

COASTAL CONSERVANCY

Staff Recommendation
June 5, 2008

**COWELL-PURISIMA COASTAL TRAIL
AND TRANSFER OF PROPERTY INTERESTS**

File No. 08-060-01
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to 1) disburse up to \$2,980,000 to Peninsula Open Space Trust to construct and operate a three-mile blufftop segment of the Coastal Trail at Cowell Ranch and Purisima Farms, San Mateo County; and 2) transfer Conservancy-held property interests at North Cowell Ranch and South Cowell Ranch.

LOCATION: Coastal Zone, approximately three miles south of the City of Half Moon Bay in unincorporated southern San Mateo County (Exhibits 1 and 2)

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location](#)
 - Exhibit 2: [Site Map](#)
 - Exhibit 3: [Implementation/Disposition Plan](#)
 - Exhibit 4: [Map of Properties to be Transferred](#)
 - Exhibit 5: [Mitigated Negative Declaration/
Mitigation Monitoring Plan](#)
 - Exhibit 6: [Project Photos](#)
 - Exhibit 7: [Project Plans](#)
 - Exhibit 8: [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:

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“The State Coastal Conservancy hereby:

1. Authorizes the disbursement of an amount not to exceed two million nine hundred eighty thousand dollars (\$2,980,000) to the Peninsula Open Space Trust (“POST”) to construct and operate a three-mile segment of the California Coastal Trail at the North Cowell Ranch and Purisima Farms properties as shown on Exhibit 2 to the accompanying staff recommendation.
2. Approves the implementation/disposition plan attached as Exhibit 3 to the accompanying staff recommendation; approves the transfer of Conservancy-held property interests at North Cowell Ranch and South Cowell Ranch as shown on Exhibit 4 to the accompanying staff recommendation; and delegates to the Conservancy’s Executive Officer selection of transferees of these property interests consistent with the plan.

This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for construction, POST shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that POST has obtained all necessary permits and approvals, and all other funds necessary to complete the project.
 - b. A final work program, including final construction drawings, a budget, schedule, and names of any contractors to be employed for these tasks.
 - c. A signing plan for the project acknowledging Conservancy participation.
2. POST shall enter into an agreement to protect the public interest in the improvements, consistent with Public Resources Code Section 31116(c).
3. POST shall comply with all permit conditions associated with the construction and operation of the trail and access support facilities.
4. Prior to opening the trail to the public, POST shall prepare and submit for the review and approval of the Executive Officer of the Conservancy an access management and operation plan that is consistent with all permit conditions.”

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 Sections 31400 *et. seq.* of Division 21 of the Public Resources Code, regarding coastal access.

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2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on September 20, 2007.
3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by the County of San Mateo on October 10, 2007, under the California Environmental Quality Act (“CEQA”) and attached to the accompanying staff recommendation as Exhibit 5, and finds that there is no substantial evidence that the project as mitigated will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
4. POST is a nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.
5. The proposed conveyance of property interests at North Cowell Ranch and South Cowell Ranch is consistent with Public Resources Code Section 31107 regarding the transfer of Conservancy-held property interests pursuant to an approved implementation/disposition plan.
6. The proposed conveyance of Conservancy-held property interests is necessary to the completion of the Conservancy’s longstanding efforts under Division 21 of the Public Resources Code to provide for public access to the coast, including along the California Coastal Trail; preserve agriculture and open space; and preserve, protect, and enhance natural resources on the North Cowell Ranch and South Cowell Ranch properties.
7. The proposed project serves greater than local needs.”

PROJECT SUMMARY:

Approval of the staff recommendation will enable Peninsula Open Space Trust (POST) to construct and operate a spectacular three-mile segment of the Coastal Trail along the bluffs south of Half Moon Bay on fee interest property owned by the Conservancy, and connecting trails and parking on easements held by the POST. Anticipated to be completed by the end of 2008, the proposed Cowell Ranch-Purisima Farms Coastal Trail is identified as a priority in the Conservancy’s 2003 “Completing the California Coastal Trail Report.”

