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STAFF REPORT: REGULAR CALENDAR

Application No.:	**5-13-0764**
Applicants:	**California State Parks, Orange County District**
Project Location:	Crystal Cove State Park, Los Trancos Parking lot 6902 E. Coast Hwy, Newport Beach, Orange County
Project Description:	Replacement of one 24'x60' modular structure with two 24'x60' modular structures, grading, retaining walls, a wood deck/outdoor classroom, coastal sage scrub habitat mitigation plan, ADA access improvements and re-paving and re-striping of asphalt parking lot for a gain of approximately 40 additional parking spaces.
Staff Recommendation:	Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The Applicant, California State Parks, requests approval to replace one 24'x 60' modular structure currently located on the Crystal Cove State Park, Los Trancos parking lot, with two 24'x 60' modular structures, associated grading and retaining walls for their installation, a wood deck/outdoor classroom connecting both structures, ADA access improvements and re-paving and re-striping of the Los Trancos parking lot (Exhibit #2). In order to avoid an impact to paved parking spaces, and free up seven (7) parking spaces currently covered by the existing modular structure, the Applicant proposes to place the two new structures in a vegetated area the Applicant describes as "0.5 acres of previously disturbed soils designated as medium grade

restored coastal sage scrub." The proposal also includes a new trail segment and reconstruction of an existing trail located within coastal sage scrub areas. These areas vegetated with coastal sage scrub are also occupied by the endangered California gnatcatcher. Thus, the Commission's staff ecologist has determined that this habitat area is environmentally sensitive habitat area (ESHA), that is protected under Section 30240 of the Coastal Act.

The original improvements at the Los Trancos Parking lot site were constructed as part of Administrative Permit A-100A-V-81 approved by the Commission in May 1981 for installation of day use facilities (i.e., signs, parking, access trails, trash receptacles, and toilets) at 21 State Park units, including at Crystal Cove State Park. The record is unclear, but it appears that the grading, paving, signage, restrooms and landscaping at the Los Trancos parking lot was undertaken under this Administrative Permit and was completed by 1983. The site was later designated as a 'parking lot use' in the 1982 Commission approved Crystal Cove Public Works Plan.

The existing 24'x60' modular structure, located on the parking lot, was approved by Commission action PWP 4-82-8 in November, 1991 to serve as a temporary visitor center/interpretive facility. A condition of approval required the Applicant to provide an implementation plan and schedule for relocating the "temporary/interim" facility to the Crystal Cove Historic District and for removal of the interim facility in the Los Trancos parking lot no later than December 31, 1993. However, the existing structure was never moved and this "temporary" facility was made permanent, twelve years later in PWP Amendment 4-82-A2.

Major Coastal Act issues associated with this project include potential adverse impacts to environmentally sensitive habitat areas. These adverse impacts would be caused by development proposed outside of existing paved areas of the Los Trancos parking lot and within ESHA (i.e., the proposed placement of both of the pre-fabricated modular structures, an interpretive/outdoor classroom deck structure, and proposed new and rebuilt ADA compliant trails linking the parking lot to the park trail system).

Under Section 30240(a) only resource dependent uses are permitted within ESHA. The proposed two enclosed structures, an Interpretive Programs Classroom and an Administrative Office/Meeting Space are not resource dependent and cannot be permitted within ESHA. The applicant argues that both structures provide educational space for science/nature-based curriculum to large groups of students, including the Admin Office/Meeting space which would also serve as a meeting space for educational and interpretive teaching and volunteer training as well as house staff that works in the field of interpretation and education. However, the teaching/interpretive space does not necessarily have to be placed *within* the sensitive habitat in order to teach about the sensitive habitat. The structures can feasibly be placed on existing paved area (within the parking lot) to avoid direct impacts to ESHA. The proposed "outdoor classroom deck" and the ADA compliant linkage trails may be interpreted as "resource dependent" uses because their purpose/use is intrinsically linked to their location within the habitat. Therefore, those elements could be allowed within ESHA.

The applicant asserts that parking and the access to Crystal Cove State Park that the parking supports is the most significant resource in need of protection at this particular site, and that the benefits resulting in a gain of additional parking spaces outweighs the impacts to

vegetation/sensitive habitat. The applicant is proposing mitigation for impacts to the coastal sage scrub habitat. Commission staff recognizes the importance of providing parking at this location. However, the Coastal Act gives special protection to ESHA, and the additional parking spaces proposed through re-striping would more than offset the loss resulting from placing a second modular building in the parking lot. In addition, the Crystal Cove Public Works Plan identifies the approved location of the visitor center/interpretive facility to be within the footprint of the existing parking lot.

Therefore, in order to minimize adverse impacts to coastal sage scrub and pursuant to Section 30240(a) and (b) of the Coastal Act, and equivalent policies in the certified Public Works Plan, **Special Condition 1** requires the applicant submit a revised project plan depicting the pre-fabricated modular structures proposed to be used as Interpretive Programs Classroom and State Parks Sector Office/Meeting Space within the paved surface of the Crystal Cove Los Trancos Parking Lot.

Additionally, the proposed development has been conditioned to assure the proposed project is consistent with the resource protection policies of the Coastal Act. The conditions are: 1) Final Revised Plans; 2) Fuel Modification Plan; 3) Habitat Mitigation Plan; 4) Construction Best Management Practices; and 5) Future Improvements.

Commission staff recommends **approval** of coastal development permit application 5-13-0764, as conditioned.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-13-0764 pursuant to the staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a Coastal Development Permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment**. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration**. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation**. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment**. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land**. These terms and conditions shall be

perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Submittal of Revised Final Plans.** PRIOR TO COMMENCEMENT OF THE DEVELOPMENT AUTHORIZED BY THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director two (2) sets of final plans including grading and landscaping plans that are revised to include the following:

    a) The two proposed 15' tall, 24'x 60' pre-fabricated modular structures to be used as State Parks Interpretive Programs/Classroom and as State Parks Sector Office/Meeting Space to replace the existing trailer shall be located within the existing paved surface of the Crystal Cove Los Trancos Parking Lot;

    b) An "outdoor classroom wooden deck" that may connect both structures may be allowed to cantilever over coastal sage scrub area; the structure's footprint shall be limited to the proposed approximately 24'x16' (384 sq. ft.). The number of support piers in vegetated areas shall be minimized to the maximum extent possible;

    c) The Revised Site Plan shall depict all ADA compliant improvements to the new structures and to the existing parking lot, proposed as part of this development;

    d) The proposed ADA compliant trail segments connecting the Los Trancos parking lot to the remaining trail network may be placed within coastal sage scrub habitat, but shall be revised to limit the trail footprint, grading and encroachment that requires native vegetation removal to the maximum extent possible;

    e) The Revised Site Plan shall depict the proposed parking lot re-surfacing and re-striping plan, to maximize the quantity of parking spaces feasible given the presence of the modular buildings within existing paved areas.

    The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Fuel Modification Plan.** PRIOR TO COMMENCEMENT OF THE DEVELOPMENT AUTHORIZED BY THIS COASTAL DEVELOPMENT PERMIT, the applicant shall provide to the Executive Director a Fuel Modification Plan for the proposed new structures including the minimum required area for fuel modification but no more than the proposed ~30 foot wide zone measured from the structure and thinning out to ~80 foot wide perimeter depending on vegetation type, density, slope and aspect. The plan shall retain existing

vegetation and include minimal selective thinning and removal of fire hazardous material such as dead brush, dying or dead branches and trash to the maximum extent possible.

As proposed by the applicant, any vegetation trimming/removal within the project footprint shall be completed between September 16 and February 14 to avoid potential impacts to breeding birds. If trimming/removal cannot occur during this timeframe, then a pre-construction survey (one week prior) shall be conducted by a CDPR Environmental Scientist to ensure that no breeding/nesting birds are present in the work area. Should a nest site be located, then Project activities, including vegetation removal, shall not occur until any sensitive species (e.g., species listed on state or federal endangered/threatened species lists) including but not limited to the California gnatcatcher have left the project area or its vicinity.

The permittee shall undertake development in accordance with the final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. **Coastal Sage Scrub Restoration and Monitoring Plan.** PRIOR TO COMMENCEMENT OF THE DEVELOPMENT AUTHORIZED BY THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, a final revised detailed habitat restoration and monitoring program to offset proposed coastal sage scrub impacts in substantial conformance with the submitted "East Meadow Restoration Project, Crystal Cove State Park, prepared by Natural Resource Management (undated)." The plan shall quantify the area of impact and the required restoration shall be at a minimum ratio of 3:1 (restoration to impact). A qualified biologist for restoration and monitoring of the coastal sage scrub restoration site shall design the restoration and monitoring program. The restoration and monitoring program shall at a minimum include the following:

    1. Restoration plan including planting design, plant palette, source of plant material, plant installation, watering, erosion control, soil fertilization and weed abatement;

    2. Final Success Criteria. The restoration will be considered successful if the overall species composition and the vegetative cover of the dominant perennial species are similar to relatively undisturbed vegetation of the same type in nearby reference areas. Species composition shall be considered similar if all the dominant species and at least 80% of the non-dominant species at the reference site are present at the restored site.

    3. Provisions for monitoring and remediation of the restoration site in accordance with the approved final restoration program for a period of five years or until it has been determined that success criteria have been met or have failed to be met, whichever comes first.

    4. Provisions for submission of annual reports of monitoring results to the Executive Director for the duration of the required monitoring period. Each report shall

document the condition of the restoration with photographs taken from the same fixed points in the same directions. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the restoration project in relation to the performance standards. The performance monitoring period shall either be five years or three years without maintenance or remediation, whichever is longer. The final report must be prepared in conjunction with a qualified biologist. The report must evaluate whether the restoration site conforms to the goals, objectives, and performance standards set forth in the approved final restoration program.

The permittee shall monitor and remediate the Coastal Sage Scrub restoration site in accordance with the approved monitoring program, including any revised restoration program approved by the Commission or its staff. Any proposed changes to the approved monitoring program shall be reported to the Executive Director. No changes to the approved monitoring program shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. **Construction Best Management Practices.** The permittee shall comply with the following construction-related requirements and shall do so in a manner that complies with all relevant local, state and federal laws applicable to each requirement:

(1) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, or rain erosion and dispersion;

(2) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;

(3) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;

(4) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMP's shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and

(5) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Best Management Practices (BMP's) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the onset of such activity. Selected BMP's shall be maintained in a functional condition throughout the duration of the project.

5. **Future Improvements.** This permit is only for the development described in Coastal Development Permit No. 5-13-0764 and conditioned herein. Any future improvements or development shall be submitted for Commission review and shall not commence unless Commission approval is granted or the Executive Director determines that no further authorization is required. As determined by the Executive Director, new development shall require an amendment to this permit, a new coastal development permit from the Coastal Commission, or, if the development is identified in the Crystal Cove Public Works Plan, may be processed as a Public Works Plan Specific Project pursuant to Section 30606 of the Coastal Act.

   Pursuant to Public Resources Code Section 30606, prior to the commencement of any development pursuant to Section 30605, the public agency proposing the public works project, shall notify the commission and other interested persons, of the impending development and provide data to show that it is consistent with the certified public works plan. No development shall take place within 30 working days after the notice.

IV. FINDINGS AND DECLARATIONS:

A. PROJECT LOCATION AND DESCRIPTION

The subject site is the Crystal Cove State Park Los Trancos parking lot located at 6902 E. Coast Hwy., Newport Beach, Orange County (Exhibit #1). The project area is in the southeastern portion of the existing 14 acre parking lot, inland of E. Coast Hwy and inland of the Crystal Cove Historic District. The actual paved parking lot at the Los Trancos site sits slightly above the level of Pacific Coast Hwy and is setback from the State Parks property line by a narrow strip of native vegetation on three sides ranging from 15'- 45' in width. Pacific Coast Hwy is to the South, and Pelican Hill Golf Course is immediately adjacent to the West and North sides with residential development located on the ridges above the site. The site is designated as a Day Use Parking Lot in the 1982 certified Crystal Cove Public Works Plan (PWP).

The nearest public access to the beach is available from the site down a path extending from the southeast corner of the parking lot. Pedestrian access trails originate from the parking lot and terminate at a pedestrian tunnel running underneath Pacific Coast Hwy and connecting with the existing trail network within the Crystal Cove Historic District on the west side of PCH. There is also an at-grade crossing at the intersection of PCH and the entry road to the Los Trancos parking lot. That crossing joins with a network of trails that meander through the coastal plain seaward of PCH, along the bluffs, and down to the beach.

The 14 acre Los Trancos Parking lot site was graded and constructed during the Phase I improvements to Crystal Cove State Park in the early 1980s (most likely finished by the end of 1983) approved prior to the adoption of the 1982 Crystal Cove PWP. Historically, the site and surrounding hills had been grazing land for sheep and cattle and impacted by farming, agricultural uses, and equestrian uses. Prior to development the site was mostly invasive weeds and nearly devoid of native plant species. Since that time there has been extensive habitat

restoration which included revegetation of the areas surrounding the subject parking lot with native coastal sage scrub plant species.

The applicant, California Department of Parks and Recreation (State Parks), requests approval to remove one 24'x 60' modular structure currently located on the Crystal Cove Los Trancos parking lot and replace it with two 24'x 60' modular structures; associated utility improvements (electrical, phone, data, water and sewer); grading and retaining walls for their installation; a wood deck/outdoor classroom connecting the two structures; ADA access improvements including a new safer, wheelchair accessible trail connecting the parking lot to the nearby restroom and larger trail network; a new ADA access travel path through the parking lot and through an area of restored coastal sage scrub to the larger trail network seaward of Pacific Coast Hwy; a new shade structure at an existing park shuttle stop in the parking lot and re-paving and re-striping of the Los Trancos parking lot for an additional gain of 40 car and 3 motorcycle parking spaces. A project site plan is included as Exhibit #2.

The applicant has indicated that the proposed parking lot re-striping would result in a potential gain of approximately 40 car and 3 motorcycle parking spaces. In order to preserve the entire paved parking lot area, and to free up approximately seven (7) parking spaces currently taken up by the existing modular structure on the parking lot, the applicant proposes to remove the existing structure from the paved parking lot surface and place the proposed two new structures in a coastal sage scrub area the applicant describes as "previously disturbed soils designated as medium grade restored coastal sage scrub."

