

COASTAL CONSERVANCY

Staff Recommendation
December 19, 2019

POINT PINOS COASTAL TRAIL CONSTRUCTION

Project No. 15-019-02
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$1,800,000 to the City of Pacific Grove to construct a segment of the California Coastal Trail and related parking facilities, and restore coastal dunes, in Monterey County; and adoption of CEQA findings.

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

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location Maps](#)
- Exhibit 2: [Site Photos](#)
- Exhibit 3: [Trail Plan and Rendering of Proposed Improvements](#)
- Exhibit 4: [CEQA Initial Study/Mitigated Negative Declaration](#)
- Exhibit 5: [CEQA Mitigation Monitoring and Reporting Program](#)
- Exhibit 6: [Project Letters](#)

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 one million eight hundred thousand dollars (\$1,800,000) to City of Pacific Grove (“the grantee”) to construct a segment of the California Coastal Trail; reconfigure existing, and construct new, trail-access parking facilities; restore coastal dunes; and install related public access improvements at Point Pinos, Monterey County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

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1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.

In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development' and the requirements of all applicable federal and state laws governing barrier-free access for persons with disabilities into the Point Pinos trail."

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 authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding public access.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Conservancy has independently reviewed and considered the "Point Pinos Coastal Trail Project Initial Study/Mitigated Negative Declaration" adopted by the City of Pacific Grove on December 6, 2017 pursuant to the California Environmental Quality Act ("CEQA") and attached to the accompanying staff recommendation as Exhibits 4 and 5. The Conservancy finds that the proposed project as designed and mitigated 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 Point Pinos Coastal Trail Project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.
4. The proposed project will serve more than local needs."

PROJECT SUMMARY:

Staff recommends disbursing up to \$1,800,000 to the City of Pacific Grove to construct a segment of the California Coastal Trail and related access improvements, in Monterey County. Currently, the California Coastal Trail (CCT) exists along the entire coast of the adjacent City of Monterey and along three of the four miles of the City of Pacific Grove coast. The proposed project will complete the final mile of CCT within the City and establish over 10 miles of continuous CCT from Pacific Grove north through the Cities of Monterey, Seaside and Marina. Eliminating this gap in the trail is identified as a priority in the Coastal Conservancy's "Completing the California Coastal Trail Report."

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The project area's offshore waters and rocks are located within the Monterey Bay National Marine Sanctuary and the California Coastal National Monument that attracts thousands of residents and visitors from all over the world to this highly scenic segment of the California coast. Waves hitting the rocky shoreline around Point Pinos create a visually stunning landscape that is especially dramatic given the proximity of the ocean and shoreline to the proposed trail corridor. Today the project area has abundant informal parking and a network of unimproved trails. However, because a formal trail system has not been integrated into and between the area's numerous parking areas, user conflicts exist between pedestrians and vehicles (see Exhibit 2).

The project is designed to adapt to future sea level rise by locating the trail and parking outside of the projected 30-year erosion zone. First, the city will remove approximately one-half mile of informal trail that exists within the 30-year set back area. Additionally, approximately 110 parking locations will be removed and/or redesigned. In the remaining area, approximately 2.5 acres of coastal dune habitat will be restored.

Adjacent to the setback area, the City will build a 5-foot wide decomposed granite trail wide enough to accommodate users walking in both directions. The trail will connect with existing formal trails located at the Great Tide Pool site on the west end and Perkins Park on the east end of the project site. To provide unobstructed ocean views the trail will be located on the seaward side of all parking areas (Exhibit 3). The trail will be located outside of the 30-year setback line, except at Crespi Pond where the setback line extends into Ocean View Blvd. In this location a floating boardwalk will be constructed along the roadside that will be able to withstand wave surges.

New parking areas will be developed and/or reorganized at the eastern end of the project site and pushed south into existing ice plant areas. This expansion will compensate for the parking lost on the west end. The driveways and parking in the new plan will be more clearly delineated than the current parking. Recreational vehicles will be accommodated at designated parking lots along the west end of the trail and parking spaces for people with disabilities will be installed at several locations. Bus parking will be located upland of the trail on a city street fronted by the city's community golf course. Fencing and/or other suitable barriers will be installed to separate the trail from the parked vehicles.

