

COASTAL CONSERVANCY

Staff Recommendation

November 10, 2011

CARMEL BEACH COASTAL ACCESS IMPROVEMENTS

Project No. 11-055-01

Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorize disbursement of up to \$250,000 to the City of Carmel-by-the-Sea to prepare final plans and construct coastal access improvements including parking, pedestrian paths, a blufftop boardwalk and view platform, interpretive signage, and to restore dune habitat at Carmel Beach.

LOCATION: Carmel-by-the-Sea, Monterey

PROGRAM CATEGORY: Public Access and Resource Enhancement

EXHIBITS

- Exhibit 1: [Project Location and Site Map](#)
 - Exhibit 2: [Del Mar Master Plan and Restoration Plan, Initial Study / Mitigated Negative Declaration, and Mitigation Monitoring Program](#)
 - Exhibit 3: [Existing Parking Area Congestion](#)
 - Exhibit 4: [Conceptual Reconfigured Parking Area](#)
 - Exhibit 5: [Carmel Beach Boardwalk and View Platform](#)
 - Exhibit 6: [Coastal Trail along San Antonio Avenue](#)
 - Exhibit 7: [Project Letters](#)
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RESOLUTION AND FINDINGS:

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

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred and fifty thousand dollars (\$250,000) to the City of Carmel-by-the-Sea (grantee) to complete final plans, construct public access improvements and restore dune habitat at Carmel Beach and the surrounding North and Del Mar Dune areas. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds, grantee shall submit for the review and approval of the Executive Officer of the Conservancy:
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- a. Evidence that the grantee has obtained all necessary permits and approvals, and all other funds necessary to complete the public access improvements.
 - b. A final work program, budget, schedule, and names of any contractors to be employed for these tasks.
 - c. A signing plan for the project acknowledging Conservancy participation.
2. The City shall ensure that the final designs of the project are consistent with the Conservancy's 'Standards and Recommendations for Accessway Location and Development' and with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.
 3. The City shall install California Coastal Trail emblems in the project area and on all other properties within its jurisdiction that are deemed by the Conservancy to be existing segments of the California Coastal Trail. Emblem locations shall be determined by the City in consultation with the Conservancy."

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 Conservancy's current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with Chapters 6 and 9, sections 31251-31270 and 31400-31410 of Division 21 of the Public Resources Code, regarding enhancement of coastal resources and coastal access.
3. The proposed project area is identified in the City of Carmel-by-the-Sea's certified Local Coastal Program's Land Use Plan, including the Master Plan for the North Dunes and Del Mar Dunes, as requiring public action to resolve existing resource protection problems.
4. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by the City on June 2, 2009, under the California Environmental Quality Act (CEQA) and attached to the accompanying staff recommendation as Exhibit 2, 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.
5. The proposed project serves greater than local needs."

PROJECT SUMMARY:

Disbursement of up to \$250,000 to the City of Carmel-by-the-Sea will enable the City to prepare final plans and construct coastal access improvements including parking, pedestrian paths, a blufftop boardwalk and view platform, a short segment of the California Coastal Trail, interpretive signage, and to restore dune habitat at Carmel Beach, one of California's premiere coastal destinations. Conservancy funds will be matched by \$200,000 in Monterey County Transportation funds awarded to the City, and \$15,000 in City funds for project management.

Located at the base of Ocean Avenue on the western edge of the City's attractive commercial

district, Carmel Beach is the most popular beach in Monterey County and is enjoyed by millions of visitors each year. However, for decades the parking and circulation pattern above Carmel Beach has been poorly laid out, thereby exacerbating an already constrained and often congested parking area at the primary access to the beach (Exhibit 3). As a result, pedestrian safety has been compromised as cars converge on areas used to access the beach. In addition, areas in the nearby Del Mar and North Dunes continue to be degraded by uncontrolled access and the spread of invasive non-native species, including ice plant and acacia.

To reduce congestion and enhance beach access a new turn-around will be established to allow vehicles, including emergency vehicles, to avoid driving through the parking area closest to the beach (Exhibit 4). To further improve parking, pedestrian and ADA access, and the area's visual appearance, the site's 120 parking spaces will be reconfigured, with disabled parking relocated closer to the planned boardwalk and view platform. On both sides of Ocean Avenue the old asphalt/concrete sidewalks will be resurfaced with pavers, existing curb heights will be reduced and several landscaped areas will be expanded. The primary crosswalk between the parking lot and beach at Del Mar Avenue will also be improved to more clearly identify pedestrian routes and increase safety.