Conservancy staff also recommends approval of an implementation/disposition plan to provide for conveyance of 1,345 acres of Conservancy-owned property interests at North Cowell Ranch and South Cowell Ranch (Exhibit 4) to a suitable and willing recipient such as the State Department of Parks and Recreation (DPR), the Midpeninsula Regional Open Space District (MROSD), or a nonprofit organization. These interests would be conveyed to relieve the Conservancy of the responsibilities associated with property ownership, while ensuring that the property is protected, used and maintained by a suitable entity for resource protection, agricultural preservation, and public access purposes.

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Located along the western edge of a coastal terrace adjacent to irrigated farmland that is protected under conservation easements held by POST and the Conservancy, the proposed trail will provide visitors with panoramic vistas of the Pacific Ocean and views of several stunning white sandy beaches and offshore rocks below the cliffs. On the inland side of the trail are vast rows of artichokes and Brussels sprouts interspersed with fallow fields backed by rolling coastal foothills that lead to the ridgetops of the Santa Cruz mountain range (Exhibit 6).

At its northern boundary, the trail will link to the existing Cowell Ranch Coastal Accessway that extends from a small parking area west of Highway One and along a gravel path to the edge of the bluffs where an existing stairway provides access to a sandy cove below. This accessway is owned and managed by DPR and includes portable bathrooms both at the parking lot and at the blufftop stairway (Exhibit 6). From here, the trail will extend southward approximately two miles along the blufftop. Two free-span bridges will be constructed to cross drainages located on the North Cowell Ranch segment of the trail along with a third bridge to cross Purisima Creek. South of Purisima Creek, the trail runs for roughly one additional mile along the bluffs of Purisima Farms. At the trail's southern boundary a formal blufftop overlook will provide additional coastal views before continuing inland to a 17-car capacity parking area to be located just west of Highway One.

As shown in attached project plans (Exhibit 7), the bicycle and pedestrian trail will be eight feet wide and composed of base rock and/or decomposed granite, with two-foot wide compacted shoulders and a ten- to thirty- foot buffer from the adjacent agricultural fields. The entire trail and parking area will be ADA accessible. The trail will be set back from the bluff edge to provide safety and to discourage users from attempting to scramble down the area's steep cliffs to reach the beaches below. No new beach access facilities are proposed, in part to protect a harbor seal haul out area from disturbance by humans. While the trail will accommodate pedestrian and bicycle use, horses and dogs will be prohibited given the trail's location within an active agricultural operation and the farming community's associated concerns with food safety.

The project also includes erosion control features, drainage improvements, weeve/hog wire fencing to separate the trail from agricultural and cattle grazing fields, and access gates to allow closure of the trail when necessary. Permit conditions imposed by San Mateo County require that the trail be closed during periods when the landowner is applying pesticides to his row crops to ensure public safety. Signs will also be posted to educate the public about the importance of staying out of the farm fields, and the dangers of entering these areas when pesticides are being sprayed. It is anticipated that the trail will be closed on some weekdays due to pesticide spraying between the months of March and August. A permit condition requires execution of a written agreement between the landowner and trail operator (POST) outlining the terms of the closures and associated trail operating procedures.

Conservancy funds will also be provided to POST to oversee the day to day operation and maintenance of the trail up to three years until a permanent owner and operator is identified. POST currently owns conservation and trail easements over the project area, and has agreed to manage the proposed trail construction project, and to operate and maintain the improvements on an interim basis until a permanent owner/operator is identified. POST also owns and manages

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fee title and easement interests over thousands of acres of open space and agricultural lands on the San Mateo County coast. POST operates a fee title and easement monitoring program to monitor its holdings and enforce landowner compliance with the terms of their easements. POST will utilize this program when the proposed trail is constructed and opened to the public to ensure that the project area's uses are consistent with POST's easements.