The existing modular structure in the parking lot serves as both Sector Office and Classroom for guided educational programs by the District Environmental Scientist and State Park Interpreter. To accommodate expanded educational programs, the applicant proposes to remove the existing structure and replace it with two new modular structures; one new structure is proposed to function exclusively as State Parks Interpretive Programs/Classroom (Exhibit #3, page #1) with an attached wood deck serving as "outdoor classroom" connecting to a new second structure functioning as State Parks Sector Office/Meeting Space Use (Exhibit #3, page #4). Due to the increase in educational and interpretive programs provided to school groups, college classes, home school organizations, scouting troops and others, plus in anticipation of future growth, the applicant proposes use of both modular facilities for educational/interpretive uses. The Meeting Space will serve for educational/interpretive uses and volunteer trainings as well as providing office space for Park staff that work in the field of interpretation and education.

B. STANDARD OF REVIEW/CONSISTENCY WITH THE CRYSTAL COVE PUBLIC WORKS PLAN

Section 30605 of the Coastal Act provides, in pertinent part, that:

> *Where a plan for a public works or state university or college or private university development project has been certified by the commission, any subsequent review by the commission of a specific project contained in the certified plan shall be limited to imposing conditions consistent with Sections 30607 and 30607.1.*

Section 30606 of the Coastal Act states:

> *Prior to the commencement of any development pursuant to Section 30605, the public agency proposing the public works project, or state university or college or private university shall notify the Commission and other interested persons, organizations, and governmental agencies of the impending development and provide data to show that it is consistent with the certified Public Works Plan or Long Range Development Plan. No development shall take place within 60 working days after the notice.*

Section 13359 of the Commission's Administrative Regulations states:

> *(b) The Commission shall…determine whether the proposed development is consistent with the certified public works plan…*

The Crystal Cove Public Works Plan (PWP) was approved by the Commission with conditions on May 20, 1982. Conditions were met on August 26, 1982. A few amendments to the PWP have occurred since its initial approval. The most recent PWP amendment was authorized in June 2003 (PWP-4-82-A2) and involved an update that replaced the Crystal Cove Historic District Development and Public Use Plan and On-Site Maintenance Program with the Crystal Cove Historic District Preservation and Public Use Plan. The PWP includes the Crystal Cove State Park General Plan, the On-Site Maintenance Plan and the Crystal Cove State Park Historic District Development and Public Use Plan. Section 30605 of the Coastal Act, cited above, establishes the standard of review. The first threshold question is whether the specific project is contained in the PWP. If it is, then the Commission's review is limited to the imposition of conditions. The Commission cannot deny a project that it previously certified as part of the PWP; however, the Commission can regulate the manner in which the project is carried out to bring it into conformance with the PWP. Once it is determined that a project is contained in the PWP, the second question is whether or not the project is consistent with the PWP.

The applicant determined that the proposed project is not contained in the PWP and submitted the project for a coastal development permit. The Commission agrees that the proposed project (i.e., two separate structures within a restored coastal sage scrub area, instead of one single structure within paved parking lot area) was not previously contemplated and is therefore not contained in the PWP. Furthermore, the development as proposed is not consistent with the PWP in that the expectation was for placement of structures in existing paved areas, and not within areas containing native vegetation. Therefore, the Coastal Act will serve as the standard of review for the proposed project, with the Crystal Cove Certified PWP serving as guidance.

C. BIOLOGICAL AND LAND RESOURCES

Section 30240 of the Coastal Act states:

> *(a) 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.*
>
> *(b) 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.*

Section 30253 of the Coastal Act states, in part:

> *New development shall do all of the following:*
>
> *(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

Section 30107.5 of the Coastal Act states:

> *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments."*

The Crystal Cove Public Works Plan (PWP) also includes policies protective of Environmentally Sensitive Habitat Areas (ESHA) and states:

> *For addressing impacts to environmentally sensitive habitat areas, the following policies shall apply:*
>
> *A. 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.*
> *B. 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.*
> *C. Future development that affects potential environmentally sensitive habitat area must come back to the Commission for specific project review or a coastal development permit. A site-specific biological survey must accompany any specific project proposal or CDP application so that a determination of ESHA can be made.*

ESHA Determination

The canyon areas adjacent to the subject parking lot site may be considered somewhat degraded due to historic cattle grazing and agricultural and equestrian uses at the site and surrounding hills and due to the original canyon grading (cut/fill) for the construction of the paved parking lot, restroom, and paved trails in the early 1980's. However, since that time, the vegetated areas surrounding the paved parking lot have been restored to coastal sage scrub habitat. According to information provided by the applicant, the coastal sage scrub in this area was restored by the park soon after the modular building on the parking lot was installed circa 1991. While the

Commission has generally found that coastal sage scrub habitat should not always be identified as sensitive habitat, the Commission usually identifies areas that are utilized by or necessary for the survival of California gnatcatcher as environmentally sensitive habitat areas (ESHAs). Section 30107.5 of the Coastal Act cited above, defines ESHA as habitats that are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments. Coastal sage scrub near the site is occupied by California gnatcatcher. The applicant submitted a Mitigated Negative Declaration dated March 2013 which indicated that State Parks surveyed the project site and observed the California gnatcatcher, *Polioptila californica*, foraging and nesting nearby within restored coastal sage scrub. Up to three (3) nests within the same breeding season have been observed within the Los Trancos canyon area. The applicant also submitted a letter report (Exhibit #4) dated April 3, 2013 from its Sr. Environmental Scientist, David Pryor in which he concludes, *"This proposed project area has no impact to rare habitat types or listed or sensitive species... The small footprint of sage scrub impacted by this project should not affect [California gnatcatcher] and its breeding status if construction activities are conducted outside of the breeding season."* However, the Commission asserts that this nearby habitat does meet the definition of ESHA because it is an area where the plant composition and height meet documented gnatcatcher preferences and is occupied by gnatcatcher. Commission staff ecologist, Dr. Jonna Engel conducted a site visit on December 12, 2012, and based on information provided by the applicant and visual survey and observations determined the vegetated area where the structures are proposed contain resources that rise to the level of ESHA.

The draft IS/MND identifies the coastal sage scrub habitat in the project footprint and beyond as 'medium' quality habitat. The Commission staff ecologist disagrees and finds that the restored coastal sage scrub habitat surrounding the Los Trancos parking lot is currently a nearly pristine stand of high quality vibrant coastal sage scrub habitat.

There is also a strip of coastal sage scrub vegetation located between Pacific Coast Hwy (PCH) and the Los Trancos Parking lot. A biological report recently prepared in conjunction with a utility project in PCH (unaffiliated with this project) included review of this strip of vegetation. That report, titled *"AT&T Application for Exemption No. 5-13-309-X/CDP 5-13-1396: Results of a Biological Resources Assessment of the Los Trancos Site*", by Environmental Intelligence, LLC dated November 6, 2013 found California gnatcatcher calling and actively foraging within this strip of vegetation. Given the presence of an endangered species within this area, the coastal sage scrub vegetation in the vicinity of the Los Trancos parking lot qualifies as ESHA according to the Commission's staff ecologist, **Exhibit 6** provides A Memorandum from Dr. Jonna Engel making this ESHA determination.

Across PCH, the park supports over 180 acres of coastal sage scrub habitat. The coastal sage scrub habitat at this location is the only stand of coastal sage scrub in Orange County immediately adjacent to the coast between Trump National Golf Course along the Palos Verdes Peninsula in Los Angeles County 35 miles north and Marblehead in San Clemente 10 miles south of Crystal Cove State Park.

Additionally, a willow/sycamore riparian corridor that exists at the bottom of Los Trancos canyon, approximately 250 yards and 60' change in elevation from the proposed development will not be impacted by any aspect of the proposed project.

Impacts to Coastal Sage Scrub ESHA

Direct impacts due to the proposed location of the structures result in loss of 0.12 acres of CSS/ESHA, and indirect impact due to utility trenching and fuel modification/brush management results in impact to approximately 0.5 acres of CSS/ESHA. The proposed ADA access improvements also include two wheelchair accessible trail segments through areas of restored coastal sage scrub. The applicant did not quantify the impact to restored coastal sage scrub due to the proposed new paths of travel. The applicant is proposing to offset the project's impact by restoring a 3.16 acre site of coastal sage scrub and bunchgrasses at a location referred to as the "East Meadow" near the El Moro Ranger Station within Crystal Cove Park and in the coastal zone??. Additional details of the restoration project were submitted in an undated document titled "East Meadow Restoration Project, Crystal Cove State Park."

The proposed project location is on the eastern edge of the parking lot. According to the submitted Initial Study/Mitigated Negative Declaration, the project footprint within the vegetated area is approximately 0.12 acres and contains approximately 85% cover of the following species: *Encelia californica, Salvia mellifera, Artemisia californica, Baccharis pilularis, Rhus integrifolia, Eriogonum fasciculatum,* and *Heteromeles arbutifolia.* One small *Quercus agrifolia* will also be impacted by this project. The total area of ground and vegetation disturbance including trenching for utilities totals less than 0.5 acres.

Consistency with the Coastal Act and the PWP

State Parks has explained that there are some important constraints relative to the size and location of the modular interpretive program/classroom. The structure must be adequately sized to accommodate large groups and there are no such existing buildings in the park (e.g. historic district or headquarters area) that could be repurposed for the use. The structure must be placed in a location that is readily accessible via bus, as is the Los Trancos Parking lot (which has wide enough access lanes and bus parking areas). The bus must be able to drop students off where they can safely move from the bus to the classroom with minimal interference and/or interaction with traffic in the remainder of the parking lot. The modular unit must be located where students will also have safe access to restrooms (also without having to cross a busy parking lot), and there are such bathrooms adjacent to the proposed location. Finally, due to heavy demand for parking at Los Trancos, the loss of parking (by maintaining one structure on the parking lot and adding a second structure on existing paved areas that are currently used for parking) is not the preferred option for the applicant. Placement of both structures on "restored" vegetated space at the edge of the Los Trancos parking lot is the preferred option by the applicant because it maximizes the quantity of parking and provides for needed classroom and office space.

In accordance with Section 30240(a) of the Coastal Act (and also included in the Crystal Cove PWP), ESHA shall be protected against any significant disruption of habitat values and only resource dependent uses are permitted within ESHA. Resource dependent uses are limited to trails, public accessways, low impact camp grounds, interpretive signage and kiosks, and habitat restoration. The "outdoor deck classroom" wood deck and the proposed ADA compliant access pathway may be considered a *resource dependent use* and therefore, may be permitted to be located within the vegetated area adjacent to the Los Trancos Parking Lot determined as ESHA (Exhibit #2). The interpretive program/outdoor classroom is considered resource dependent as it

provides a platform for an outdoor teaching curriculum focused on and providing an interpretive function related to the resources in the park which would be directly experienced in the outdoors. Although it can be found to be 'resource dependent' the impact upon ESHA must still be minimized.

The proposed enclosed structures, be they Indoor Classroom, Interpretive Space, Sector Office/Meeting Space are not resource dependent. These structures do not need to be located within the habitat area in order to function as intended. The location for these uses is more flexible and could be accommodated in a number of ways that don't impact ESHA. For instance, one modular building could be replaced in the same footprint as the existing modular building, with a second beside it, within existing paved area. Or, there may be other sites within paved areas of the park that could accommodate the modular building. Another alternative would be for the applicant to replace the existing modular building with the slightly larger 36 foot by 60 foot modular building that was authorized in Coastal Development Permit Waiver No. 5-14-0547 in March 2014. That proposal provided added classroom/office space without the loss of any additional parking or native vegetation. **Special Condition 1** allows State Parks Interpretive Programs/Outdoor Deck Classroom to be cantilevered over the restored coastal sage scrub habitat adjacent to the Los Trancos Parking Lot but requires the site plan be revised such that the proposed modular structures are located within existing paved areas in the Los Trancos parking lot thereby minimizing encroachment beyond the existing paved area to maximum extent possible.

The proposed ADA compliant trail connections will also impact ESHA, but trails/paths can be considered resource dependent and therefore an allowable use. The Commission has found that pathways are an important means of educating the public about our sensitive coastal resources in some cases that involve allowing public pathways through native vegetation. In this instance, the pathway is necessary as an ADA compliant link between the parking lot and network of trails that extend into the remainder of Crystal Cove State Park. There are no such existing ADA compliant links from the parking lot. The proposed location is the only one feasible given requirements that the path not exceed very shallow percent grade and, as designed, will have a very minimal impact to the native vegetation. Impacts to habitat must still be mitigated.

The Commission has concluded that the area of coastal sage scrub that is subject to impacts in this proposal is ESHA, a sensitive coastal resource and, consistent with its certified regulatory program under CEQA, the Commission can only approve projects with impacts to coastal resources if it conditions projects to mitigate for those impacts to coastal resources to avoid or lessen the adverse effect on those resources The applicant is proposing to mitigate project impacts on ESHA within the 3.16 acre "East Meadow Restoration Project." The Commission finds the proposed mitigation to be adequate to address Coastal Act requirements.

The proposed restoration is a key element in the Commission's finding that the proposed project, as conditioned, is consistent with the Coastal Act. The applicant has submitted a preliminary restoration plan for the proposal, but has not prepared a final habitat restoration plan, specifically quantifying the area of impact and the required restoration (at a minimum 3:1 restoration to impact ratio). The applicant must submit a final restoration plan for the review and approval of the Executive Director. Thus, the Commission imposes **Special Condition 3**.

Finally, changes to the proposed project and future development outside of paved parking lot areas could have adverse impacts upon coastal resources. In order to assure such changes are presented to the Executive Director for review, the Commission imposes **Special Condition 5**.

Minimization of Adverse Impacts - Fire Hazards
Development within and adjacent to habitat also threatens the quality of the habitat due to fuel modification/brush management required to protect those structures from fire hazards. Section 30240 (b) of the Coastal Act requires development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas to 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. Certain habitat avoidance measures must be implemented in order to avoid impacts on California gnatcatcher, specifically due to fuel modification around the proposed new structures. The above-cited policies of the Coastal Act and of the PWP were also designed as a means to limit brush management necessary for fire protection.

The applicant is proposing the minimum amount of fuel modification required for the proposed structures. State Parks controls vegetation near structures for minimum distance of approximately 30 feet and up to 80 feet from the structure depending on the vegetation type, density, slope and aspect. For the existing structure at the subject site, State Parks does not remove all vegetation for clearance in order to maintain coastal sage scrub values, prevent accelerated erosion, maintain foraging potential and provide for pleasing aesthetics. However, the applicant does not include an actual fuel modification/brush management plan as part of the project proposal. **Special Condition 2** requires submittal of a Fuel Modification Plan outlining the location, amount and frequency of proposed vegetation thinning to ensure that fuel modification required for two (instead of the existing single modular) structures at the subject parking lot site will not significantly degrade the adjacent habitat areas and is compatible with the continuance of the habitat and recreation areas.