An elevated boardwalk and view platform will be constructed adjacent to the parking area to enhance beach access and provide visitors with disabilities with access to the sandy bluffs overlooking the beach (Exhibit 5). Interpretive signs and map boards will provide visitors with information on the area's natural habitat and the locations for nearby bluff and beach access points. The City will also design and construct a new 550-foot decomposed granite segment of the California Coastal Trail (CCT) that will connect Carmel Beach, via San Antonio Avenue, to a recently-completed trail segment extending to the southern entrance to 17-Mile Drive and Pebble Beach (Exhibit 6). With this new segment, Carmel Beach will be connected to over 20 miles of CCT that extend north through the Del Monte Forest to Asilomar Dunes State Park and along the bluffs through Cannery Row in the City of Monterey and up the coast to the City of Marina .

Lastly, the project includes completion of the second phase of dune habitat restoration at the Del Mar Dune areas surrounding the planned boardwalk and view platform and at North Dunes Area (Exhibits 5 and 6). Restoration activities will include removal of exotic ice plant (*Carpobrotus* and *Conococia* sp.), Sydney golden wattle (*Acacia longifolia*) and planting of natives such as Tidestrom's lupine. To protect these sensitive habitat areas signs will be installed to identify these areas and direct visitors away from them, including onto the proposed Del Mar Dunes boardwalk.

For the past two-plus decades the City of Carmel-by-the-Sea has been working diligently to improve access support facilities to its world-class beach and bluff areas. Today the blufftop terrace and streets above Carmel Beach are developed with numerous beach access boardwalks, paths, stairways and landscaped on-street parking areas. City staff has also worked closely with Coastal Commission staff to permit and develop pathway connections from City-owned paths to adjacent Pebble Beach Company trails in the Del Monte Forest area to the north. The City has completed conceptual plans and environmental review and obtained all necessary permits for the proposed project, and has obtained substantial match funding to complete the project in 2012.

Site Description: Located in northwest Monterey County, Carmel Beach includes 22 acres of fine white sand beach and dunes, and is widely considered to be one of the state's most beautiful

beaches, stretching more than a mile from the city’s northern border to rocky Carmel Point. The beach is enjoyed by millions of visitors and residents each year who take advantage of the area’s many beach accessways and blufftop paths that extend north and south from the main beach access at the foot of Ocean Avenue. On the City’s northwest border is Pebble Beach, including their high-profile golf course, entrance to 17-Mile Drive and the Del Monte Forest. The commercial village is immediately to the east of the beach up Ocean Avenue and the surrounding streets. Residential areas are spread along the site’s eastern edge north and south the Ocean Avenue.

At the top of Carmel Beach adjacent to the main parking lot lie the North and Del Mar Dunes, two of the city’s most significant native dune areas. The Del Mar Dunes and North Dunes areas are the last intact dune features within the City limits and provide shelter from the wind and privacy not easily afforded along the main beach; these back dune areas receive thousands of visitors every year. A 1995 habitat study found several hundred Tidestrom’s lupine plants, a state- and federally-listed endangered species, along with other native plant species, including mock heather, bush lupine, beach sagewort, California blackberry, beach evening primrose, pink sand verbena, croton, and California sea rocket. Monterey cypress, Monterey pines, coastal live oaks are found throughout the site, predominantly in the North Dunes Area. While patches of the North and Del Mar Dunes have been degraded by uncontrolled access and the spread of invasive non-native species, large areas in the North Dunes have been restored. The dunes provide likely habit for the California black legless lizard currently designated as a Species of Special Concern by the California Department of Fish and Game though it is no longer a candidate for Endangered Species listing by the federal government.