In an effort to identify a qualified trail owner/operator following POST's interim trail management role, and in light of the DPR's ongoing budget and staff constraints, Conservancy staff has held discussions with staff at the MROSD regarding its potential interest in assuming ownership and operation of the trail in the future. Conservancy staff made an informal presentation to the MROSD board in 2005, and at that time received comments from its board supporting the trail project overall; however, the board did not commit to future operation and management of the trail. Conservancy and MROSD staff will continue to discuss the potential for their future ownership of the trail as they establish a greater operational and landownership presence on the coastside. Conservancy staff will also continue to talk with DPR about ownership and management of the trail.

Staff is also requesting authority to transfer the Conservancy's property interests at North and South Cowell Ranches to a public agency or nonprofit organization. The Conservancy acquired these interests beginning in 1989 to preserve coastal agriculture, protect wildlife habitat and open space, and to expand public access. However, holding the interests is burdensome, and staff believes these acquisition purposes would be better served by conveying the interests to a public entity or nonprofit organization. Staff is therefore requesting that the Conservancy delegate to its Executive Officer the selection of a transferee or transferees. The Executive Officer would then request that the Director of General Services convey the property, consistent with the implementation/disposition plan attached as Exhibit 3, as provided for in the Conservancy's enabling legislation and associated procedures.

Site Description: The Cowell-Purisima Coastal Trail project is located in the Coastal Zone of unincorporated southern San Mateo County south of Half Moon Bay on land zoned Planned Agricultural District/Coastal Development. The project site consists of irrigated and fallow agricultural fields, three agricultural ponds, grassland and coastal scrub habitat, several large drainages that flow towards the shoreline, and a perennial creek supporting riparian habitat. The property provides potential habitat for two state and federally listed species, the red-legged frog and San Francisco garter snake, though neither species is known to occur on the site. The project vicinity supports agricultural row crops, livestock grazing, limited rural residential and improved open space/recreation uses. The topography of the project area vicinity varies from gently sloping foothills and agricultural fields to the east, steeper slopes along the sides of the seasonal drainages and along the perennial Purisima Creek, and steep cliffs that descend to broad, sandy beaches and rocky points below the bluffs. A resident colony of harbor seals uses a haulout area located on a beach and rocky point below North Cowell Ranch.

As shown on the attached map (Exhibit 2), the site extends from the seaward side of Highway One to the shoreline over North Cowell Ranch and Purisima Farms, both largely owned in fee by one family (Giusti). The northern portion of the project site is accessed from an existing parking/staging area and trailhead via DPR's Cowell Ranch Coastal Accessway that currently

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provides public access to Cowell Ranch State Beach. From here the project site extends southward through North Cowell Ranch for approximately two miles along the edge of coastal bluff land owned almost entirely in fee by the Conservancy. The trail corridor then crosses over Purisima Creek and onto the Purisima Farms property over easements held by POST. The trail then turns eastward, terminating at a proposed new parking/staging area near Highway One.

The Giusti family grows irrigated row crops on approximately 150 acres of prime farmland on North Cowell Ranch, and leases out Purisima Farms for cattle grazing and dry farming. While POST owns a trail easement over portions of the trail corridor on North Cowell Ranch, the Conservancy owns fee title to the majority of the blufftop trail corridor on the Ranch, as well as fee title to the beach areas below the bluffs. North Cowell Ranch is also encumbered with conservation easements owned by POST and the Conservancy to protect the site's agricultural and natural resource values. POST owns conservation and trail/parking easements on Purisima Farms, and an Offer to Dedicate (OTD) in favor of the Conservancy has been recorded to protect the Conservancy's interests in these easements.

