of operations and maintenance costs related to the Rockview Walkway and Viewpoint Access project.

**LOCATION:** West of the Rockview Drive cul-de-sac, approximately 150' south of Pleasure Point Drive, Live Oak district of Santa Cruz County (Exhibit 1: Project Location and Site map).

**PROGRAM CATEGORY:** Public Access

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**EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Photographs](#)

Exhibit 3: [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 disbursement of an amount not to exceed nine thousand dollars (\$9,000) to the County of Santa Cruz to undertake capital improvements and provide for three years of operations and maintenance costs associated with the Rockview Walkway and Viewpoint Access project, subject to the condition that no Conservancy funds shall be disbursed for capital improvements or for operation and maintenance until, with respect to either activity, the Executive Officer has reviewed and approved in writing:

1. A detailed work program, schedule, and budget and the names and qualifications of any contractors to be employed in carrying out the project activity.
2. Documentation that all permits and approvals required to carry out the project have been obtained.

3. Documentation that the easement that was created by acceptance of four separate Rockview “Irrevocable Offers to Dedicate Public Access Easement has been conveyed by Surfers’ Environmental Alliance, with Coastal Commission approval, to the County of Santa Cruz.
4. A signing plan for the project acknowledging the Conservancy’s participation.

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 Chapter 9 of Division 21 of the Public Resources Code regarding public access.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 14, 2001.
3. The project will serve greater than local needs.”

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**PROJECT SUMMARY:**

This project will enable the County of Santa Cruz (County) to assume responsibility for managing the Rockview Walkway and Viewpoint (Rockview Accessway) in the Live Oak district of Santa Cruz County, including construction of a fence, installation of signs, and three years of operation and maintenance costs.

The Rockview Accessway was originally part of the County-maintained Rockview Drive in Santa Cruz County. In 1986, the County applied to the Coastal Commission for a permit allowing it to formally abandon the portion of the existing road along a stretch of coastal bluff top, due to significant erosion issues. The Coastal Commission issued the permit, subject to the condition that the County (or adjacent property owners who held fee title to the property on which the road right-of-way was located) record offers to dedicate a public pedestrian accessway (OTDs) along the length of the vacated roadway. The OTD’s were required to ensure that public access would continue on a ten-foot wide walkway extending approximately 185 feet across the coastal bluff above the beach. In compliance with the permit condition, OTDs were recorded by each of the four adjacent property owners (Gray, Morris, Shawver and Hoag).

In 1997, Surfer’s Environmental Alliance (SEA), a nonprofit organization, accepted the OTDs, thereby creating the Rockview Accessway easement. In connection with its acceptance of the OTDs, SEA agreed to take over management of the Rockview Accessway and prepared a management plan obligating its staff to monitor the Rockview Accessway weekly and to take care of any necessary clean-up and repairs. SEA also installed signs identifying adjacent private property boundaries and its own contact information. Users of the Rockview Accessway are primarily surfers who access the beach below the walkway via a set of concrete steps, and pedestrians enjoying the expansive ocean views (Exhibit 2: Photograph).

The Rockview Accessway has been managed by SEA for the past ten years. The organization contacted the Conservancy staff earlier this year to report that it no longer had the staff resources to manage this accessway. Conservancy staff have actively sought an alternate management entity, recently culminating in negotiations with Santa Cruz County to assume this responsibility.

The County has agreed to accept assignment of the Rockview Accessway easement and has requested funds to help replace old signs and a fence extending along the seaward edge of the accessway, as well as funds for three years of operation and maintenance. Operation and maintenance tasks consist of clean-up and pruning adjacent ice-plant, as well as regular inspections of the property. After the first three years, the County will assume full financial responsibilities.

The County park department will oversee management of the site. The agency has extensive experience successfully managing public access in the County's many parks.

**Site Description:** The Rockview Accessway is located on the coastal bluffs above the beach in the Live Oak district of Santa Cruz County. It begins at the end of the Rockview Drive cul-de-sac, and extends west for approximately 185 feet of surfaced walkway above a seawall overlooking the beach. Private homes and yards back up to the landward side of the Rockview Accessway. Surfers accessing the beach via a wide set of concrete steps near the cul-de-sac and pedestrians enjoying the ocean views are the primary users of the Accessway.