Furthermore, the impacts on coastal sage scrub due to fuel modification are required to be mitigated. **Special Condition 3**, requiring mitigation for overall project impacts on coastal sage scrub takes into consideration and proposes mitigation for fuel modification impacts caused by the project.

Therefore, as conditioned, the Commission finds that the development conforms to the requirements of Section 30240(a), 30240(b), and 30253 of the Coastal Act regarding the protection of environmentally sensitive habitat areas, the siting of new development in an area of high fire hazard.

D. PUBLIC ACCESS

The Coastal Act provides that development should maintain and enhance public access to the coast and encourages the provision of lower cost visitor and recreational facilities. The following policies which encourage public access and recreational use of coastal areas are applicable to the proposal:

Section 30210 of the Coastal Act states:

> *In carrying out the requirement of Section 4 of Article X of the California Constitution, 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.*

Section 30213 of the Coastal Act states:

> *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Section 30223 of the Coastal Act states:

> *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Section 30252 of the Coastal Act states, in part:

> *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service…(4) providing adequate parking facilities or providing substitute means of serving the development with public transportation….*

The applicant proposes to install two new pre-fabricated structures. One structure is proposed to function exclusively as State Parks Interpretive Programs/Classroom with an attached wood deck serving as "outdoor classroom" connecting to the other structure is proposed for State Parks Sector Office/Meeting Space/Interpretive Space use. Also proposed are ADA access improvements including a new wheelchair accessible access pathway to the Pacific Coast Hwy intersection/pedestrian crosswalk (Exhibit #2).

The applicant has indicated that the request to place the structures outside of the parking lot is due to the expressed interest of freeing up an additional seven (7) parking spaces currently taken up by the existing structure on the parking lot and to improve traffic circulation patterns within the parking lot. One of the project objectives is to increase public parking capacity in an area of the Park where parking is at a premium. The 7 spaces that would be gained by removal of the existing modular building from the parking lot are included in the overall total potential gain of approximately 40 parking spaces created through the proposed parking lot re-striping.

However, as previously discussed, only the proposed wood deck serving as "outdoor classroom" and the proposed new ADA compliant pathway can be considered a resource dependent use within ESHA and therefore, permitted within ESHA. The proposed two enclosed structures are not an allowable use and cannot be permitted to be placed within ESHA. Therefore, the project as conditioned, per **Special Condition 1**, to maintain the enclosed structures on the paved parking lot surface, would not result in an adverse impact to *existing* parking spaces, but simply maintain the status quo. The applicant's preferred alternative is to place both proposed

structures off of the parking lot to maximize the amount of parking spaces and therefore optimize access for park visitors. According to information provided by the applicant, the existing structure takes up approximately seven (7) parking spaces, its removal and proposed parking lot restriping would result in a gain of approximately 40 parking spaces. As conditioned, per **Special Condition 1**, overall, the proposed project would still result in at least an approximately 20-25 space net increase of additional parking spaces gained by re-striping the parking lot and will serve to provide maximum access to coastal waters, will protect a lower cost visitor serving and recreational facility and provide upland coastal recreational uses, consistent with sections 30210, 30210 and 30223 of the Coastal Act. Therefore, as conditioned, the Commission finds that the proposed project is consistent with the public access policies of the Coastal Act.

E. SCENIC AND VISUAL RESOURCES

Section 30251 of the Coastal Act states that:

> *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The above-cited policy of the Coastal Act was designed to minimize visual impacts and landform alteration and to avoid cumulative adverse impacts of development encroachment into natural land forms such as coastal canyons.

With the exception of the open space and restored habitat to the southeast of the Los Trancos parking lot and the Los Trancos canyon/riparian areas, the Los Trancos area is surrounded by a golf course and residential development at higher elevations on the ridges above the site. The two proposed 15’ tall buildings would be set on existing grade in order to minimize their appearance and blend with the existing setting. The proposed structure is mostly comprised of earthtone wood that blends in with the surrounding area. Although the proposed development would be visible from public vantage points along Pacific Coast Hwy. and the seaward areas of Crystal Cove Park looking inland, those impacts would not be significant due to existing development at higher elevations behind the site. Also, there would not be any significant changes to views from Pacific Coast Hwy.

As conditioned, the Commission finds that the proposed project is consistent with Section 30251 of the Coastal Act.

F. WATER QUALITY

Section 30230 of the Coastal Act states, in pertinent part:

> *Marine resources shall be maintained, enhanced, and where feasible, restored…*

Section 30231 of the Coastal Act states:

> *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

The protection of water quality is an important aspect of the Coastal Act. Due to the proposed project's location near the Pacific Ocean, construction activities may have adverse impacts upon water quality and the marine environment. Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of heavy machinery along roads near coastal waters may result in the release of lubricants or oils that are toxic to marine life.

In order to minimize adverse construction-related impacts upon marine resources, staff imposes **Special Condition 1** providing for the safe storage of construction materials, the safe disposal of construction debris and best management practices (BMP). The applicant will be required to implement BMPs designed to avoid temporary construction impacts by minimizing erosion and preventing debris from entering coastal waters. This condition requires the applicant to remove any and all debris resulting from construction activities within 24 hours of completion of the project.

As proposed and conditioned, the proposed development will minimize possible adverse impacts on coastal waters to such an extent that it will not have a significant impact on marine resources, biological productivity or coastal water quality. Therefore, the Commission finds that the proposed development, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to protect marine resources, promote the biological productivity of coastal waters and to protect human health.

G. LOCAL COASTAL PROGRAM/ PUBLIC WORKS PLAN

The development of public recreation areas with public funds constitutes a public works project as defined in the Coastal Act. To promote greater efficiency for the planning of any public works project as an alternative to project by project review; Coastal Act Section 30605 provides for submittal of a Public Works Plan to the Commission for review in the same manner as a Local Coastal Program. However, as stated in the subject public works plan, where future development would affect potential environmentally sensitive habitat area, that development must come back to the Commission for specific project review or a coastal development permit. The proposed project will result in impacts upon environmentally sensitive habitat area and the applicant submitted the application to the Commission for a coastal development permit.

The proposed development, as conditioned, is consistent with the policies contained in the certified Public Works Plan. Moreover, as discussed herein, the development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The California Department of Parks and Recreation (CDPR) is the lead agency for purposes of CEQA compliance. CDPR prepared an Initial Study and Mitigated Negative Declaration for the proposed project. Additionally, the proposed development has been conditioned to assure the proposed project is consistent with the resource protection policies of the Coastal Act. The conditions also serve to mitigate significant adverse impacts under CEQA. The conditions are: 1) Final Revised Plans; 2) Fuel Modification Plan; 3) Construction Timing; 4) Coastal Sage Scrub Restoration and Monitoring Plan; 5) Construction Best Management Practices; and 6) Future Improvements.

There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

Crystal Cove Public Works Plan

East Meadow Restoration Project, Crystal Cove State Park, prepared by Natural Resource Management, UNDATED

AT&T Application for Exemption No. 5-13-309-X/CDP Application 5-13-1396: Results of a Biological Resources Assessment of the Los Trancos Site, by Environmental Intelligence, LLC dated November 6, 2013

APPENDIX B

PRIOR COMMISSION APPROVALS RELATING TO LOS TRANCOS PARKING LOT

A-100A-V-81 – Administrative Permit approved with conditions by the Commission May 1981 for the installation of campsites and day use facilities (i.e., signs, parking, access trails, trash receptacles, and toilets) at 21 State Park units, including at Crystal Cove State Park. The record is unclear, but it appears that the grading, paving, signage, restrooms and landscaping at the Los Trancos parking lot was undertaken under this Administrative Permit and was completed by 1983.

PWP 4-82 – Public Works Plan approved with conditions by the Commission April 1982. The PWP outlines the maximum extent of development and use State Parks intends to allow in Crystal Cove State Park. The PWP Land Use and Facilities Map identified the Los Trancos Creek Area as "Day Use Parking Lot with paved coastal access trail from the parking area through the existing Los Trancos Creek culvert as trail underpass under Pacific Coast Hwy to the Crystal Cove Historic District."

PWP 4-82-3 – Public Works Plan Specific Project approved with conditions by the Commission in March 1985 for development of permanent support facilities including permanent entrance road, parking areas, coastal trail, vehicular access road, four day use areas, comfort stations (restrooms), utilities, park administration and maintenance buildings. No work to the Los Trancos Parking Lot was proposed in this approval as the Los Trancos improvements were already in place.

PWP 4-82-8 – Public Works Plan Specific Project approved with conditions by the Commission November 1991 for installation of the existing 24'x60' modular structure to serve as a temporary visitor center/interpretive facility. A condition of approval required the Applicant provide an implementation plan and schedule for relocating a permanent visitor center to the Crystal Cove Historic District (as required by the PWP) and for removal of the interim facilities in the Los Trancos parking lot no later than December 31, 1993. The 1982 PWP originally identified the Crystal Cove Historic District as the appropriate location for a permanent visitor/natural and cultural resource interpretive center and administrative facilities in a historic cottage adapted for these

specific uses. Additionally, the findings in the November 1991 staff report approving the existing modular structure as an interim solution, read:

> *The Commission finds that the provision of this temporary project will serve the interim need to provide interpretive and visitor services to users of the Historic District and the shoreline in this area of the park…Maximum public access as required by the certified Public Works Plan and the access policies of the Coastal Act can only be achieved by assuring that the cottages in the Historic District are adapted for the planned public uses. The Commission is concerned that provision of a visitor center, albeit temporary, at an alternative location may affect the demand for a facility in the Historic District. Because the certified Public Works Plan so clearly bases maximum public use on the provision of a permanent visitor and administrative center in the Historic District, the Commission finds that provisions that the Los Trancos facility will in fact be temporary are necessary to ensure that a permanent visitor center will be provided in the Historic District. In addition, because temporary facilities frequently become more permanent in nature, and because this temporary facility has impacts to visual resources and public access, the Commission determines it necessary to establish a final deadline for removal of the structure.*

Only as conditioned, as a temporary structure, was the project found in conformance with the policies of the Coastal Act and the land use facilities policies of the certified Public Works Plan.

PWP 4-82-A2 – Public Works Plan Amendment #2 and **PWP 4-82-14** – Public Works Plan Specific Project both approved with conditions by the Commission in June 2003 made permanent the use of the Los Trancos office as a "Satellite Park and Interpretive Office," limited to Crystal Cove Historic District dependent functions and approved Phase I improvements to the Historic District including cottage renovation, road widening, utility updates and access improvements.

This June 2003 Public Works Amendment PWP-4-82-A2 and Public Works Specific Project PWP 4-82-14 for the initial implementation of the Crystal Cove Historic District Preservation and Public Use Plan (PPUP) proposals established a basic core infrastructure for park operations and visitor serving facilities at Crystal Cove State Park and established the "temporary" park office at the Los Trancos parking lot as a permanent park office and interpretive facility and staging area for group tours of the Crystal Cove Historic District and coastal portions of the park. Furthermore, Amendment PWP-4-82-A2 states:

> *The PPUP identifies the following adaptive building uses and facilities under four main programs as appropriate and suitable for the Crystal Cove Historic District:*
>
> *Park Operations*
> - *Entrance Kiosk*
> - *Restroom Facilities*
> - *CCHD Park Operations and Maintenance Office*
> - *Park Operations Garage and Storage*
> - *Lifeguard Substation*
> - *CCHD Research Facility*
> - *Park Staff Security Housing*
>
> *Park Interpretation and Education*

- *Visitor Orientation Center*
- *Archive Center and Docent and Park Interpreter Annex*
- *Outdoor Multi-Use Commons*
- *Multi-Purpose Meeting/Classroom Facility*
- *Park and Community Rotating Exhibit Facility*
- *Crystal Cove House Museum*
- *Underwater Park Education Center*

Overnight Accommodations

- *Overnight Rental Office, Resident Manager's Quarters, Registration, and Parking*
- *Overnight Rental Housekeeping, Maintenance, and Storage*
- *Individual-style Accommodations*
- *Dormitory-style Accommodations and Commons*
- *Overnight Accommodations*

Visitor Services Concessions

- *Food Service/Café*
- *Beach Store*

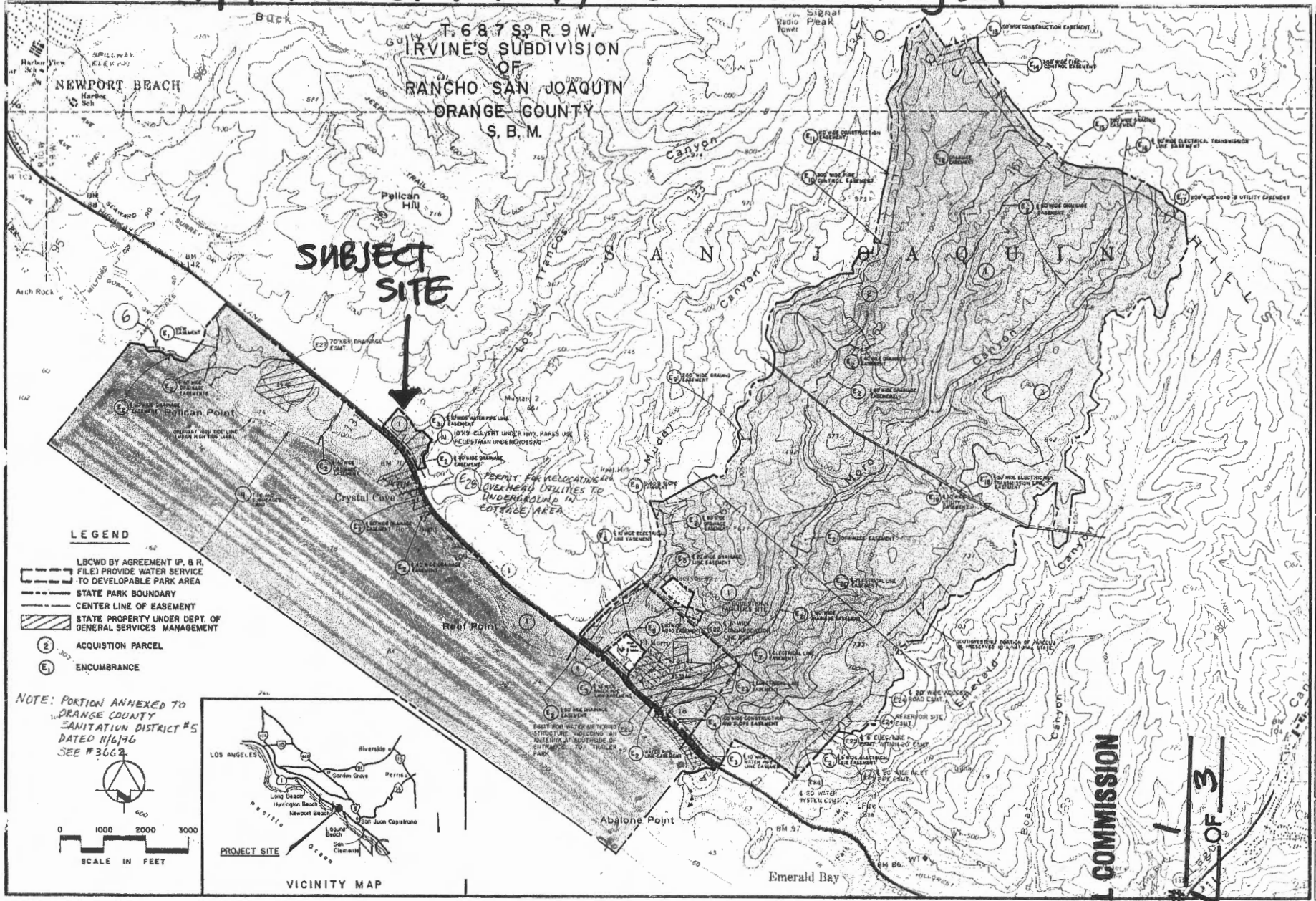
As the State Parks science-based educational and interpretive programs at Crystal Cove State Park have grown in the last 15 years, in the subject application, State Parks is requesting to replace the single dual office/interpretive facility at the Los Trancos parking lot with two new pre-fabricated modular structures, one to serve as administrative office and one to serve as classroom, plus an outdoor classroom deck connecting both structures.