Project History:

Acquisitions and transfers:

In 1987 POST acquired fee title to North and South Cowell Ranches and in 1988 sold the property (minus the Ranch's blufftops, three beaches and a historic townsite and cemetery) to a local farmer (Giusti) while retaining a conservation easement over areas of the ranch sold. In 1989, with \$5.37 million in bond funds the Conservancy acquired from POST conservation and trail easements over the areas of the Ranches that remained in private ownership by the Giustis covering a total of 1,270 acres, including 150 acres of irrigated farmland used for production of artichokes and Brussels sprouts. In 1989 the Conservancy also authorized, and in 1992 staff completed, the transfer from POST to the Conservancy of fee title to 75 acres of land at North Cowell Ranch, including all of the ranch's coastal blufftops and beaches, and the historic Purisima Townsite. At that time, the cemetery site was transferred as well. In 1995 the Conservancy transferred to State Parks fee title to one of its three beaches ("North Beach"), and a portion of its trail easement (a vertical trail from Highway One to the beach). In 1996, with funding from POST, State Parks constructed and opened the Cowell Ranch Beach Accessway.

In 2000 POST acquired fee title to Purisima Farms, a key property located between the discontinuous North and South Cowell Ranches. In 2002 the Conservancy granted funds to the American Land Conservancy (ALC) to acquire conservation and trail easements from POST. This purchase created a contiguous three mile stretch of blufftop trail easements extending from North Cowell Ranch across Purisima Farms to South Cowell Ranch. In 2006, POST sold the fee interest in Purisima Farms to the Giustis, and ALC transferred its easements to POST, with the Conservancy retaining an OTD over these easement interests.

Since 2005, Conservancy staff has had, and will continue to have, discussions with DPR and MROSD regarding their potential long term ownership and management of the trail and of other Conservancy property interests at North Cowell and South Cowell.

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Trail planning, design, and permitting:

In 2003 Conservancy staff initiated trail planning, design, and permitting to construct the Coastal Trail over the properties. In October 2007, review of the project under CEQA was completed, and a Coastal Development Permit (CDP) was issued for the project by the County of San Mateo. By the summer of 2008, Conservancy staff expects to have the other permits needed to construct the trail.

PROJECT FINANCING:

Coastal Conservancy (Construction)	\$2,650,000
Coastal Conservancy (Operations and Management - 3 years)	<u>\$ 330,000</u>
Total Project Cost	\$2,980,000

The expected source of Conservancy funds for proposed construction is the FY 07/08 appropriation to the Conservancy from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12) funds designated for planning and constructing the Coastal Trail. The expected two sources of Conservancy funds for the management activities are appropriations to the Conservancy from the Violation and Remediation Account (VRA) and the Coastal Access Account. Consistent with the purposes for which these fund sources were established, the funds will be directed to the grantee's operation and management of the trail improvements.

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, Public Resources Code Section 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 Section 31400.1 which authorizes the Conservancy to award grants for purposes of developing lands suitable 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 tourists from all over the state and beyond, as well as local residents.

Consistent with Section 31400.2, the amount of funding provided by the Conservancy has been determined by the total amount available for coastal public accessway projects, the fiscal resources of the grantee, the urgency of the project relative to other eligible projects, and the application of factors prescribed by the Conservancy for the purpose of determining project eligibility and priority. While POST has considerable resources to acquire property, is not within their mission to hold and actively operate recreational lands such as the proposed trail on a permanent basis, and thus needs Conservancy funding for this purpose. The construction and opening to the public of the proposed new three-mile segment of the Coastal Trail is one of the

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Conservancy's highest priority public access facility development projects.

Section 31107 instructs the Director of General Services (DGS), when requested by the Conservancy, to transfer a Conservancy-held property interest under an implementation/disposition plan approved by the Conservancy. Consistent with Section 31107.1, the Conservancy and DGS have developed appropriate procedures.

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

The project is consistent with the Conservancy's Strategic Plan as follows:

Consistent with **Goal 1 Objective B**, the project entails placing Coastal Trail signs on 3 miles of new trails within public and private ownerships.

Consistent with **Goal 1 Objective D**, the project entails construction of 3 miles of trail within public and private ownerships.

