

COASTAL CONSERVANCY

Staff Recommendation
December 3, 2015

POINT PINOS COASTAL TRAIL IMPROVEMENTS

Project No. 15-019-01
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$250,000 to the City of Pacific Grove to construct improvements to one segment of the California Coastal Trail and design and permit improvements along another segment of the trail in Monterey County.

LOCATION: Great Tide Pool, Point Pinos, City of Pacific Grove, Monterey County.

PROGRAM CATEGORY: Public Access

EXHIBITS

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

Exhibit 2: [Point Pinos Trail Improvement Project Report](#)

Exhibit 3: [Project Area Photos](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

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

“The State Coastal Conservancy hereby authorizes disbursement to the City of Pacific Grove of up to one hundred thousand dollars (\$100,000) to construct public access improvements above the area known as the Great Tide Pool and up to one hundred and fifty thousand dollars (\$150,000) for preparation of final plans, permit and environmental documents for additional public access improvements at Point Pinos, Monterey County.

1. Prior to the disbursement of Conservancy funds, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy (“the Executive Officer”):
 - a. A final work program, budget, schedule, and names of any contractors to be employed for these tasks.
 - b. A signing plan for the project acknowledging Conservancy participation and displaying coastal trail emblems provided by the Conservancy at locations identified in the project area in consultation with the Conservancy.
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2. Additionally, prior to the disbursement of Conservancy funds with respect to the Great Tide Pool, the grantee shall submit for the review and approval of the Executive Officer evidence that the grantee has obtained all necessary permits and approvals necessary to complete the Great Tide Pool access improvements.
3. Prior to opening the Great Tide Pool access improvements to the public, the grantee shall prepare and submit for the review and approval of the Executive Officer an access management and operation plan that is consistent with all permit conditions.
4. To the extent feasible, the final designs for the projects shall be consistent with the Conservancy's 'Standards and Recommendations for Accessway Location.'"

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 Chapter 9, sections 31400 *et. seq.* of Division 21 of the Public Resources Code, regarding coastal access.
3. The proposed project serves greater than local needs."

PROJECT SUMMARY:

Staff recommends disbursing up to \$250,000 to the City of Pacific Grove to begin implementation of the Point Pinos Trail Project by undertaking two related efforts: 1) construction of California Coastal Trail improvements above the area known as the Great Tide Pool; and 2) preparation of final plans, permit and environmental documents for the remainder of the improvements identified in the 2012 Point Pinos Trail Project plan (Exhibit 2).

Currently, the California Coastal Trail (CCT) exists along the entire coast of the City of Monterey and along 3 of the 4 miles of the City of Pacific Grove coast. There is an approximately 1-mile gap in the formal trail between the parking lot at the intersection of Ocean View Boulevard and Esplanade Street and the recently improved trail at Asilomar State Beach, although segments of informal trail are found along the bluffs in several places (Exhibit 1). The goal of the Point Pinos Trail Project is to complete the CCT in this 1-mile segment, eliminate existing informal trails that encroach into sensitive dune habitat, improve pedestrian safety and enhance the user experience. This is a heavily used part of the Monterey coastline and eliminating this gap in the trail is identified as a priority in the Coastal Conservancy's "*Completing the California Coastal Trail Report*". Completing this segment will result in over ten miles of continuous CCT through Pebble Beach, Pacific Grove, and the City of Monterey.

The first part of the project is the construction of trail improvements from the existing CCT segment on Asilomar State Beach to the Great Tide Pool area. The Great Tide Pool is a popular destination for both residents and tourists seeking to experience the site's vast intertidal area (Exhibit 3). The site is located directly below Sunset Drive which runs along the bluffs. While there are informal trails, the deep sandy soils found around the tide pool site can be a challenge to walk on. The proposed project will resurface over 1,300 feet of informal trails with base rock

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and decomposed granite to make them more accessible. An overlook with an interpretive sign and benches will also be installed. The other informal trails will be closed to protect sensitive dune habitat.

The second part of the project is the preparation of designs and permit and environmental documents to complete the trail from the Great Tide Pool Area around Point Pinos to Esplanade Street. This area has abundant parking and an informal network of unimproved trails. However, because a formal trail system has not been integrated into and between the parking areas, user conflicts exist between pedestrians and vehicles (Exhibit 3). To improve the visitor experience and enhance safety and accessibility the city proposes to prepare plan and permit documents to formalize the trail system. Specifically, they intend to make the trail wide enough to accommodate users walking in both directions, to locate it on the seaward side of the parking areas and separate the trail from the parked vehicles with fencing and/or other suitable barriers, and to add handicap parking spaces

The City of Pacific Grove has been developing the proposed project for several years and has successfully completed two years of dune habitat restoration at the Great Tide Pool site with mitigation funding from State Parks. The city has developed the trail plans for the Great Tide Pool site and partnered with State Parks to secure a coastal development permit to construct the improvements. Pacific Grove staff, elected officials and community leaders are highly motivated to complete the Coastal Trail in their city and are committed to providing substantial funds to construct the Point Pinos improvements once the design and permit phase is completed.