**PROJECT FINANCING:**

Capital Improvements:	\$5,860
Operating Costs (three years)	<u>3,140</u>
<b>Total Project Costs:</b>	<b>\$9,000</b>

The expected source of Conservancy funds for the proposed operating costs component of the project (\$3,140) is the fiscal year 2006-07 appropriation to the Conservancy from the Coastal Access Account. This account is designed to pay for operation and maintenance costs, to help local agencies and nonprofit organizations open and manage coastal accessways.

The funding for the capital improvements component of the project (\$5,860) is expected to come from the fiscal year 2006-07 re-appropriation to the Conservancy from the "California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund" (Proposition 40). This funding source may be used for the development of land-based resources in accordance with the provisions of the Conservancy's enabling legislation, Division 21 of the Public Resources Code. As discussed below, the project to develop and improve the Rockview Accessway is consistent with Chapter 9 of Division 21. Proposition 40 also requires the Conservancy to give priority to grant projects with matching funds. Once the Rockview Accessway is developed and after the initial three years, the County has agreed to utilize its own in-kind services to thereafter manage and maintain the accessway and improvements.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

This project is consistent with Division 21, Chapter 9 of the Conservancy's enabling legislation, Sections 31400-31409 of the Public Resources Code, regarding public access.

Section 31400 states that the Conservancy will "have a principal role in the implementation of a system of public accessways to and along the state's coastline."

In order to carry out that mandate, the Conservancy is authorized by section 31400.1 to provide grants to public entities to develop, operate and manage lands for access to and along the coast, as is proposed here, Consistent with the additional requirement of Section 31400.1 that access projects serve more than local public needs, the Rockview Accessway is used not only by local residents, but surfers who come to Santa Cruz from other areas to enjoy its excellent surfing beaches,

The proposed project is also consistent with Section 31400.3, under which the Conservancy is authorized to provide funds “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.”

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

Consistent with **Goal 2, Objective A** of the Conservancy’s Strategic Plan, the proposed project would assist in protecting open space and views by ensuring ongoing public access at the Rockview Accessway, through providing funds for replacing a fence and installing signs, and providing financial assistance to the County of Santa Cruz for its first three years of management.

**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 the support of the Santa Cruz County Board of Supervisors and the Surfer’s Environment Alliance. (Exhibit 3: Letters of Support).
4. **Location:** The proposed project is located in the coastal zone of Santa Cruz County. It follows the edge of the coastal bluffs in the Live Oak district of the county.
5. **Need:** The County has agreed to assume management responsibilities for the Rockview Accessway but is in need of funding to help replace the fence, install appropriate signs, and assist with the first three years of operation and maintenance costs.
6. **Greater-than-local interest:** The Rockview Accessway is enjoyed by surfers, both local and from surrounding areas, who frequent Santa Cruz County’s excellent surfing beaches.

**Additional Criteria**

7. **Urgency:** Surfers Environmental Alliance is no longer able to manage the Rockview Accessway. It is urgent that Santa Cruz County assume this responsibility now. If it does not, the Accessway will become the responsibility of the Conservancy, which does not have the staff resources for active management of public access.
8. **Leverage:** The County requires only initial upfront capital improvement costs and three years of operation and maintenance costs. After this, the County will assume responsibility for the Rockview Accessway in perpetuity.
10. **Readiness:** All elements are in place to allow the transfer of the OTD to move forward.
11. **Realization of prior Conservancy goals:** The project will continue the historic role of the Conservancy in actively assisting management entities which have agreed to assume ownership of coastal accessways.
13. **Cooperation:** The project is the result of close cooperation between SEA, the County, the Commission and the Conservancy.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The certified Santa Cruz County Local Coastal Program (LCP) contains several general policies that support the proposed project, including that the public's right to access to and along the shoreline shall be protected.

The LCP specifically identifies the project area as an existing vertical and publicly owned lateral access point known as Pleasure Point A and B. The County has jurisdiction over the improved areas, with the Commission retaining jurisdiction over the seaward portion of the site.

Policy 4.2.2 of the LCP Access Component designates the project site as neighborhood access.

Policy 4.2.3 encourages and/or requires provisions of improvement for neighborhood access, including path improvements and maintenance and garbage collection. The County maintains a garbage can at the site and regular pick up. The County will be responsible for assuring the site is free of trash, and that the existing walkway is in good condition.

**COMPLIANCE WITH CEQA:**

The proposed project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code of Regulations Section 15301 in that it involves the operation, repair and minor alteration of an existing public facility, the Rockview Accessway, without any associated expansion of use of the facility.. Upon approval by the Conservancy, staff will file a Notice of Exemption for this project.