Consistent with **Goal 2 Objective C**, the project would serve to open a coastal area that is currently inaccessible or closed to public use while respecting the rights of nearby landowners and the need to minimize impacts on sensitive natural resources.

Consistent with **Goal 2 Objective E**, the project entails constructing new access facilities and enhances coastal recreational opportunities for residents and visitors.

**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 September 20, 2007, 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 enjoys the support of local and state elected officials, public agencies, and nonprofit organizations. See letters of support attached as Exhibit 8.
4. **Location:** The proposed project is located within the coastal zone of San Mateo County.

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5. **Need:** Without Conservancy funds, the project will not be constructed. The Conservancy needs to transfer the subject fee and easement land interests to relieve the Conservancy of the responsibilities associated with owning these interests, while ensuring the property is protected, used and maintained for resource protection and public access purposes.

6. **Greater-than-local interest:** As one of the state's longest new segments of the Coastal Trail, the project would attract users from throughout the region, and expand coastal recreation opportunities for tourists from all over the state and beyond.

Additional Criteria

7. **Readiness:** The project has been approved by most of the permitting agencies, and the remaining permits are expected to be obtained by this summer. A Mitigated Negative Declaration for the project has been approved by the County of San Mateo under the California Environmental Quality Act. An interim trail owner and operator has been identified, with a permanent owner/operator anticipated to be selected within the next three years. Conservancy staff anticipates the project will be ready to go to construction this summer pending Conservancy approval.

8. **Realization of prior Conservancy goals:** Over the past 20 years, the Coastal Conservancy and our project collaborators at POST, State Parks and the State Department of Transportation (Caltrans) have funded the protection of the project site's highly scenic open space values, wildlife habitat, riparian areas, agricultural lands, coastal terraces, blufftops and beaches. In addition, Conservancy and other agency funds have been directed to establish blufftop trail corridors that today include the existing beach accessway owned and managed by State Parks, as well as the three miles of continuous blufftop Coastal Trail easements that are the subject of this funding request. Once completed, this project will serve to realize a 20-year Conservancy goal for the project area.

9. **Cooperation:** The project entails a cooperative multi-agency effort with two land trusts, and an extremely cooperative, supportive private landowner.

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 the natural landforms and protect environmentally sensitive habitats by constructing bridges to cross over these habitat areas and setting the trail back from eroding bluffs. The trail would serve to prevent unwarranted hazards to public safety by using adequate buffers, including fencing, between seaward cliffs and inland farmland while posting signs warning the public to stay away from these hazards.

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Standard No. 2 Correct Hazards

The construction and management of this accessway will serve to improve the management of erosion on the project site through the installation of erosion control improvements, including new culverts and vegetated buffer areas between the trail and the adjacent irrigated farmland. During pesticide application in agricultural areas, the accessway will be closed as needed to protect the public.

Standard No. 3 Access Easements: Construction and Location

This accessway will not be wider than necessary given its adjacency to an active agricultural operation and steep cliffs, and will be entirely ADA accessible.

Standard No. 5 Environmentally Sensitive Areas

The project has been designed and routed to protect environmentally sensitive habitats as described above.

Standard No. 7 Vertical Accessways: Construction and Location (Rural Areas)

A vertical accessway at the south end of the project site extends across cattle grazing areas to a parking lot and trailhead. Fencing and gates will be installed to protect accessway users from these grazing activities. Drainage systems will be installed where warranted to prevent erosion throughout the blufftop areas of the trail.

Standard No. 8 Trails

The trail would connect an existing accessway to three miles of new blufftop trails, and would include appropriate surface materials, adequate trash receptacles, fencing, and signs.

Standard No. 9 Scenic Overlooks

The trail would include new scenic vistas of the ocean, beaches and surrounding open spaces, and include a new formal blufftop overlook. The entire trail would be accessible to those with physical disabilities.

Standard No. 12 Support Facilities

The project would include support facilities including parking areas, bathrooms, resource and cultural interpretation signs, and would serve users of a nearby beach.