Site Description: The City of Pacific Grove's 3.5 acre Great Tide Pool site is immediately north of the Rocky Shores section of Asilomar State Beach along Sunset Avenue across from the Pacific Grove Municipal golf course. The offshore waters and rocks are within the Asilomar State Marine Reserve, the Monterey Bay National Marine Sanctuary and the California Coastal National Monument. The rocky intertidal area that fronts the site is extensive, extending several hundred feet from sandy dune areas to the ocean edge of the rocky shelf. There is a network of unimproved trails with some segments encroaching into sensitive dune habitat. There are two improved turnouts that provide convenient off-road parking for approximately 10-15 cars and easy access to the site.

The site supports a diverse mix of dune species including Tidestrom's lupine and Monterey spineflower and, until recently, has been dominated by non-native ice plant. The City is two years into a five year restoration project to remove all of the non-native plant species and will replant the site where needed with a variety of native dune plant species. This effort is funded by State Parks as mitigation for impacts to similar dune habitat at their Asilomar Conference Center resulting from the expansion and/or relocation of pathways necessary to make them accessible to those with disabilities.

Similar to the Great Tide Pool site, the City's adjacent Point Pinos sites are located on the bluffs along Sunset and Ocean View Avenues and provide visitors with convenient off-road parking and unimproved trail access above and to the shoreline (Exhibit 3).

Project History: Conservancy staff contacted the City of Pacific Grove staff in August 2015 to inquire about their interest in improving access along their coastline adjacent to Asilomar State Beach where recent improvements had been made to their trail system. City staff described their recent dune restoration project at the Great Tide Pool site that is being funded by State Parks as

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mitigation for impacts to dune habitat associated with trail improvements at their Asilomar Conference facility. City staff confirmed their desire to construct the Coastal Trail through the Great Tide Pool site and beyond towards additional sites around Point Pinos. Conservancy staff met with City staff on the site in August 2015 to review the proposal, clarify the terms of their coastal development permit and scope of work, and discuss potential impacts of sea level rise and wave run up. Conservancy staff confirmed with Coastal Commission staff that the required State Park mitigation funding for the Great Tide Pool site is limited to the dune restoration only, and does not include funding for the trail construction.

PROJECT FINANCING

Great Tide Pool Access Improvement Construction:

Coastal Conservancy	\$100,000
City of Pacific Grove	\$100,000

Point Pinos Trail Planning:

Coastal Conservancy	\$150,000
City of Pacific Grove	<u>\$75,000</u>

Project Total **\$425, 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 §§ 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 §§ 31000 *et seq.* (Public Resources Code § 75060(b)). Proposition 84 specifically allocates Conservancy funding for Monterey Bay and its watersheds, which, under § 75072.5, are defined to include the Carmel River watershed.

Public Resources Code § 75060(e) allocates funds to the Conservancy for the protection of Monterey Bay and its watersheds. “Protection,” as defined in Public Resources Code § 75005(m), includes “actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation,” as defined. “Development” is defined in Public Resources Code § 75005(f) to include physical improvement of real property.

Consistent with these provisions, the proposed project will serve to protect and improve the use and enjoyment of property and natural resources along the City of Pacific Grove coast by planning and developing physical improvements of real property. The proposed project is consistent with the Conservancy’s enabling legislation, as discussed in the “Consistency with Conservancy’s enabling legislation” section below. The proposed project is thus consistent with the funding requirements of Proposition 84.

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CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 9 of 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 planning and construction 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 development of a new segment of the Coastal Trail that will attract visitors from throughout the region and beyond. The Monterey Bay region, including the cities of Monterey, Pacific Grove and Carmel attract millions of visitors per year.

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 fiscal resources of the applicant, and the Conservancy's project selection criteria (see Consistency with Conservancy's Project Selection Criteria & Guidelines). The City of Pacific Grove has committed to provide funds to this project, as well as the funds necessary to operate and manage the proposed trail improvements; however, the city does not have sufficient funds available for recreational trails to complete the project without assistance.

Section 31400.2 also provides that the level of funding for an access project is to be determined by an application of factors prescribed by the Conservancy for the purpose of determining project eligibility and priority. Consistent with this requirement, and as discussed in greater detail in the section below, the project has been evaluated and found to be consistent with the Conservancy's project selection criteria and guidelines.

Section 31400.3 authorizes 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.

Consistent with Section 31408 requiring the Conservancy to coordinate development of the CCT in consultation with the State Department of Parks and Recreation, Coastal Commission, and others, Conservancy staff has worked with staff at these agencies in developing the proposal.