Project History: In 2009, the City completed the *Del Mar Master Plan* for the primary access point to Carmel Beach at the foot of Carmel’s main street known as the Del Mar area. The Plan addresses public access, parking, circulation, and the protection and restoration of the North and Del Mar Dunes located at the top of Carmel Beach at Ocean Avenue. After completing all required permitting and environmental review in 2009/2010, with \$150,000 in City funds and \$150,000 in funds from the Pebble Beach Company the City completed the first phase of dune restoration and installation of public access improvements at the North Dunes, including a boardwalk along the north edge of the dunes, a beach access stairway and interpretive signage. The City then applied for and received \$200,000 in Monterey County transportation funds for Phase II of the project. In the summer of 2011, Conservancy and City staff met onsite to scope the proposed completion of the second phase of the Plan.

PROJECT FINANCING

Coastal Conservancy	\$250,000
City of Carmel-by-the-Sea (County of Monterey Transportation funds)	<u>\$215,000</u>
Total Project Costs	\$465,000

The anticipated source for the Conservancy funds for this project is an appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, Public Resources Code section 75001 *et seq.* (Proposition 84). Proposition 84 authorizes the use of bond funds for projects that promote access to the coastal resources of the

state and are consistent with the Conservancy's enabling legislation, Public Resources Code section 31000 *et seq.* (Public Resources Code § 75060(b)). Consistency of the project with the Conservancy's statutory mission is discussed below in "Consistency with Conservancy's Enabling Legislation." The proposed project will improve access to Carmel Beach and restore surrounding dune areas.

The restoration portion of this project is appropriate for prioritization under the criteria in Public Resources Code section 75071 (a provision of Proposition 84) because the project includes non-state matching funds.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed access portion of the project is consistent with Chapter 9 of the Conservancy's enabling legislation: Division 21 of the Public Resources Code (Sections 31400-31410), 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 will play a primary role by funding the development of an important link in the California Coastal Trail, a trail system of statewide significance.

Section 31400.1 allows the Conservancy to award grants to a public agency for development of accessways to and along the coast that serve more than local public needs. Consistent with this section, the proposed access improvements will support access to Carmel Beach that attracts millions of visitors from throughout the region, the state and beyond.

Section 31400.2 requires the Conservancy to consider a number of factors in determining the amount of funding for an access project. Consistent with this section, the proposed level of funding was evaluated relative to the total amount of funding available to the Conservancy for coastal access projects, the limited fiscal resources of the applicant, and the Conservancy's project selection criteria (see Consistency with Conservancy's Project Selection Criteria & Guidelines).

Section 31400.3 enables the Conservancy to assist public agencies in developing and implementing a system of public accessways to and along the state's coastline. The proposed project will further these goals by improving and enhancing public access in a heavily-visited coastal region as part of a regional, comprehensive public access plan.

The restoration portion of this proposed project will be undertaken pursuant to Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding coastal resource enhancement projects. The purpose of a coastal resource enhancement project is "to restore, as nearly as possible, degraded natural areas to their original condition..." (Public Resources Code § 31008.) Consistent with Section 31251, the proposed authorization will award a grant to a public agency to implement corrective measures that will enhance coastal resources that have suffered loss of natural or scenic value due to natural or human-induced events. The proposed project will help to restore the natural character of the Del Mar and North Dunes areas by re-establishing native plant populations.

Section 31252 states that all areas proposed for resource enhancement shall be identified in a certified local coastal plan or program as requiring public action to resolve existing or potential

resource protection problems. The proposed project is consistent with the City of Carmel-by-the-Sea's Local Coastal Program, as described in the "Consistency with Local Coastal Plan" section, below.

Pursuant to Section 31253, "[the] Conservancy may provide up to the total of the cost of any coastal resource enhancement project, including the state or local share of federally supported projects..." after an assessment of funding generally available for coastal resource enhancement projects, the fiscal resources of the applicant and the urgency of the project relative to other eligible coastal resource enhancement projects. The proposed contribution by the Conservancy was determined based on application of priority criteria, as discussed below, and after taking into account other available resources and the matching contributions to the project by other funding sources.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

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

Standard No. 1, Protect Public and Coastal Resources: The project will be designed and located to minimize crowding, parking congestion, and misuse of coastal resources. The proposed parking area, paths and elevated boardwalk and view platform will minimize alteration of natural landforms, be subordinate to the setting's character, and prevent unwarranted hazards to the land and public safety, while ensuring the privacy of adjoining residences and protecting environmentally sensitive habitats areas.

Standard No. 5, Environmentally Sensitive Areas: An elevated boardwalk and view platform will be installed to minimize impacts to the Del Mar Dunes and habitat. The plans were reviewed by the Department of Fish and Game and the California Coastal Commission.