CDP 5-12-154(State Parks) - Approved the install automated payment machines (APMs) and implementation of an automated fee payment program at five locations within Crystal Cove State Park: Reef Point, Pelican Point, Los Trancos, Moro Day Use and Moro Campground parking lots.

CDP Application 5-13-1200(State Parks) was submitted on 11/25/13 for the Final Phase III Crystal Cove State Park Improvements and is currently under review. This CDP application is for the infrastructure necessary to restore the final remaining seventeen (17) cottages proposed to serve as overnight accommodations. This final phase of improvements in the Historic District does not designate any of the remaining structures for additional visitor orientation/interpretive/classroom uses or for administrative facilities.

CDP 5-14-0547-W(State Parks) Approved the removal of the existing 24' x 60' single story, 15' tall pre-fabricated modular structure and attached wood deck/ADA ramp situated within the paved surface of the Los Trancos Parking Lot and the installation of a new single story, 15' tall, 36' x 60' pre-fabricated modular structure with stairs and ADA ramp in the same location on the parking lot. No new landscaping, grading or vegetation removal was proposed or approved.

Crystal Cove State Park, Los Trancos Parking Lot



DESIGNED | DRAWN | CHECKED

REVISIONS | DATE
1. ADDED PARCEL 4 | 1-4-94
2. ADDED PARCEL 5, 6A, E24, E25, E26, NOTE 8, 12, SHT. 5 | 7-94

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION
APPROVED: [signature] DATE: 9-05-83
(RIGHT OF WAY AND OWNERSHIP MAPPING)

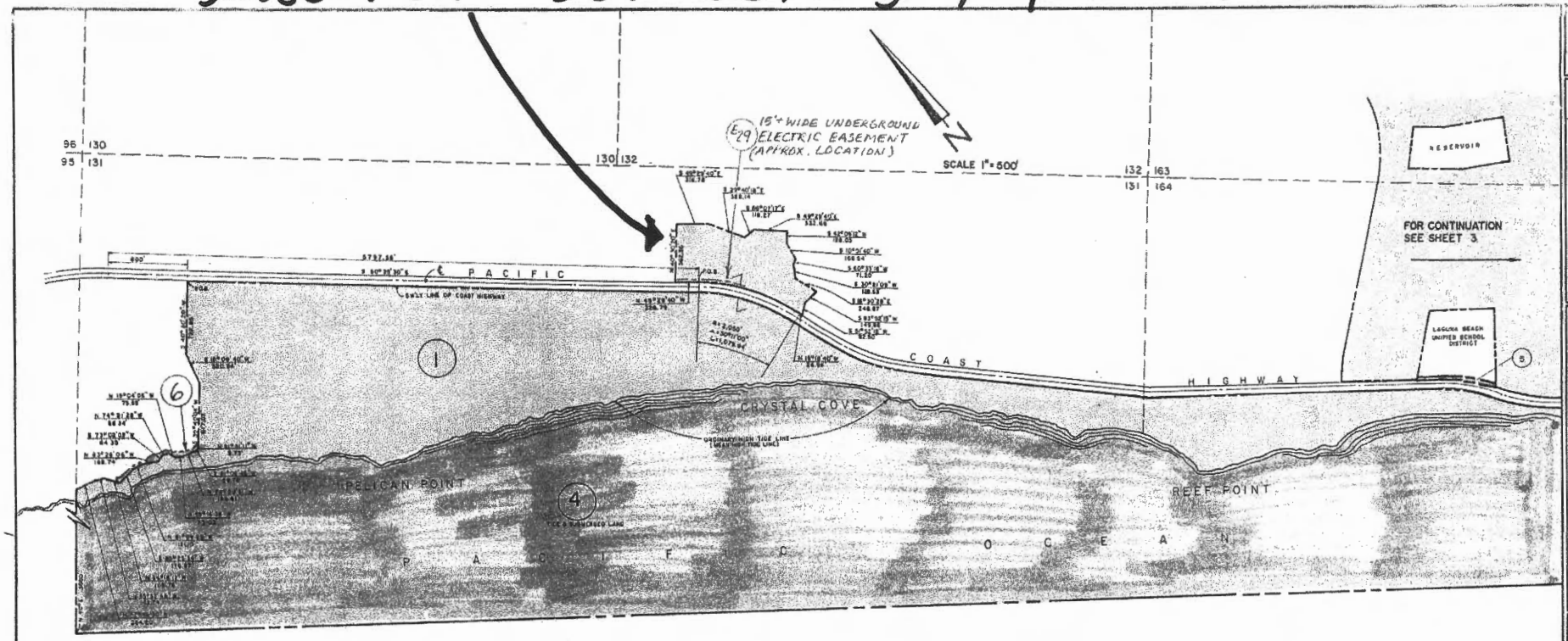
CRYSTAL COVE STATE PARK
LAND OWNERSHIP RECORD

DRAWING NO. 19448

SHEET NO. 5 of —

COASTAL COMMISSION
EXHIBIT # 1
PAGE 1 OF 3

SUBJECT SITE: Los Trancos Parking Lot, Crystal Cove State Park



COASTAL COMMISSION

EXHIBIT # 1

PAGE 2 OF 3

DESIGNED T. SHIMIZU | DRAWN T. SHIMIZU 9-10-85 | CHECKED

DATE 1-4-84 T.S.

REVISIONS
1. ADDED PARCEL 4
2. ADDED PARCEL 5

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION
APPROVED [signature] DATE 8-15-85
CHIEF OF WATERLAND OWNERSHIP MAPPING

CRYSTAL COVE STATE PARK
LAND OWNERSHIP RECORD

DRAWING NO. 19448

SHEET NO. 5 & 2

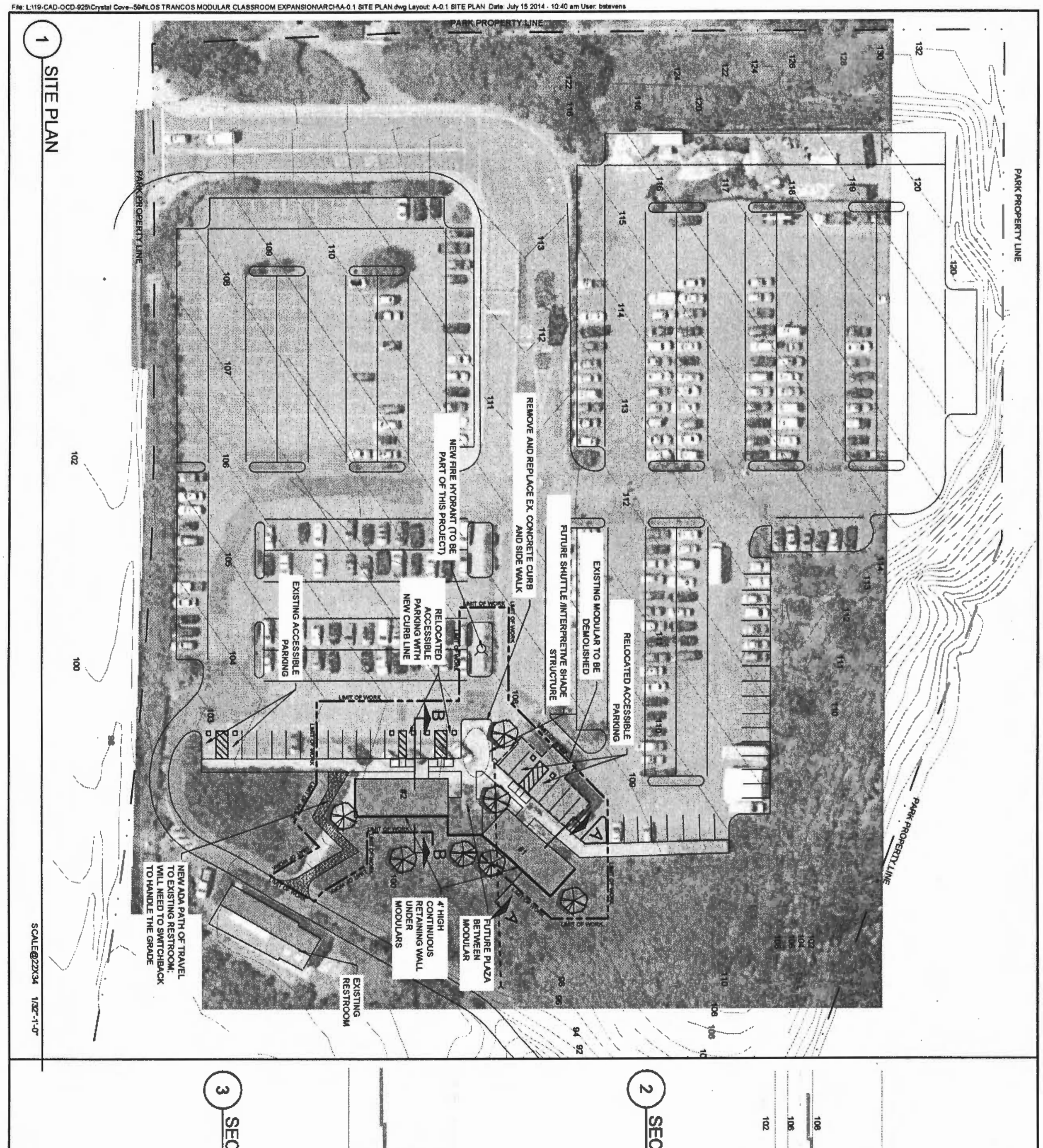
AERIAL PHOTOGRAPH: Los Trancos Parking Lot, Crystal Cove State Park

COASTAL COMMISSION

EXHIBIT # 1

PAGE 3 OF 3

File: L:\19-CAD-OCD-925\Crystal Cove--594\LOS TRANCOS MODULAR CLASSROOM EXPANSION\ARCH\A-0.1 SITE PLAN.dwg Layout: A-0.1 SITE PLAN Date: July 15 2014 - 10:40 am User: bstevens



1 SITE PLAN
SCALE@22X34 1/32"=1'-0"
PARK PROPERTY LINE
REMOVE AND REPLACE EX. CONCRETE CURB AND SIDE WALK
NEW FIRE HYDRANT (TO BE PART OF THIS PROJECT)
FUTURE SHUTTLE /INTERPRETIVE SHADE STRUCTURE
EXISTING MODULAR TO BE DEMOLISHED
RELOCATED ACCESSIBLE PARKING
RELOCATED ACCESSIBLE PARKING WITH NEW CURB LINE
EXISTING ACCESSIBLE PARKING
LIMIT OF WORK
NEW ADA PATH OF TRAVEL TO EXISTING RESTROOM; WILL NEED TO SWITCHBACK TO HANDLE THE GRADE
4' HIGH CONTINUOUS RETAINING WALL UNDER MODULARS
FUTURE PLAZA BETWEEN MODULAR
EXISTING RESTROOM
3 SECTION B-B
SCALE@22X34 1/8"=1'-0"
10'-12' HIGH
CMU WALL
EXISTING GRADE
2 SECTION A-A
SCALE@22X34 1/8"=1'-0"