Public Resources Code Section 31111 authorizes the Conservancy to fund and undertake plans and feasibility studies, and to award grants to public agencies and nonprofit organizations for these purposes. A portion of proposed project funding includes preparation of trail plans.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

Standard No. 1, Protect Public and Coastal Resources: Consistent with Standard No. 1, the proposed access facilities will be located adjacent to a city street where they can safely accommodate public use and will be designed to minimize alteration of natural landforms and be subordinate to the setting's character.

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Standard No. 5, Environmentally Sensitive Areas: The sites consist of dunes covered with native and non-native plant species. The proposed new trails will be located away from the more sensitive dune habitat.

Standard No. 8, Trails: The proposed trails will provide continuous public access above the shoreline with appropriate paving materials, adequate trail drainage, trash receptacles, benches, and signs.

Standard No. 9, Scenic Overlooks: The project sites provide opportunities to establish one or more overlooks accessible to those with physical disabilities.

Standard No. 12, Support Facilities: The proposed project will provide support facilities, including off-street parking, signs, trash receptacles, and benches.

Standard No. 13, Barrier-Free Access: Suitable sections of the accessways will be wheelchair-accessible.

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

Consistent with **Goal 1, Objective C**, the proposed project will result in the design of a new trail segment.

Consistent with **Goal 1, Objective D**, the proposed project will result in the construction of a new trail segment.

Consistent with **Goal 2, Objective A**, the project will serve to expand opportunities for barrier-free access to coastal trails.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

- 1. Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
- 2. Consistency with purposes of the funding source:** See the "Project Financing" section above.
- 3. Promotion and implementation of state plans and policies:** By developing public access and Coastal Trail facilities the project serves to promote and implement state Coastal Act policies as follows:
 - **Coastal Act (1976), Public Resources Code Section 30210** on public access and recreation calls for "maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse," and Section 30214 calls for public access and

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recreation “tak[ing] into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case. . .”. The proposed project is consistent with this section in that it will provide safe public access to the bluffs and beaches of Pacific Grove while protecting private property owner rights and natural resource areas from overuse. The City of Pacific Grove will be responsible for posting and operating the accessways in a manner that is consistent with this section.

- **Coastal Act (1976), Public Resources Code Section 30240** on environmentally sensitive habitat areas states that “environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas,” and “development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.” The proposed project is consistent with this section in that the trail design for the Great Tide Pool site directs users away from sensitive dune habitat, and the future designs for the Point Pinos sites will ensure that all access improvements will be sited and designed to avoid degrading adjacent sensitive habitat areas.
4. **Support of the public:** The project has broad support of the public, public agencies and elected officials as demonstrated by the letters attached as Exhibit 4.
 5. **Location:** The proposed project is located within the coastal zone of Monterey County.
 6. **Need:** Conservancy funds are needed to construct the Great Tide Pool project and to prepare the final designs and the permit and environmental documents for the Point Pinos projects.
 7. **Greater-than-local interest:** The Monterey Bay region, including the cities of Monterey and Pacific Grove, attracts thousands of daily visitors from throughout the state, the country and the world, many of whom seek to access and enjoy the region’s coastline and beaches.
 8. **Sea level rise vulnerability:** The project location is located above a massive rocky intertidal area that ranges in elevation from 18 to 30 feet above sea level. With widths up to 650 feet this rocky shelf serves to buffer the project area from storm surge and wave run up.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The City of Pacific Grove Local Coastal Program Land Use Plan was amended in August 1998 to add the “Coastal Parks Plan.” Chapter 3 of this Plan, Trails, Policy 17 recommends connecting the city’s coastal trail system with the Asilomar State Beach trail system and upgrading the existing path on the seaward side of Sunset Avenue. Policy 22 recommends improving access from pedestrian trails to designated beaches along the shoreline. The proposed project would implement these policies.

COMPLIANCE WITH CEQA:

The proposed preparation of final plans and permit documents for the Point Pinos project area is statutorily exempt from review under the California Environmental Quality Act pursuant to 14 California Code of Regulations, section 15262, in that it would involve only planning studies and

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feasibility analyses for possible future actions. The planning and permitting portion of the project is also categorically exempt under Section 15306, which exempts basic data collection and resource evaluation activities. Environmental factors will be considered in the studies undertaken pursuant to this authorization.

The proposed trail improvements at the Great Tide Pool dune restoration are categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations section 15304 (minor alterations to land), in that the project consists of minor alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees or entail grading in a waterway.

An archeological report prepared on behalf of the City of Pacific Grove by Archeological Consulting (August 13, 2014) for the Great Tide Pool dune restoration area concluded that the proposed trail project will provide protection for the site's remnant archaeological resources, and recommended that the trail be constructed. However, if any archaeological resources or human remains are unexpectedly discovered, a qualified archaeological monitor is to be present during the limited project excavations. In the event of significant finds, project work would be temporarily halted pending evaluation and disposition of the discovery. Staff does not believe that there are any unusual circumstances that would override application of this exception.

Upon Conservancy approval of the project staff will file a Notice of Exemption for this project.