Standard No. 8, Trails: The project as designed and located is consistent with the City's Local Coastal Program. The proposed boardwalk and trails will have appropriate paving materials, adequate drainage system, trash receptacles, benches, and signs.

Standard No. 9, Scenic Overlooks: The elevated boardwalk and view platform will be accessible to those with physical disabilities.

Standard No. 12, Support Facilities: The project improves parking and connecting paths, and will provide additional support facilities including a new boardwalk and view platform and interpretative signs.

Standard No. 13, Barrier-Free Access: Consistent with this standard, access to Carmel Beach will be improved with a new boardwalk and view platform to allow for barrier free access, as required by and consistent with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on June 4, 2009, in the following respects:

Consistent with **Goal 1 Objective B**, the project entails placing Coastal Trail signs on one or more miles of existing trail within public and private ownerships.

Consistent with **Goal 1 Objective D**, the project entails construction of approximately ¼ mile of trail within public and private ownerships.

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

Consistent with **Goal 5 Objective B**, the project will enhance coastal dune habitat.

Consistent with **Goal 5 Objective D**, the project will control or eradicate several non-native invasive species including ice plant (*Carpobrotus and Conococia* sp.) and Sydney golden wattle (*Acacia longifolia*).

**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 June 4, 2009, 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 7.
4. **Location:** The proposed project would be located within the coastal zone of the City of Carmel-by-the-Sea.
5. **Need:** Without Conservancy match funds the proposed project will not be constructed as scheduled in 2012, and not until the City obtains other match funds.
6. **Greater-than-local interest:** As one of the state's most popular destinations, the project would attract users from throughout the region, and expand coastal recreation opportunities for tourists from all over the state and beyond.
7. **Sea level rise vulnerability:** The project site is 50 or more feet above sea level and outside the elevations projected for sea level rise vulnerability.

Additional Criteria

8. **Leverage:** See the “Project Financing” section above.
9. **Readiness:** The City has completed all required permitting and environmental review, obtained match funds and, pending Conservancy approval of funds intends to complete the proposed project in 2012.
10. **Minimization of greenhouse gas emissions:** The City will use hand tools and other low emissions construction techniques wherever possible when constructing the parking and public access improvements. Mechanized construction methods will be necessary to reconstruct the parking area, sidewalks and new path but will be kept to a minimum wherever possible, including the use of hand tools only to construct the new boardwalk and view platform. The new San Antonio path will be for non-motorized use only and will not result in increased emissions. The capacity of the parking area is not increasing. Improved circulation should reduce emissions from the existing congestion.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the following City of Carmel General Plan/Local Coastal Program (LCP) policies:

Parking and Circulation

- P4-42** Develop a design plan for the Del Mar parking area that improves circulation, reduces congestion, enhances visual quality, and enhances community character. The redesign shall avoid or minimize any loss of parking spaces.
- P4-18:** Improve the pedestrian experience through the Del Mar parking area for those arriving on foot and from parked vehicles to the beach. Consider construction of boardwalks or other improvements to aid beach circulation, protect tree roots and protect the sensitive vegetation in the North Dunes area.
- P4-19:** Provide disabled access consistent with ADA requirements. Provide access that blends with the beach and allows disabled individuals the opportunity to enjoy a more natural beach experience.

Dune Habitat Restoration /Protection

- P5-28** Restore dune areas to improve habitat for Tidestrom’s lupine and other native dune plants.
- O5-7** Protect the fragile dunes and sensitive plants in the Del Mar Dunes and North Dunes against any significant disruption of habitat values.
- P5-29** Control the spread, and prohibit planting of, invasive non-native plants.
- P5-30** Improve habitat values for the preservation of the California black legless lizard.
- P5-175** Remove any non-native invasive vegetation from special status habitat to eliminate competition and implement a dune restoration plan.