COASTAL COMMISSION

EXHIBIT # 2

PAGE 1 OF 2

CALIFORNIA STATE PARKS SINCE 1864

ACQUISITION & DEVELOPMENT DIVISION
One Capitol Mall
Sacramento, CA
95814-3229

DESIGNED:	DESIGNER
DRAWN:	STAFF
CHECKED:	SUPERVISOR
DATE:	XX/XX/XX

REVISIONS DATE

CRYSTAL COVE
LOS TRANCOS MODULAR CLASSROOM EXPANSION

SITE PLAN

XXXXXX.XXX

SHEET NO.
A-0.1
XXX OF XX

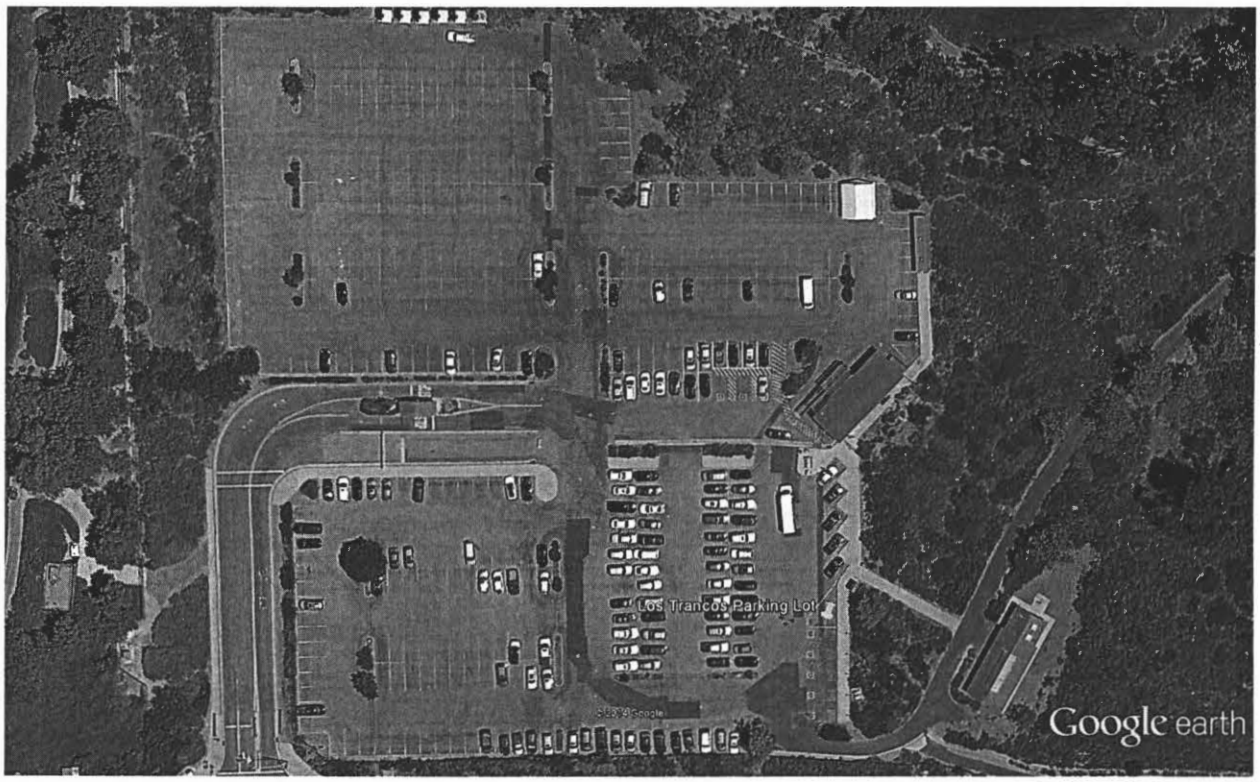
Crystal Cove State Park

Los Trancos Parking Lot re-striping plan

Current available spaces – approximately 388

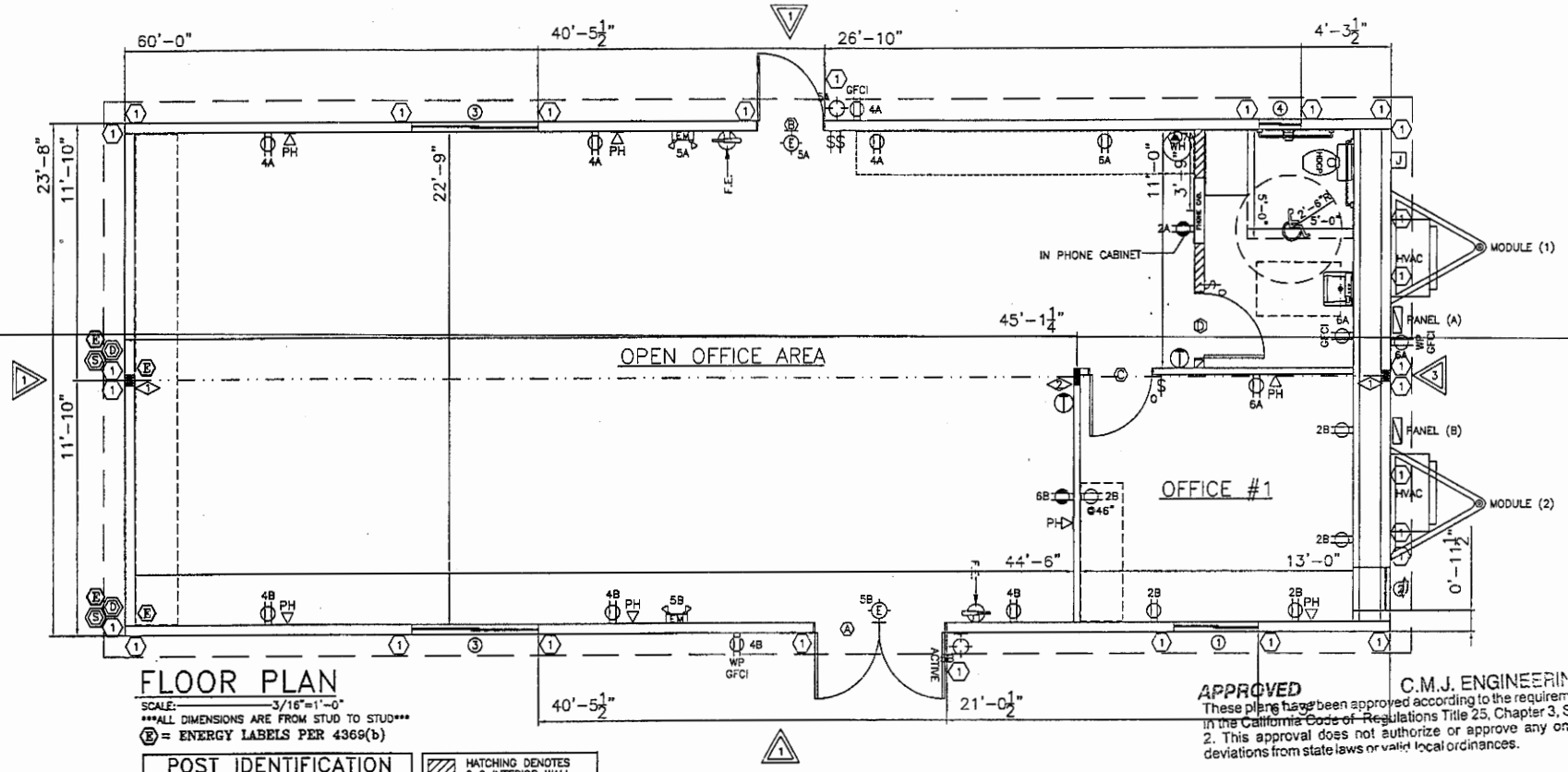
After re-stripe and parking lot efficiency work – approximately 428 spaces plus 3 narrower Motorcycle spaces

Approximate **net gain** in parking – 40 cars and 3 motorcycles



COASTAL COMMISSION

EXHIBIT # 2
PAGE 2 OF 2



FLOOR PLAN

SCALE: 3/16"=1'-0"

ALL DIMENSIONS ARE FROM STUD TO STUD

(E) = ENERGY LABELS PER 4369(b)

POST IDENTIFICATION
(2) 2x6 HF #2 POST ON EA. SIDE OF MOD-LINE w/ BLOCKING PROVIDED UNDER POST. (TYP. 2 LOCATIONS) (TYP. #3 HOLDOWN STRAP TOP & BOTT.)
(3) 2x4 HF #2 POST ON EA. SIDE OF MOD-LINE w/ BLOCKING PROVIDED UNDER POST. (TYP. 1 LOCATIONS) (TYP. #3 HOLDOWN STRAP TOP & BOTT.)

HATCHING DENOTES 2x6 INTERIOR WALL

APPROVED
These plans have been approved according to the requirements found in the California Code of Regulations Title 25, Chapter 3, Subchapter 2. This approval does not authorize or approve any omissions or deviations from state laws or valid local ordinances.

C.M.J. ENGINEERING, INC.

JUN 12 2012

Plan Approval No. HP448

Expires SEP 2013

- All door hardware to be Schlage -

1. Open office exit door - change to solid metal with 12x24 wire safety glass window.
   A. Deadbolt - BC 1603 IC 626 Finish 2¾ BS
   B. Passage latch - AL53JD 2¾ BS 626 Finish IC
2. Front exterior doors - (1a.) Door hardware, change to mortise type IC
3. Interior Doors (1.a, (a & b): Change (a) to latch AC10S (b) Change deadbolt to BC160J IC (no cylinders)

10-30-12

REGISTERED PROFESSIONAL ENGINEER R. MARK STEELE C 35493 Exp 09/30/2013 CIVIL STATE OF CALIFORNIA

ENGINEERS SEAL

REVISIONS

PHOENIX MODULAR
5139 N. TOM MURRAY AVE.
GLENDALE, AZ 85301
PH: (623)209-3300

DATE: 05/11/12

STATES: CA.

M.B.C.

SERIAL #: PMI-3207-2460

MODEL #: 24'x60'

SALES PERSON: Brian S.

DRAFTER: Fred Ramirez

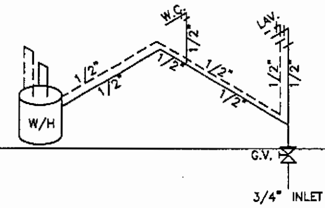
CONFIDENTIAL
THIS DOCUMENT AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF PHOENIX MODULAR. UNAUTHORIZED USES ARE PROHIBITED. THESE PLANS ARE REQUIRED TO BE STAMPED BY STRUCTURAL ENGINEER R. MARK STEELE, P.E.

SHEET # 2 OF 7

COASTAL COMMISSION

EXHIBIT # 3

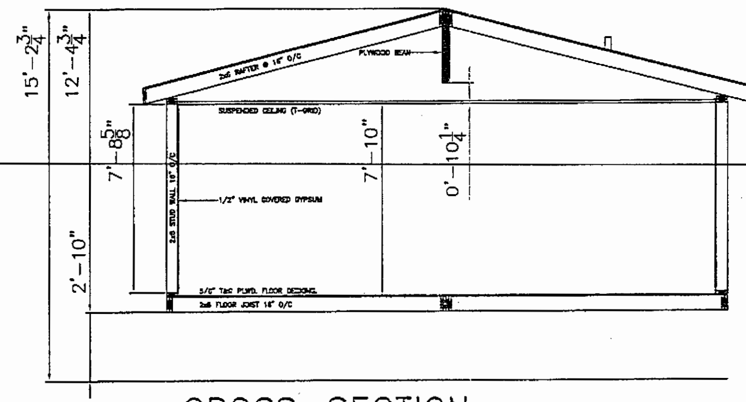
PAGE 1 OF 6



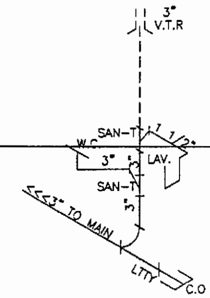
WASTE & VENT SCHEMATIC

ALL PIPE TO BE ABS SCHEDULE 40
AND WILL SLOPE 1/4" PER FOOT

NOTE: PLUMBING MANIFOLD TO BE SUPPLIED
AND INSTALLED ON SITE BY OTHERS.



CROSS-SECTION



COLD & HOT SCHEMATIC

MAXIMUM PRESSURE RANGE @ POINT OF CONNECTION 45 TO 60 PSI
GREATEST DEVELOPED LENGTH 40'

SUPPLY: COPPER (TYPE M)

125 AMP 120/240 1 PHASE
EXTERIOR SURFACE MOUNT PANEL W/ 125 amp MAIN BRKR

DESCRIPTION	CIR	BRK	WS	A	B	WS	BRK	CIR	DESCRIPTION
HVAC UNIT	1	60	#6	7080 / 1800		#12	20	2	DEDICATED RECEPT.
	3	2	#6		7080 / 720	#12	20	4	(4) RECEPT.
(9) LIGHTS, (1) EXT., (1) EXIT, (1) EMERG., (1) EX. FN.	5	20	#12	1599 / 720		#12	20	6	(4) RECEPT.
WEATER HEATER	7	20	#12		1875			8	SPACE
SPACE	9							10	SPACE
SPACE	11							12	SPACE

ELECTRICAL CALCULATIONS: PANEL 'A'

GENERAL LIGHTING:
710 sq/ft x 3.5 x 1.25 = 3,107w
(1) HVAC UNIT = 14,160w
(8) RECPTS. = 1,440w
(1) WATER HEATER = 1,875w
(1) DEDICATED RECEPT. = 1,800w

22,3852w ÷ 240v = 94 AMPS TOTAL

125 AMP 120/240 1 PHASE
EXTERIOR SURFACE MOUNT PANEL W/ 125 amp MAIN BRKR

DESCRIPTION	CIR	BRK	WS	A	B	WS	BRK	CIR	DESCRIPTION
HVAC UNIT	1	60	#6	7080 / 900		#12	20	2	(5) RECEPT.
	3	2	#6		7080 / 720	#12	20	4	(4) RECEPT.
(10) LIGHTS, (1) EXIT, (1) PORCH, (1) EMERG.	5	20	#12	1585 / 1800		#12	20	6	(1) DED. RECEPT
SPACE	7							8	SPACE
SPACE	9							10	SPACE
SPACE	11							12	SPACE

ELECTRICAL CALCULATIONS: PANEL 'B'

GENERAL LIGHTING:
710 sq/ft x 3.5 x 1.25 = 3,107w
(11) HVAC UNIT = 14,160w
(1) RECPTS. = 1,620w
(1) DED. RECEPT = 1,800w

20,687w ÷ 240v = 87 AMPS TOTAL

APPROVED C.M.J. ENGINEERING, INC.
These plans have been approved according to the requirements found in the California Code of Regulations Title 25, Chapter 3, Subchapter 2. This approval does not authorize or approve any omissions or deviations from state laws or valid local ordinances.

JUN 1 2 2012

Plan Approval No. ________

Expires ________ 5/18/12

w/ changes of page 2 of 7 10-30-12 [initials]

REGISTERED PROFESSIONAL ENGINEER
R. MARK STEELE
C 35493
Exp 09/30/2013
CIVIL
STATE OF CALIFORNIA

ENGINEERS SEAL

REVISIONS

PHOENIX MODULAR
5139 N. TOM MURRAY AVE.
GLENDALE, AZ 85301
PH: (623)209-3100

DATE: 05/11/12

STATUS: CA.

M.B.C.
12660 Stalar Court
Poway, Ca. 92064
PH. (858)679-1186 FAX(858)679-6604

SERIAL #: PMI-3207-2460

MODEL #: 24'x60'

SALES PERSON: Brian S.