Beach access pathways will be located and signed to direct visitors to specific access points and to discourage haphazard access that currently causes erosion and impacts sensitive dune habitat.

By locating the trail and parking areas inland of the 30-year erosion zone and restoring native dune habitat, the project will both protect and enhance coastal dune habitat and create a sustainable trail that is resilient to the effects of climate change including storm surge and coastal erosion. The City of Pacific Grove has also developed a Long-Term Plan to address future sea level rise beyond 30 years as was required by Coastal Commission. In the Long-Term Plan, Ocean View Boulevard would be closed as a public road between Asilomar Avenue and Sunset Drive/Lighthouse Avenue. The roadway would be converted to a two-way bike path to

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replace the existing bike lanes. The City owns Ocean View Blvd and all surrounding property and will be able to enact this Long-Term plan when required by rising seas.

Site Description: The project site is located above the Pacific Grove shoreline around Point Pinos along a one mile stretch of city-owned roadway north of the Rocky Shores section of Asilomar State Beach and 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. The project site hosts a variety of vegetation assemblages including coastal dune shrub, dune sedge meadow, salt grass flat, ice plant, acacia thicket, aloe stands and cypress trees. There are two colonies of Tidestrom’s lupine, which is a State and Federal listed Special Status Species, and several potential locations of nesting Black oystercatcher birds.

Grantee Qualifications: The City of Pacific Grove successfully completed the project design, completed environmental review and secured a coastal permit from the Coastal Commission. Pacific Grove staff, elected officials and community leaders have embraced the concept of planned retreat in the project design and are fully committed to relocate the improvements in the future to address rising seas and increases in coastal erosion. In addition to completing the pre-construction tasks with Conservancy and City funding, the City also recently completed a nearby beach and dune access construction project with Conservancy and other funding.

Project History: In December 2015 the Conservancy awarded funds to the City of Pacific Grove to design and permit the subject trail project. In April 2018 the City obtained a coastal permit to construct the project from the Coastal Commission. Since then Conservancy and City staff have worked together to identify other funds sources to match the Conservancy’s grant and have successfully secured most of the additional funds needed to complete the project.

PROJECT FINANCING

Coastal Conservancy	\$1,800,000
City of Pacific Grove	\$250,000
Resources Agency (Applied)	<u>\$400,000</u>
Project Total	\$2,450,000

One of the two anticipated sources 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 and

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enjoyment of 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 Section 75060(b)).

Public Resources Code Section 75060(e) allocates funds to the Conservancy for the protection of Monterey Bay and its watersheds. "Protection," as defined in Public Resources Code Section 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 Section 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 developing physical improvements of real property and by restoring coastal dunes. 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.

The second source of anticipated Conservancy funds for this project is from the state's Greenhouse Gas Reduction Fund (GGRF) administered by the Conservancy. The Point Pinos Trail Project is consistent with the use of GGRF because the project facilitates the reduction of greenhouse gas emissions associated with land and natural resource conservation and management by restoring 2.5 acres of coastal dune habitat (Health and Safety Code (HSC) Section 39712(c)(3)).

GGRF Investment Plan and Funding Guidelines

Projects funded with the GGRF must also be consistent with the current GGRF Investment Plan and with the California Air Resources Board's Funding Guidelines (HSC Sections 39716 and 39715). This project is consistent with the Third GGRF Investment Plan: Fiscal Years 2019-2022, which prioritizes GGRF funding for, among other things, climate adaptation and resiliency. The project will lessen the impacts and effects of climate change on the state's communities and environment (HSC Section 39172(b)(6)) by relocating access improvements in response to sea level rise and restoring coastal dunes. This project also facilitates the reduction of GHG emissions associated with land and natural resource conservation and management (HSC Section 39712(c)(3)) through the restoration of dune habitat and subsequent carbon sequestration. This project is also consistent with GGRF funding priorities in the Global Warming Solutions Act of 2006 by employing climate adaptation and resiliency strategies (HSC Section 38590.1(a)(6)).