COMPLIANCE WITH CEQA:

The City of Carmel-by-the-Sea (City) is the lead agency for the project for purposes of the California Environmental Quality Act (CEQA) and undertook an environmental assessment through an Initial Study of the Del Mar Master Plan that contained implementation measures for the proposed project (Exhibit 2). The Initial Study determined that the proposed project could have a significant effect on the environment in two areas: Biological Resources and Cultural Resources. Based on the Initial Study, the City proposed several mitigation measures to reduce these impacts to less than significant, and prepared a Mitigated Negative Declaration (MND) and Mitigation Monitoring Program (MMP). The City approved the MND and MMP on June 2, 2009, determined that, consistent with 14 Cal. Code of Regulations section 753.5(d), there was no substantial evidence that this project as mitigated would have a significant adverse impact on the environment and on June 17, 2009 filed a Notice of Determination with the State Clearinghouse.

The potential significant environmental impacts of the proposed project and the corresponding mitigations are identified and discussed in detail in the MMP attached included in Exhibit 2. They are summarized below.

Biological Resources

Impact

The proposed dune restoration activities and installation of the new path and boardwalk could impact the California black legless lizard and its habitat, a special status species identified by the California Department of Fish and Game, and/or the Tidestrom's lupine, a state- and federally-listed endangered species.

Mitigation

All materials and equipment shall be stored properly and temporary fencing and signage will be posted at each storage location prior to construction of any trail. Temporary fencing, signage and flagging will be installed around sensitive species prior to the commencement of construction or restoration activities. All work crews shall be instructed to avoid sensitive areas. Ongoing monitoring of the California black legless lizard (lizard) population will be performed to ensure protection of the species.

The planned locations for boardwalks/trails shall avoid all lizard population locations, and shall be flagged prior to construction. All boardwalks and sand trails shall be placed on existing bare sand. After minor hand-grading, the boardwalk will be placed above ground with only occasional stakes entering the sand. All digging in the dunes shall be done by hand with caution to avoid sensitive plants, including Tidestrom's lupine (lupine).

Overspray of herbicide during treatment of evasive species will be avoided by only spraying on calm mornings with winds less than 5 m.p.h. No herbicide will be used within 30 ft. of lizard population locations. Any exotics in these areas will be removed by carefully hand-pulling and deposited off-site. Creating competition when planting between and other native species shall be avoided. A botanist shall oversee the planting efforts and mimic the open spacing pattern of the

existing lupine populations and the present associated native species. No wind fences shall be installed to avoid inadvertent sand depositions on sensitive species.

All seed collection will be overseen by a botanist to avoid impacts to the reproduction of the native lupine population in subsequent years and to ensure that the seed is ripe. Collection shall be spaced evenly over the population with the exception of plants growing proximate to lupine. Direct seeding will not be used as a restoration method for lupine. An MOU with the State Department of Fish and Game (DFG) will be entered into and followed by the City prior to any collection.

The exotic control method shall allow for the spraying of exotics and letting them die in place. This will limit impacts to lizards during the removal of the exotics as ground disturbances shall be limited to hand pulling. Removal of all leaf material under small non-native trees shall be completed 48 hours prior to removal to minimize any possibility of impacts to the lizard. If any lizard is observed during non-native plant removal or other construction activities, work shall immediately stop for 24 hours to allow the BLL to move away from the area. This will be reported to DFG.

Cultural Resources

Impact

The proposed dune restoration activities and/or installation of the new path and boardwalk may impact an archaeological resource, including a unique paleontological resource site, unique geologic feature, or human remains.

Mitigations

All new construction involving excavation shall immediately cease if materials of archaeological significance are discovered on the site and shall not be permitted to recommence until a mitigation and monitoring plan is prepared by a professional archaeologist and approved by the Planning Commission. If potentially unique paleontological (fossils) resources are discovered during construction activities work shall be immediately halted within 50 feet of the discovery. A professional paleontologist shall be retained to determine the significance of the discovery. If human remains are discovered during construction activities all work shall be immediately halted within 50 feet of the discovery and the City shall be notified along with the County Coroner. If the remains are determined to be Native American, the Native American Heritage Commission shall be notified by the County Coroner and the procedures outlined in CEQA shall be followed.

Conclusion

Staff has independently reviewed the Mitigated Negative Declaration and Mitigation and Monitoring Program and concurs that there is no substantial evidence based upon the whole record that the project as mitigated will have a significant adverse effect on the environment. Staff therefore recommends that the Conservancy find that the project as designed avoids, reduces or mitigates the potentially significant environmental effects to a less-than-significant

level, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382. Upon approval, staff will file a Notice of Determination.