DRAFTER: Fred Ramirez

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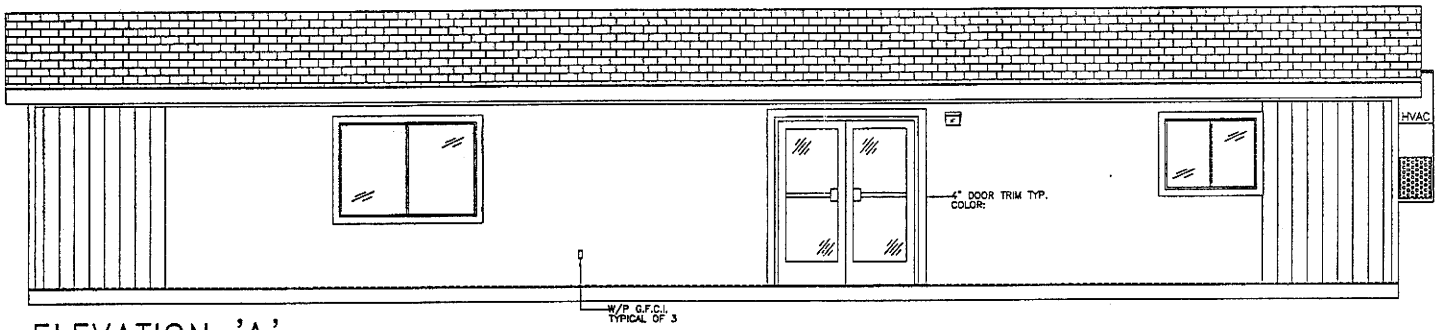
SHEET # 6 OF 7

COASTAL COMMISSION

EXHIBIT # 3

PAGE 2 OF 6



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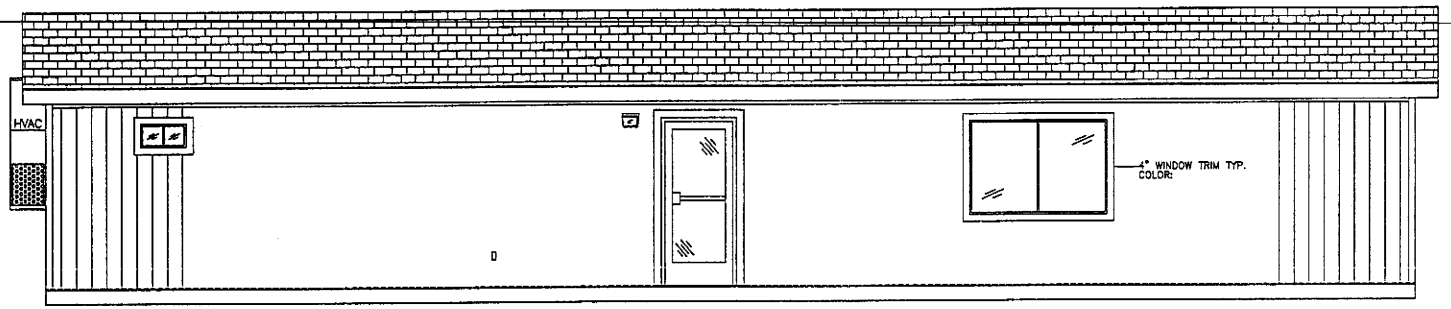

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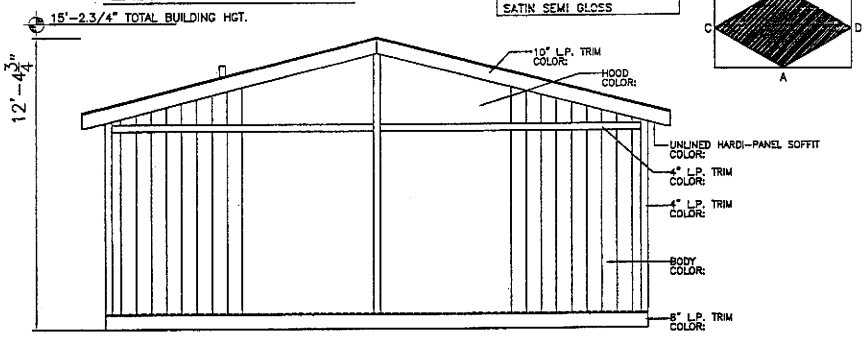

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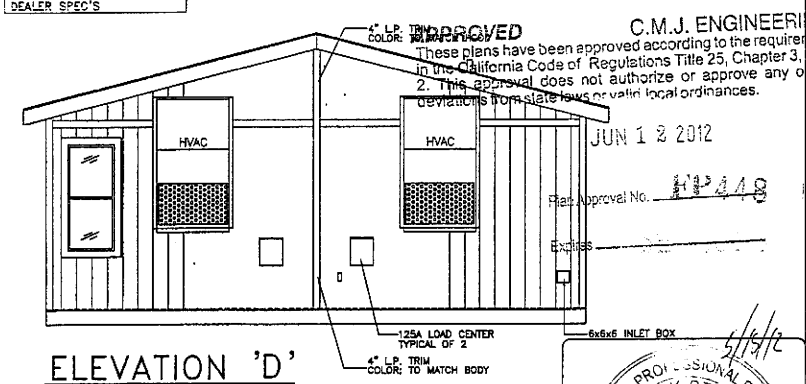

ELEVATION 'D'

APPROVED
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JUN 12 2012

Plan Approval No. [illegible]

Expires [illegible]

C.M.J. ENGINEERING, INC.

w/ changes on Page 2 of 7 10-30-12

5/15/12

REGISTERED PROFESSIONAL ENGINEER
R. MARK STEELE
C 35493
Exp 09/30/2013
CIVIL
STATE OF CALIFORNIA

ENGINEERS SEAL

REVISIONS

M.B.C. PHOENIX MODULAR
5139 N. TOM MURRAY AVE.
GLENDALE, AZ 85301
PH: (623)209-3300

DATE: 05/11/12
STATES: CA.
SERIAL #: PMI-3207-2460
MODEL #: 24'x60'
SALES PERSON: Brian S.
DRAFTER: Fred Ramirez

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SHEET # 5 OF 7

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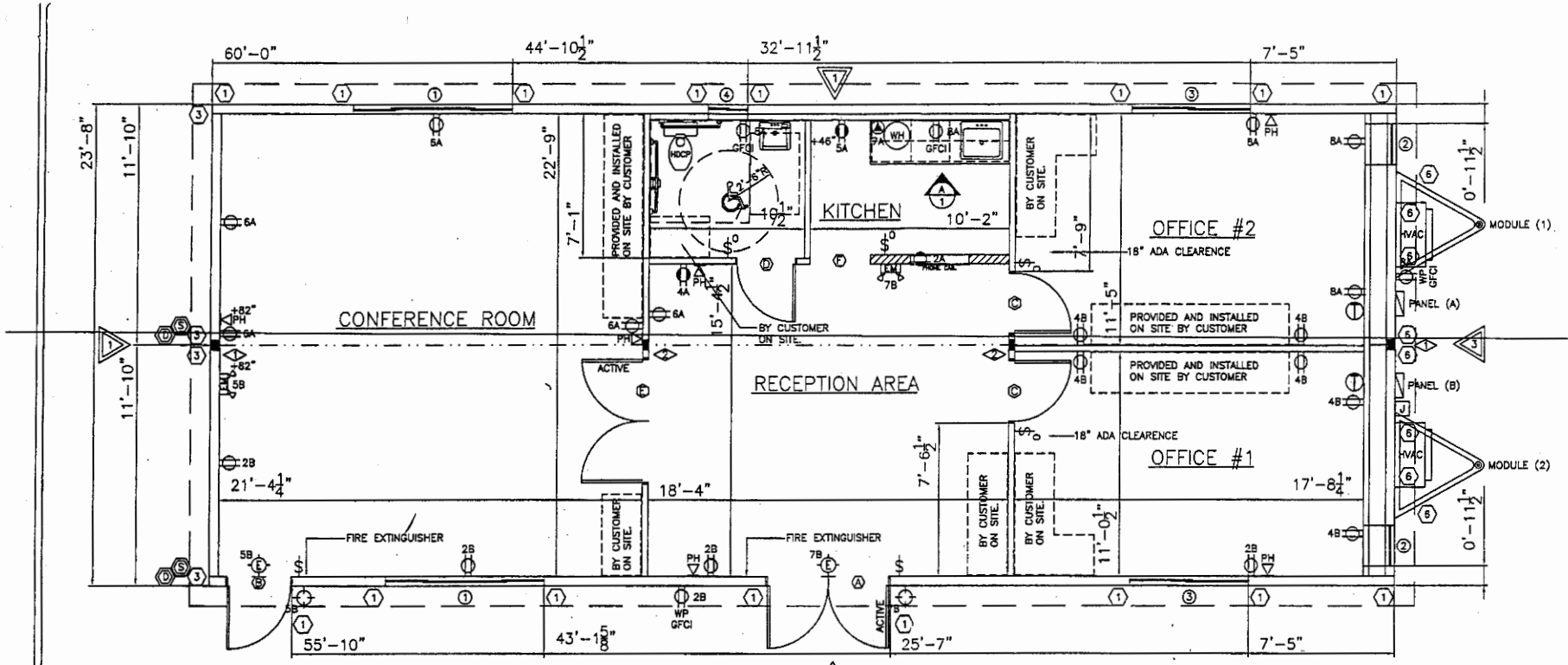
EXHIBIT # 3

PAGE 3 OF 6



FLOOR PLAN

SCALE: 3/16"=1'-0"

ALL DIMENSIONS ARE FROM STUD TO STUD

POST IDENTIFICATION

- (2) 2X6 HF #2 POST ON EA. SIDE OF WOD-LINE w/ BLOCKING PROVIDED UNDER POST. (TYP. 2 LOCATIONS) (TYP. #3 HOLDOWN STRAP TOP & BOTT.)
- (2) 2X4 HF #2 POST ON EA. SIDE OF WOD-LINE w/ BLOCKING PROVIDED UNDER POST. (TYP. 2 LOCATIONS) (TYP. #3 HOLDOWN STRAP TOP & BOTT.)

HATCHING DENOTES 2x6 STD WALL

APPROVED
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C.M.J. ENGINEERING, INC.

JUN 1 2 2012

Plan Approval No. FP447

Expires ~~SEP 2013~~

-All door hardware to be schlage-

1. Move HVAC units to rear of building.
2. Conference room exterior door - change to solid metal: 12 x 24 wire safety glass window.
   A. Deadbolt - BC160J IC 626 Finish 2¾ BS
   B. Passage latch - AL53JD 2¾ BS 626 finish IC
3. Front exterior door - (2a.) Door hardware, change to Mortise type IC
4. Interior Doors (1.a, (a & b)): Change (a) to latch AC10S (b) change deadbolt to BC160J IC (no cylinders)

10-30-12

REGISTERED PROFESSIONAL ENGINEER
R. MARK STEELE
C 35493
Exp 09/30/2013
CIVIL
STATE OF CALIFORNIA

ENGINEERS SEAL

REVISIONS

PHOENIX MODULAR
5139 N. TOM MURRAY AVE.
GLENDALE, AZ 85301
PH: (623)209-3300

M.B.C.

SALES PERSON: Brian S.
DRAFTER: Kevin Thornton
SERIAL #: PMI-3206-2460
MODEL #: 24'x60'
DATE: 05/11/12
STATES: CA.

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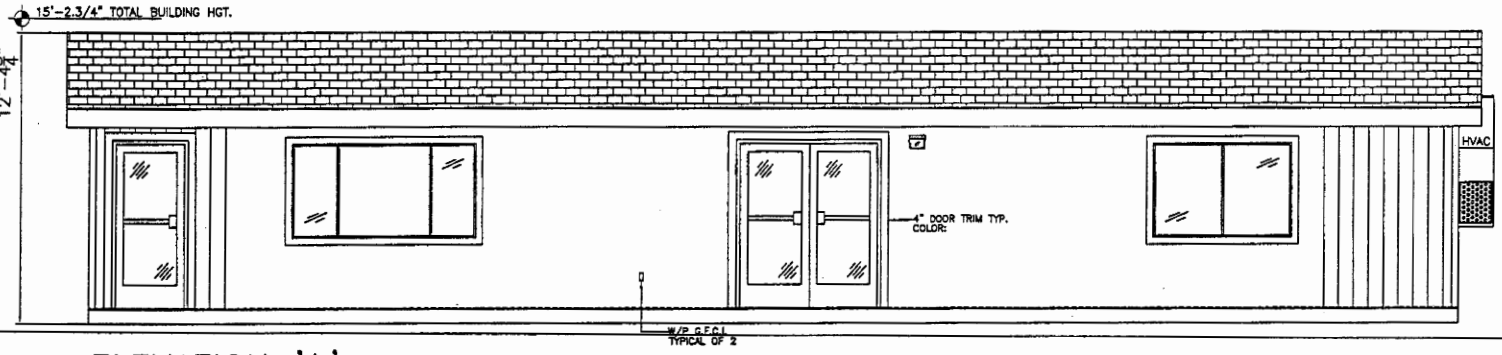
SHEET # 2 OF 8

COASTAL COMMISSION

EXHIBIT # 3

PAGE 4 OF 6



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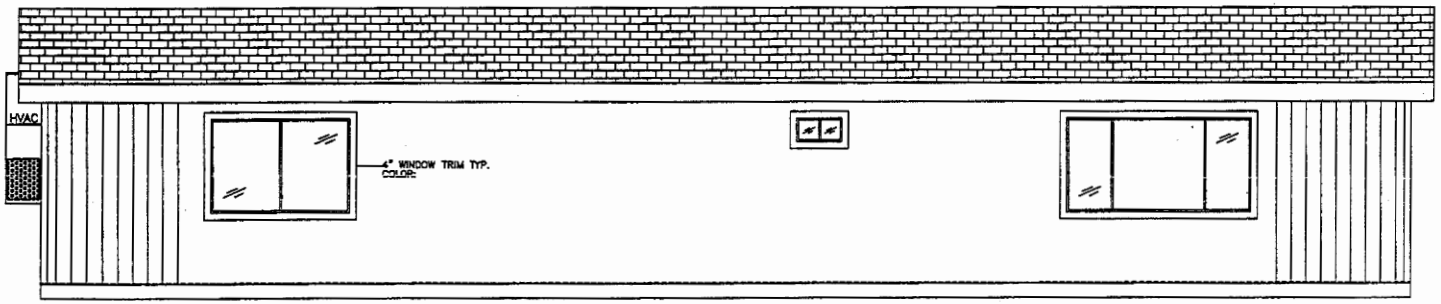

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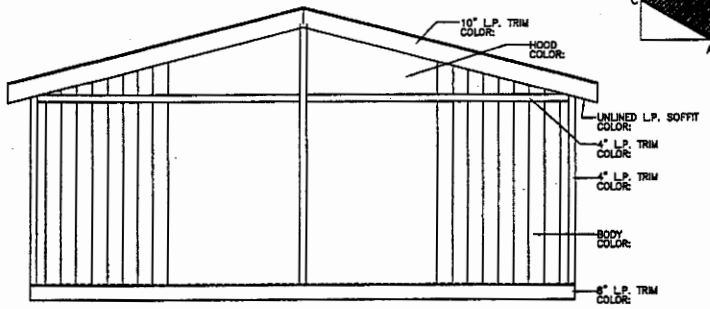

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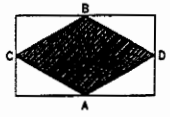

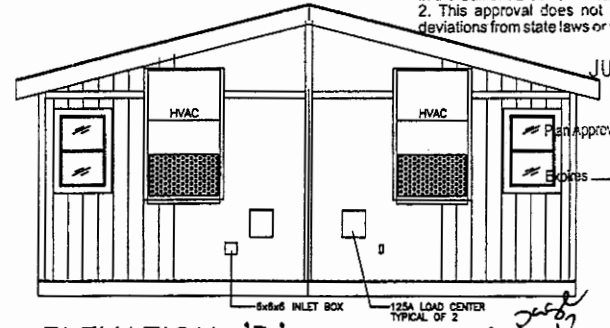

ELEVATION 'D'

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JUN 1 2 2012

Plan Approval No. FP447

Notes SEP 2013

1. HVAC units to rear of building

with changes on Rev'd 10-30-12

2 of 8

REGISTERED PROFESSIONAL ENGINEER R. MARK STEELE C 35493 Exp 09/30/2013 CIVIL STATE OF CALIFORNIA

ENGINEERS SEAL

REVISIONS

PHOENIX MODULAR
5139 N. TOM MURRAY AVE.
GLENDALE, AZ 85301
PH: (623)209-3300

DATE: 05/11/12

STATES: CA.