The California Air Resources Board (CARB) is directed by the state legislature to administer the GGRF funds and to develop funding guidelines to implement the GGRF statutory regime (HSC Section 39715). The project is part of the Conservancy's sixth round of Climate Ready grants. Consistent with the CARB 2018 Funding Guidelines, the projects recommended in this round of Climate Ready grants, as a group, meet the following required guiding principles for GGRF

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programs: facilitate GHG emission reductions and further the purposes of AB 32 and related statutes; maximize economic, environmental, and public health co-benefits to the State; foster job creation and job training, wherever possible; avoid potential substantial burdens to disadvantaged communities and low-income communities; and ensure transparency and accountability and provide public access to program information.

Consistent with the Funding Guidelines, this round of Climate Ready grants also meets the following recommended guiding principles for GGRF programs: encourage projects that contribute to other State climate goals; and coordinate investments and leverage funds where possible to provide multiple benefits and to maximize benefits.

The City of Pacific Grove is providing \$250,000 from their general funds and has applied to the Resources Agency and Wildlife Conservation Board for the balance of grant funds needed to complete the project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The recommended project would be undertaken pursuant to Section 31113 of Chapter 3 of Division 21 of the Public Resources Code, which authorizes the Conservancy to address the impacts and potential impacts of climate change on resources within the Conservancy's jurisdiction (Section 31113(a)).

Pursuant to Section 31113(b), the Conservancy is authorized to award grants to public agencies to undertake projects that include reducing greenhouse gas emissions, and addressing extreme weather events, sea level rise, flooding, and other coastal hazards that threaten coastal communities, infrastructure, and natural resources. Consistent with this section, the proposed authorization awards funds to a public agency to undertake the project described in the "Project Summary" section, which maximizes public benefits by facilitating the reduction of greenhouse gas emissions, reducing coastal hazards due to sea level rise, enhancing coastal natural lands, and conserving biodiversity.

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 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 project will develop a new segment of the Coastal Trail, and related parking facilities, that will provide access along the coast for 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

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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.

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.

Standard No. 5, Environmentally Sensitive Areas: The project area includes dunes covered with native and non-native plant species. The proposed new trail and parking improvements will be located away from sensitive dune habitat, including habitat to be enhanced by the project.

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 site provides 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: A portion of the parking and overlooks will be wheelchair-accessible.

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CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#)

GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 1, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the project will promote awareness and use of the California Coastal Trail.

Consistent with **Goal 1, Objective D** of the Conservancy's 2018-2022 Strategic Plan, the project will result in the construction of a new trail segment.

Consistent with **Goal 2, Objective A** of the Conservancy's 2018-2022 Strategic Plan, the project will serve to expand opportunities for barrier-free access to coastal trails.

Consistent with **Goal 2, Objective D** of the Conservancy's 2018-2022 Strategic Plan, the project entails the construction of new facilities, including a trail and parking lots, to increase and enhance coastal recreational opportunities and enable people to enjoy natural, cultural, and historical resources.

Consistent with **Goal 8, Objective C** of the Conservancy's 2018-2022 Strategic Plan, proposed project will increase resilience to sea level rise or other climate change impacts using nature-based solutions and other multi-benefit strategies.

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 recreation "tak[ing] into account the need to regulate the time, place, and manner of

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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 as sited and designed is consistent with this section.
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 6.
 5. **Location:** The proposed project is located within the coastal zone of Monterey County.
 6. **Need:** Conservancy funds are needed to match other funds to complete the project.
 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:** Sections of the proposed trail are 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 these sections from storm surge and wave run up. While other sections are more exposed to sea level rise and wave run up during storms, the majority of the trail will be located inland from the projected 30-year erosion zone.

Additional Criteria

9. **Resolution of more than one issue:** The project will close a gap in the CCT, enhance public safety and dune habitat, and address coastal erosion. By locating the trail and parking areas inland from the projected 30-year erosion zone and restoring native dune habitat, the project will create a sustainable trail that is resilient to the effects of climate change.
10. **Leverage:** See the “Project Financing” section above.
11. **Innovation:** By adopting “planned retreat” in the design and location of the trail, the project reflects an innovative approach recommended by the state’s climate adaptation policies.
12. **Readiness:** The project is permitted and ready to construct once the remaining funding needed to complete the project is secured.

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13. **Realization of prior Conservancy goals:** Completion of this one-mile segment of the CCT is identified as a priority in the Coastal Conservancy's "Completing the California Coastal Trail Report".