Standard No. 13 Barrier-Free Access

The entire trail would be wheelchair-accessible.

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CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The San Mateo County Local Coastal Program (LCP) contains several policies that support the construction of public access improvements at North Cowell Ranch and the surrounding area. The Shoreline Access Component of the LCP, Table 10.6, “Site Specific Recommendations for Shoreline Destinations” identifies the project area as a priority for the development of trails, and blufftop viewpoints. In addition, Policy 10.35 calls for the establishment “of priorities for expenditure of public funds, including Coastal Conservancy funds, based on maximizing public recreational opportunities.” The project would serve to maximize public recreational opportunities by in part adding three miles of new trails to an existing beach and blufftop accessway.

The proposed project would also implement several policies contained in the “Recreation/Visitor Serving Facilities Component” of the LCP. Policy 11.13a calls for the establishment of a Coastal Trail system connecting major shoreline facilities to inland parks and facilities and link existing and proposed recreation facilities along the coast. Consistent with this section, the proposed project would link to an existing accessway located on an adjacent beach and blufftop. Consistent with Policy 11.24.a(4), the project would serve to expand the recreational use of an existing publicly owned recreation area.

COMPLIANCE WITH CEQA:

The County of San Mateo (County) is the lead agency for the trail project for purposes of the California Environmental Quality Act (CEQA) and prepared a Mitigated Negative Declaration (MND) for the proposed project (Exhibit 5). The County approved the MND and mitigation monitoring plan on October 10, 2007, determined that, consistent with 14 Cal. Code of Regulations Section 753.5(d), there was no evidence before it that the project would have any potential adverse impacts on fish and wildlife resources or the habitat on which wildlife depends, and on October 17, 2007 filed a Notice of Determination with the State Clearinghouse.

Upon review of the County’s MND, Conservancy staff believe that the project, as mitigated, will not have a significant adverse effect on the environment. Proposed mitigations that will avoid or reduce the possible effects to a level of insignificance are summarized in the Mitigation Monitoring Program (Exhibit 5). The MND identified possible significant environmental effects of the project in the areas of land suitability and geology, vegetation and wildlife, physical resources, air and water quality, and cultural and historic resources.

Land suitability and geology

The project could have potential adverse effects on bluff retreat, erosion and runoff. The trail is designed and located away from the bluff edge to mitigate these potential effects. All project structures will meet the requirements and recommendations of the county building code and county geologist to address concerns with earthquake faults, soil instability and runoff from slopes greater than 15%. An erosion and drainage control plan and Stormwater Pollution Prevention Plan will describe how the trail and bridge approaches will be graded and controlled,

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and how the transport and discharge of soil and pollutants will be minimized to prevent erosion and siltation into sensitive riparian areas and the ocean.

Vegetation and wildlife

The project could have potential adverse effects on the habitat of two species listed under the State and federal Endangered Species Act, the California red-legged frog and the San Francisco garter snake, and one special status plant, beach strawberry. While neither of the listed species is known to occur in the project area, to minimize any potential harm due to habitat disturbance, bridges will be constructed to locate the trail outside potential habitat areas, and construction will occur during the dry season months of August to mid-October. To avoid impacts to beach strawberry, the trail will be located almost entirely outside of areas where the plant is located, and construction will occur during the driest time of year during which time temporary protective fencing will be installed.

To minimize any potential adverse effects to nesting migratory birds and Monarch butterflies, all construction will occur after the end of the nesting season for breeding birds, and the autumnal gathering of over-wintering butterflies. To minimize potential adverse impacts to riparian woodland, coastal terrace prairie and coastal scrub, the project is designed and located to minimize tree removal within riparian woodland and the removal of prairie and scrub habitat. To avoid deposition of sediment into sensitive habitats areas, erosion control measures will be implemented. Potential harm to a resident harbor seal colony will be minimized by locating the trail away from the bluff edge outside the viewshed of their haul out location. Construction will only occur within the viewshed during times when the harbor seals are feeding offshore.