M.B.C.

SERIAL #: PMI-3206-2460

MODEL #: 24'x60'

SALES PERSON: Brian S.

DRAFTER: Kevin Hawkins

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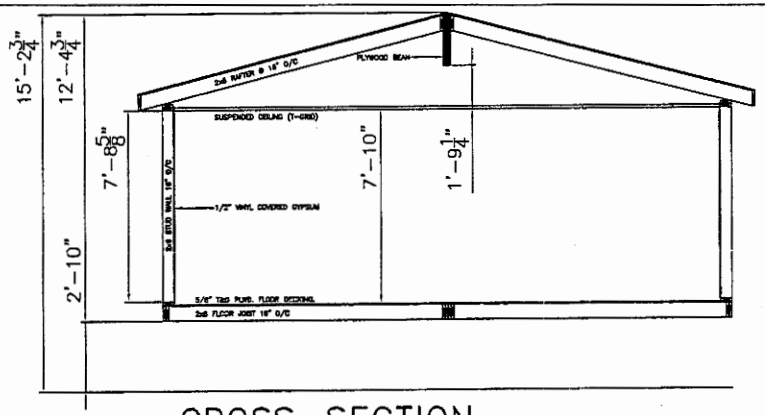
SHEET # 5 OF 8

COASTAL COMMISSION

EXHIBIT # 3

PAGE 5 OF 6



CROSS-SECTION

APPROVED C.M.J. ENGINEERING, INC.
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JUN 1 2 2012

Plan Approval No. [illegible]

Expires SEP 2013

w/changes on Page 2 of 8 J.T. 10-30-12

REGISTERED PROFESSIONAL ENGINEER
R. MARK STEELE
C 35493
Exp 09/30/2013
CIVIL
STATE OF CALIFORNIA

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PHOENIX MODULAR
5139 N. TOM MURRAY AVE.
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PH: (623)209-3300

DATE: 05/11/12

STATUS: CA.

M.B.C.

SALES PERSON: Brian S.

SERIAL #: PMI-3206-2460

MODEL #: 24'x60'

DRAFTER: Kevin Thornton

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SHEET # 7 OF 8

COASTAL COMMISSION

EXHIBIT # 3
PAGE 6 OF 6

State of California • Natural Resources Agency
Edmund G. Brown Jr., *Governor*
DEPARTMENT OF PARKS AND RECREATION
Major General (Ret.) Anthony L. Jackson, Director
Orange Coast District
3030 Avenida del Presidente
San Clemente CA 92672
949 492-0802

COASTAL COMMISSION

EXHIBIT # 4
PAGE 1 OF 2

April 3, 2013

Brian Ketterer, District Superintendent
Orange Coast District
3030 Avenida del Presidente
San Clemente CA 92672

Subject: Los Trancos Education and Operations Modules

Dear Brian:

I've surveyed the site of the proposed modular office spaces and reviewed our files for Crystal Cove State Park, and believe potential impacts to existing, restored habitat to be minor in scale, and permitted by both of the resource agencies. Please read the following site description, biological details, and attached permits.

The habitat area adjacent to the proposed project includes medium-quality restored coastal sage scrub habitat and a landscape tree. Historically, the surrounding hills had been grazed for ~150 years by sheep and cattle, and much of the coastal terrace, including the project location, was impacted by truck farming and agricultural uses. Due to these past land use practices, the restored sage scrub habitat is deemed medium quality due to the lack of top soil and diversity of local native plant species.

Before restoration, the hills were weedy and nearly devoid of California native species. During the development of Crystal Cove State Park infrastructure in the early 1980s, the Los Trancos parking lot area received significant grading to produce a large, level area for parking, restroom and infrastructure. In fact, we believe the proposed footprint of this project is located on spoils from the parking lot development effort.

The project area is located on the edge of development. The Los Trancos parking lot has a narrow strip of native vegetation on three sides of from 15 to 45 feet in width. The Pacific Coast Highway is to the South, and the Pelican Hill Golf Course is close on the West and North sides. The project is located at the Eastern edge of the parking lot and not directly connected to continuous habitat. The golf course with a row of tall *Eucalyptus*, Newport Coast housing development, and the Marriott Villas divide access to quality habitat found further up Los Trancos Canyon. For this reason in particular, the minor take of existing vegetation is not considered significant and only extends the edge effect of these facilities by 40' or so.

The project footprint take area of approximately 0.12 acres contains approximately 85% cover of the following species: *Encelia californica, Salvia mellifera, Artemisia*

californica, Baccharis pilularis, Rhus integrifolia, and *Eriogonum fasciculatum.* One 12' tall *Quercus agrifolia* will be impacted by this project. This tree species was added into the landscape plan and is surviving, but not thriving, in this dry, well-drained terrace area. Within the fuel thinning zone surrounding the future structures the invasive species of *Myoporum laetum* also exists to the North. A fuel clearance zone of approximately 20' from all structures with a graduated fuel thinning zone for the next 75' has been standard with other surrounding buildings and is planned to be used here. Both of these two zones have native cover, but are modified by removal of annual flashy fuels, limbing shrubs up from the ground, and not creating a continuous fuel ladder from habitat to structure.

Coastal sage scrub habitat is not a CNDDB listed sensitive habitat type, but is has been impacted in overall extend due to the building of roads, utilities and structures within this favored coastal zone habitat area. The approved General Plan for Crystal Cove State Park has a restoration goal of restoring sage scrub as well as native grassland areas, and in fact, State Parks has actively restored over 240 acres of sage scrub and grasslands at Crystal Cove State Park since the early 1980s.

Crystal Cove State Park is enrolled in the Orange County NCCP and is now a partner within the Nature Reserve of Orange County. At the time of signing this agreement, 18 acres of mitigation credit for impacts to coastal sage scrub (CSS) were allocated by CDFG to CDPR for projects that fall within the approved General Plan (attached). This "bank" of 18 acres has been used a few times for major projects, and is supported by the USFWS Incidental take permit #TE068429-0 which includes California gnatcatcher that uses this area for foraging (attached).

This proposed project area has no impact to rare habitat types or listed or sensitive species. A review of CNDDB shows separation from rare plants found along the coastal bluff edge likely due to past land use practices and development.

One avian species that has been observed foraging within the project area is the California gnatcatcher, *Polioptila californica*, and it has been observed to nest nearby within restored coastal sage scrub. The small footprint of sage scrub impacted by this project should not affect this bird and its breeding status if construction activities are conducted outside of the breeding season.

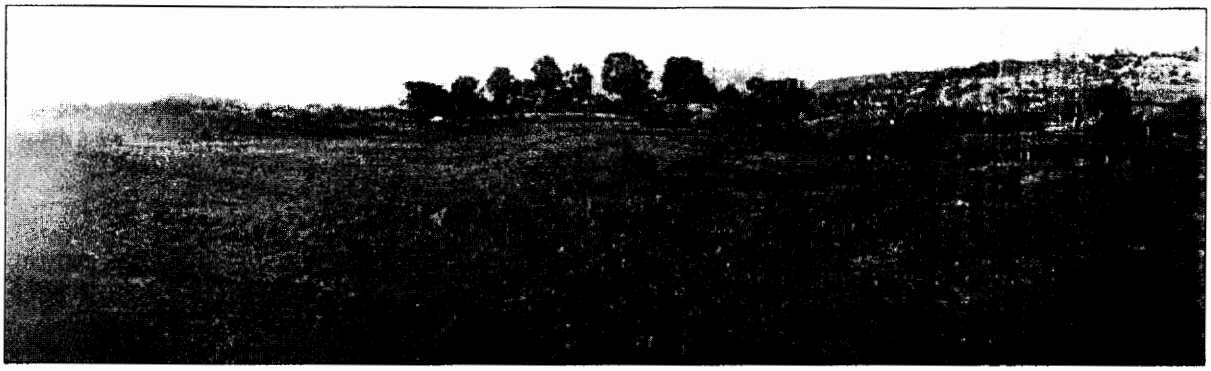
Sincerely,

David Pryor
Senior Environmental Scientist

Attachments

Prepared by Natural Resource Management

EAST MEADOW RESTORATION PROJECT
CRYSTAL COVE STATE PARK



INTRODUCTION

The East Meadow area is a relatively flat marine terrace deposit that has incurred many human impacts over time, including: Native American occupation, over-grazing, crop farming and now recreational and conservation uses. Several efforts towards native restoration have occurred, including: artichoke thistle removal, mustard and grass mowing, prescriptive burning, spray treatments, grassland trials, land imprinting, and others. This project will build upon past efforts to greatly reduce the weedy cover over the approximate 36 acre grassy "meadow." When State Parks obtained support for an interpretive center in 2012, with plans to potentially impact native habitat, this Restoration Plan gained momentum and became the mitigation site for this and other potential projects. This project will connect previous small restoration efforts in the East Meadow through the removal of non-native species, hand seeding and container planting in order to achieve a mosaic of coastal sage scrub and bunchgrass species.

STATEMENT OF PROJECT IMPORTANCE

In accordance with the Crystal Cove State Park General Plan, this project will help allow natural succession to occur at the site. Over the last 200 years, grazing and agricultural activities suppressed the natural processes and succession of the native coastal sage scrub habitat. The suppression of these processes has created predominantly non-native grasslands that now dominate the restoration site. Through the removal of non-natives and use of an established native seed bank, it is anticipated that the site will be restored to a mosaic of coastal sage scrub and native grasslands.

PROJECT LOCATION

The East Meadow Restoration site is located within Crystal Cove State Park, Orange County, California. Specifically, the site is south of the El Moro parking area at the ranger headquarters and north-

east of the dirt trail that leads to the Moro Canyon Trail above the campground. The 3.16 acre site is on an approximate 5% slope and is highly visible to passing park visitors (see site and location maps).

CRYSTAL COVE STATE PARK HISTORY

The Moro Canyon area was used for thousands of years by Native Americans, and is part of a complex of sites eligible for listing on the National Register for Historic Places. Mission San Juan Capistrano used the area for grazing. The land then became a part of the Rancho San Joaquin, a large cattle ranch owned by Jose Antonio Andres Sepulveda. James Irvine and his partners bought the land in 1864 and it became part of the Irvine Ranch. For decades, sheep and cattle grazed the hills. Grazing was continued until shortly after the state purchased the land in December 1979. The intensive use of the land over approximately 200 years greatly altered the habitat in Moro Canyon. The coastal sage scrub habitat was invaded by highly aggressive exotic grasses and other non-natives.

DESCRIPTION OF SITE

The East Meadow restoration site is a 3.16 acre plot near the El Moro Ranger Station. The plot is between the previously restored 1.8 acre area to the east, a parking lot to the north, the campground access road to the west, and a hiking trail to the south-west. The restoration site is buffered by a previous planting effort (known as "Benny's Garden") to the north and west, which borders the access road to the parking lot. The west-facing slope was classified as a Cropley Clay soil by the Center for Earth Systems Analysis and Research, at San Diego State University, Department of Geography in 1990. The site also includes a sensitive archeological site, a "shell- and lithic-rich cultural deposit more than 1 meter in depth," which likely "represents the remains of a large, permanent village site" (Crystal Cove State Park general plan, 1982). Therefore, restoration activities will minimally disturb the soils. The soils have also been compacted from both the grazing of livestock and the construction and maintenance of the trailer park south of the restoration site. The dominant vegetation is black mustard (*Brassica nigra*) and non-native grasses. The grasses were introduced when ranching and agriculture were the primary land uses. A list of non-native plants can be found in Table 2.

METHODS USED FOR SITE PREPARATION AND TREATMENT

Current Vegetation

The vegetation that occurs in the 3.16 acres of the East Meadow restoration site includes non-native species cover at approximately 97% (see Table 2) and patches of coastal sage scrub at approximately 3%. On the northern and western perimeters of the site, Benny's Garden restoration was completed to enhance the entrance to the El Moro Ranger HQ area, and the access trail that leads to the El Moro Canyon Trail. Efforts have been made to expand the vegetation from Benny's Garden up the slope through the installation of one-gallon plants in 2012 and 2013 with limited success. Other planted patches

of coastal sage scrub have survived or spread across the site, although the site is still dominated by non-native species.

Past Restoration Activities

Weed control of the approximate 85% cover of artichoke thistle in the East Meadow began in approximately 1984, and followed with years of annual treatment. Restoration of the East Meadow area was originally attempted in the mid 1990s. At this time, it was thought that a native seed bank was present, but was out-competed by several non-natives, primarily black mustard (*B. nigra*) and non-native grasses. Therefore, three prescribed burns were planned and implemented in the meadow during this period. However, following the burns, only non-native species germinated in any significant numbers, and quickly dominated the site once again. After three such burns yielded the same results, this plan was abandoned. For the next decade, weeds were fought by mowing and spraying as time and resources allowed, which set back the growth of non-natives, without fully eradicating them.

During the early 2000s, 8.9 acres of the larger, encompassing area consisting of 34.9 acres were mowed and an additional 1.5 acres on the eastern edge of this larger area were imprinted with native bunch grasses, predominantly *Stipa pulchra*. The entire project area was maintained as a passive restoration zone for several years as well, ensuring that the non-native grasses and mustard was mowed annually or semi-annually.