CEQA COMPLIANCE:

Staff has independently evaluated the Point Pinos Coastal Trail Project Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) adopted by the City of Pacific Grove on December 6, 2017 and the public comments received, and concurs that there is no substantial evidence that the proposed project will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the project as mitigated avoids, reduces or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by Title 14 California Code Regulations Section 15382.

The IS/MND identified potentially significant impacts in the following areas: Biological Resources, Cultural Resources, Tribal Cultural Resources and Mandatory Findings of Significance. Mitigation measures were identified for each potentially significant impact that will avoid, reduce, or mitigate the potential impacts to a less-than-significant level. Potential impacts and mitigation measures are summarized below.

Biological Resources

Trail rehabilitation will occur within and/or in close proximity to Tidestrom's lupine plants, a State and Federally listed species. To avoid impacts activities will be kept to the smallest feasible disturbance area, flagging and fencing will be installed, and root systems will not be dislodged while invasive, non-native plants are hand-pulled.

To avoid impacts to coastal dune scrub and dune sedge meadow the City will install construction fencing, and stockpiled soil and sod will be used in rehabilitated areas, including informal trails to be restored. The City will provide post-construction documentation of no net loss of coastal dune scrub and dune sedge meadow.

Construction activities may cause short-term impacts to nesting birds if they are present during construction. To avoid such impacts construction activities involving grading, vegetation stripping, or other involving heavy equipment, will occur outside the migratory bird breeding season (August to February) if possible. If not possible, active nests will be identified before construction activities using heavy equipment occur in these months. If a nest is found construction will be halted and the nest monitored to determine when it is safe to resume work around the nest site. Removal of trees that may provide nesting habitat for migratory birds will be replaced. Because the nesting success of Black oystercatchers during breeding season (March to September) could potentially be disrupted, the City will hire a qualified biologist to

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ensure that all young have fledged before construction commences and/or that a buffer zone is established to avoid impacts to the young.

Cultural Resources

Construction and use of trail and parking areas could expose, disturb or displace archaeological resources due to ground excavation, trampling, accelerated erosion, and increased trail use. To avoid or minimize such impacts, a qualified archaeologist will be present for all ground disturbing activities as well as a Native American monitor authorized to halt excavation until any finds are properly evaluated. Known archaeological site boundaries will be fenced off during construction. If human remains are discovered, all work within 25 feet of the find will cease and if determined to be Native American, the County coroner will notify the Native American Heritage Commission within 24 hours.

Geology and Soils

To minimize hazards from wave runup during storms the trail and parking areas will be located inland from the recommended 30-year setback except where the adjacent road, Ocean View Boulevard, exists within the setback, in which case the trail will be located along the seaward edge of road until the long-term plan is implemented and the road and trail are reduced or relocated outside of the setback. Hazards may consist of vertical drop-offs, rills and gullies that present tripping or slip and fall risks, and ocean wave impact. The City will periodically monitor, repair, and maintain the improvements to maintain safe conditions. Appropriate signage will be installed to warn visitors of hazardous and risky conditions. During some ocean conditions, the trails and associated facilities will be closed to use until the ocean subsides or maintenance and repairs occur.

Tribal Cultural Resources

The project sites meet the definition of historical and archaeological resources. During project construction, a Native American monitor certified by the Ohlone/Costanoan-Esselen Nation (OCEN) will be present for all ground disturbance. If any tribal cultural resources are found, the project applicant and/or its contractor will cease all work within 50 feet of the discovery and immediately notify the City of Pacific Grove Planning Division. The OCEN-certified Native American monitor will contact the OCEN Tribal Chair and in consultation with the City and an archeologist evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered tribal cultural resource. Such measures may include reburial of any ancestral remains, avoidance, preservation in place, excavation, documentation, or other appropriate measures.

Mandatory Findings of Significance

As discussed under the Biological Resources section, the project will have the potential to impact individual special status plant species and nesting birds, potentially significant impacts that can be avoided/minimized with implementation of mitigation measures and project BMPs. As discussed under the Cultural Resources section, the project would have the potential to disturb archaeological sites which provide examples of California pre-history. However, impacts can be

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avoided with implementation of mitigation measures and project Best Management Practices ("BMPs"). The project will not result in elimination of important examples of major periods of California history or prehistory.

Upon approval of the project, Conservancy staff will file a Notice of Determination.