Physical Resources

The project could have potential adverse effects on the agriculture due to conflicts between agricultural operations and adjacent recreational uses of the trail. To minimize these potential impacts, an agreement will be executed between the trail operator and the landowner of the agricultural lands outlining the terms of trail operation, including closure of the trail when agricultural chemicals are being applied. Signs will be posted at the parking areas and along the trail corridor informing users of the adjacent agricultural operations, including the potential for exposure to irrigation water, the periodic use of agricultural chemicals, and that no trespassing onto surrounding farm lands is permitted. The trail will be designed with a vegetated buffer and fence to separate users from the adjacent farmland, including areas where cattle grazing occurs.

Air and water quality

The project could have potential adverse effects on air and water quality due to construction period activities including the presence of gas, oil and other hazardous materials, the movement of trucks hauling soil, sand and other loose materials, and the stockpiling of debris, soil, sand or other materials that can be blown by the wind. To minimize these potential impacts, a dust control plan will be implemented to ensure that 1) all active construction areas are watered at least twice daily, 2) stockpiles of materials that can be blown by the wind are watered or covered, 3) all trucks hauling are covered or maintain at least two feet of freeboard, 4) water is applied three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking and staging areas at construction sites. Hydroseed or non-toxic soil stabilizers will be applied to inactive construction areas, 5) all paved access roads, parking and staging areas at

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construction sites will be swept daily (preferably with water sweepers), including Highway One if visible soil material is carried onto it, 7) exposed stockpiles (dirt, sand, etc.) will be enclosed, covered, or watered twice daily or non-toxic soil binders applied, and 8) traffic speeds on unpaved roads will be limited to 15 mph. Signs will warn trail users that agricultural chemicals may be present on the adjacent farmland, and that the trail will be closed during periods of pesticide application. An erosion and drainage control plan and Stormwater Pollution Prevention Plan will minimize the movement of surface water and associated polluted sediment to prevent erosion and siltation into riparian areas and the ocean.

County-required noise abatement measures will be implemented during project construction to minimize disturbance. Noise mitigation measures may include changing the location of stationary construction equipment, shutting-off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, rerouting heavy truck traffic, or installing acoustic barriers around stationary construction noise sources or construction sites.

Cultural and historic resources

The project could have potential adverse effects on cultural and historic resources. To minimize these potential impacts, prior to any site construction the trail route will be marked and all methods and impact areas associated with construction, including construction impacts, grading, or excavations will be identified. An archaeologist will conduct an intensive survey of any trail improvements in the vicinity of the ethnohistoric feature. If the trail alignment traverses any portion of this site, the archaeologist will develop an avoidance/minimization plan for review and approval by the County prior to any site construction. The location of the Ocean Shore Railroad trestle over Purisima Creek shall be determined, as well as the location of the former Purisima station. This shall necessitate additional surveys in and on the banks of the creek corridor, and archival research (the San Mateo County Historical Association archives have extensive materials on the Ocean Shore Railroad). Along the Ocean Shore Railroad railbed and along most of the coastal bluff edge, the project archaeologist shall monitor all grading and excavations.

The applicant and contractors must be prepared to carry out the requirements of California State law with regard to the discovery of human remains during construction, whether historic or prehistoric. In the event that any human remains are encountered during site disturbance, all ground-disturbing work shall cease immediately and the County coroner shall be notified immediately. If the coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within 24 hours. A qualified archaeologist, in consultation with the Native American Heritage Commission, shall recommend subsequent measures for disposition of the remains.

The proposed transfer of property as provided for in this staff recommendation is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to 14 California Code of Regulations Section 15325 because it is a transfer of ownership of interests in land in order to preserve open space and existing natural conditions. Consistent with Section 15325(b), the transfer includes areas that will continue to be used for agricultural production.

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Upon Conservancy approval, staff will file a Notice of Determination and a Notice of Exemption for this project.