In March 2011, approximately 150 container plants were planted on the west perimeter of East Meadow. These plants were highly successful and had a high survival rate. In June 2012, approximately 50 additional plants were planted in the area. These plants were left over from other restoration sites from that season and had limited success. This planted area is an extension of Benny's Garden and is an edge, but not a part of this project area.

In January 2013, seed was spread throughout the East Meadow Restoration site. The seed that was spread had been collected from within the park over a few previous seasons. Tines were hooked up behind a John Deere gator following an initial season rain event of 0.3 inches two days prior. After an initial attempt to scarify the soil, thatch from non-native grasses proved to be a barrier between the tines and the soil. After this discovery, as much of the thatch was raked and removed, and a second attempt at scarifying was done with more success than previous efforts, but not significantly. In total, 15.537 pounds of seed and mycorrhizae were hand seeded and tamped with limited results (see table 3). From this seeding attempt, only fascicled tarweed germinated and survived. We believe the age and storage of seed along with less than half normal rainfall was partly to blame for low germination rates.

Since 2011, non-native removal through herbicide application and mowing has occurred to prepare this site for restoration. The history of herbicide application over the entire 34.9 acre East Meadow is listed in Table 1, which includes applications within the 3.16 acre project site. Herbicide treatments varied in target, and the aim was to reduce the percent coverage and seed bank of the non-natives. Mowing was timed to stop grass seed from germinating in an effort to reduce the seed bank. The project site as part of a larger fuel modification effort was mowed in late spring or early summer.

Proposed Methods of Restoration

The restoration of the project site will occur through two phases: non-native eradication and native shrub restoration. Although the Natural Resource Management team has been performing targeted weed control at the project site over the last three years, the systematic, complete removal of all non-natives over at least two growing seasons will be necessary to reduce the non-native seed bank to a level where native, introduced seed can become established.

Mowing

The mechanical removal or reduction of non-native vegetation through mowing reduces the competition between non-natives and native shrubs for the germination of seed and for resources. Non-natives are often characterized by rapid growth, and may shade out native seedlings. Mowing may eliminate this competition, and can reduce the seed deposited by non-native species, reducing the seed bank. Mowing also provides an organic litter layer, which returns nutrients to the soils and can further prevent the growth of non-natives. Ideally through repeated mowing over numerous growing seasons, the non-native seed bank can eventually be exhausted.

Herbicide Application

Chemical removal of non-native species can be an effective tool to eradicate species; however, the herbicides used must be carefully selected and applied to reduce non-target plant mortality and be most effective against the target species (see table 4). Before the re-introduction of native species, herbicide may be repeatedly applied over the project area to treat all non-native species. Both a 3-gallon backpack sprayer and 25 gallon sprayer with a hose attachment will be utilized. Broad-spectrum herbicide, such as Round-Up Pro© will be selectively applied through spot treatment and selective herbicides such as Fusillade II© will be broadcast over the project site. The herbicide and application methodology will be chosen based on field conditions and non-native species present. After installation of natives and seed is complete, spot treatment of any emergent non-natives will be continued. The Bradley method will be implemented around existing patches of coastal sage scrub around and within the project site to encourage their expansion into the project area. The Bradley method consists of focused weeding around existing natives in order to allow the regeneration of native plants and the encroachment of existing natives into the weeded area.

Hand Pull

In some situations, mowing and herbicide eradication will not be possible. When this occurs, weeds will be removed by hand to further our efforts to eradicate non-native species.

Plant Restoration

The restoration of native coastal sage scrub and bunchgrass species will be achieved primarily through the establishment of a native seed bank. As previously noted, the germination of weeds following prescribed burns in the 1990s indicates that the project site lacks a native seed bank. A seed bank will be established by first breaking up the top inch of soil with a tines attached to the back of a John Deere Gator. Native seed and mycorrhizae will be spread by hand, and then tamped in manually and with a Gator. Previous seeding efforts may have suffered due to drought conditions that year, so seed will be

watered periodically throughout the season if another drought season ensues. Seed imprinting and/or seed drilling may be utilized as well, depending on equipment availability. Additionally, topsoil may be collected from other locations in the park and spread throughout the site. The topsoil will be taken from areas with well-established native coastal sage scrub species, and will contain seed, organic matter, and a microbial community. Desired species include both coastal sage scrub and bunchgrass species, which are both found nearby (see table 5). It is anticipated, however, that with the natural succession of the land, the coastal sage scrub will dominate the area after several years.

In addition to introducing native seeds, liner and 1-gallon plants will be planted throughout the site to help native establishment . These species will also be either coastal sage scrub or bunchgrass species, and a proposed list of species may be found in Table 5. The plants will be planted in patches of three to five plants, which can then expand once they have become established. To increase the success of the restoration, mycorrhizae will be added to the holes before the plants are added to the area, and the surface around the plants will be mulched to suppress the growth of non-natives, and to enhance water infiltration into the soils.

Mycorrhizae will be added to the soils before planting occurs to aid the establishment of native species. Mycorrhizae is a beneficial fungus that is essential to a healthy plant community. It is made up of fine, thread-like filaments called hyphae that are connected to the roots of plants. The hyphae branch between the soil particles to find nutrients and decomposing organic matter. The nutrients are then transported back to the roots of the plants, which are used by the plant. The benefits to the host plant include faster growth, improved nutrition, greater drought resistance, protections from pathogens, and greater resistance to invasions of weeds. Benefits to the plant community include increased seedling survivorship, greater species diversity, and improved soil structure. The mycorrhizae improve soil structure by binding soil particles together into aggregates, which enhances water infiltration, soil aeration, root growth, and the movement of soil animals. Mycorrhizae is, therefore, an important additive to aid the restoration of native coastal sage scrub and bunchgrass habitats.

Mulch will be added around the grasses and coastal sage scrub plants that are planted. Mulch helps prevent weeds by excluding light from the soil surface so that non-natives cannot build up a root system. Mulch also conserves moisture around the soil surface, aiding the infiltration of water, and lowers soil temperatures around the roots. The mulch insulates and protects the soil from drying and hard baking effects caused by the evaporation of water from soil exposed to sun and wind. The mulch around plants can also reduce erosion from the area by slowing the rate of water infiltration, so that more may be absorbed and there is a smaller chance of runoff. The organic mulch also provides nutrients to the soils as it decays.

MONITORING AND ASSESSMENT OF RESTORATION

The goal of this restoration will be 40%-60% native plant cover within four years of planting, measured by vegetation transect surveys. Photo points have been established, and photos taken monthly to document the changes at the site over time.

Frequent monitoring during the early stages of native plant establishment, both seeding and planting efforts, will help ensure their establishment. Weeding emergent invasives as they begin to compete with natives will also be a key to a rate of success. Annual assessments and measures for percent cover of newly-established natives will be made until our success criterion is met. Note that State Parks has restored hundreds of acres successfully within this park unit, and most of their techniques employ many touches over time and methods of passive versus active/aggressive techniques used within the commercial restoration community. Time is on our side as we own and remain stewards of the property.

TABLES

Table 1: Past chemical weed treatment occurrences in the larger East Meadow site, including the 3.2 acre East Meadow Restoration Site.

Date	Herbicide	Amount
January 11, 2011	Fusilade II	2oz
July 8, 2011	Razor Pro	8oz
August 18, 2011	Garlon	4oz
August 18, 2011	Razor Pro	8oz
September 14, 2011	Razor Pro	16oz
December 27, 2011	Razor Pro	128oz
January 10, 2012	Razor Pro	128oz
April 17, 2012	Fusilade II	6oz
June 11, 2012	Razor Pro	8oz
July 5, 2012	Transline	1oz
July 5, 2012	Razor Pro	18oz
July 5, 2012	Telar	0.05oz
July 6, 2012	Garlon	186oz
July 24, 2012	Razor Pro	8oz
July 24, 2012	Garlon	6oz
December 6, 2012	Transline	0.75oz
December 11, 2012	Fusilade II	32oz
December 12, 2012	Fusilade II	5.5oz
December 21, 2012	Transline	0.75oz
December 21, 2012	Razor Pro	16oz
January 4, 2013	Fusilade II	2.75oz
January 4, 2013	Razor Pro	16oz
January 30, 2013	Fusilade II	10oz
February 1, 2013	Razor Pro	396oz
March 1, 2013	Round-Up*	30oz
August 8, 2013	Round-Up	6oz

*After February 2013, NRM replaced Razor Pro, a glyphosate herbicide, with Round-Up Pro, another glyphosate herbicide.

Table 2: Non-native Species Present in the East Meadow Restoration Site

Scientific Name	Common Name
Atriplex semibaccata	Australian Saltbush
Avena fatua	Wild Oats
Brassica nigra	Black Mustard
Brassica rapa	Field Mustard
Bromus diandrus	Common Ripgut Grass, Ripgut Brome
Bromus hordaceus hordacea	Soft Chess
Bromus madritensis rubens	Foxtail Chess, Red Brome
Centaurea melitensis	Yellow Star Thistle
Emex spinosa	Devil's Thorn
Foeniculum vulgare	Fennel
Hordeum murinum leporinum	Hare Barley
Lactuca serriola	Prickly Lettuce
Melilotus indica	Yellow Sweetclover
Rumex crispus	Curly Doc
Salsola tragus	Russian Thistle

Table 3: Seeds used in initial seeding in January 2013

Species	Amount seeded (in lbs)
Artemesia californica	2.88
Chenopodium californicum	0.06
Cryptanhtha spp.	0.06
Galium angustifolium	0.641
Grindelia camporum	0.75
Deinandra fasiculatum	6.742
Isomeris arborea	0.46
Malacothamnus fasciculatus	0.028
Stipa lepida	1.026
Stipa pulchra	1.478
Phacelia cicutaria	0.2
Salvia apiana	0.032
Sisyrinchium bellum	1.18
Total Species: 13	**Total Seed Weight: 15.537 lbs**

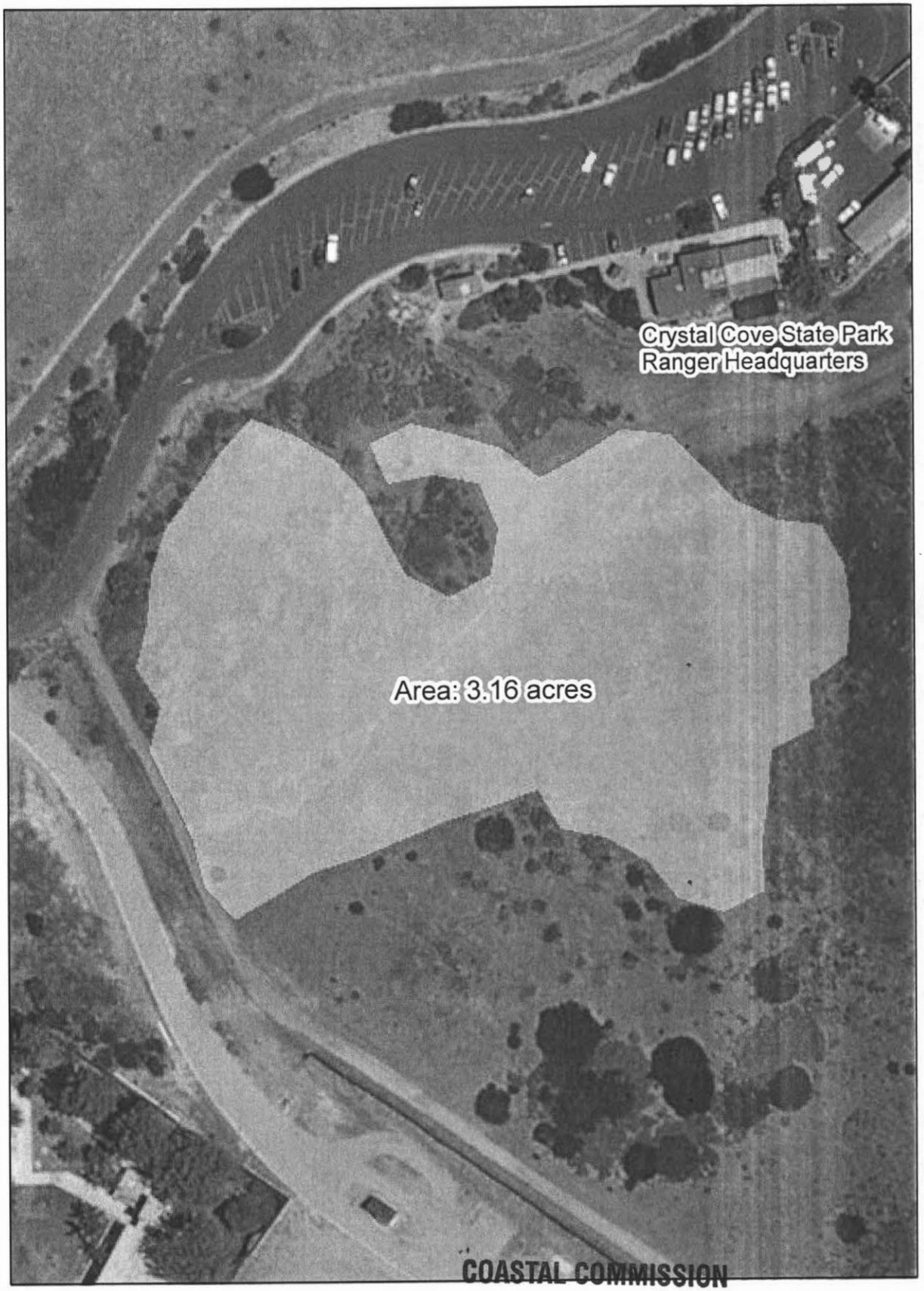
Table 4: Herbicides and the Target Weed

Herbicide	Target Species
Transline	Artichoke Thistle
Razor Pro/Round-Up	Most Weeds
Garlon	Fennel
Fusilade II	Grasses
Telar	Prevents Germination

Table 5: Native Plants to be Restored at East Meadow

Scientific Name	Common Name
Artemesia californica	California Sagebrush
Baccharis pilularis	Coyote Bush
Encelia californica	California Bush Sunflower
Eriophyllum confertiflorum	Golden Yarrow
Eriogonum fasciculatum	California Buckwheat
Gnaphalium californicum	California Everlasting
Grindelia camporum	Gum Plant
Deinandra fasciculatum	Fascicled Tarweed
Heterotheca grandiflora	Telegraph Weed
Isocoma menziesii var. *vernonoides*	Coast Goldenbrush
Leymus condensatus	Giant Wild Rye
Lotus scoparious	Deer Weed
Lupinus bicolor	Dove Lupine
Lupinus succulentus	Foothill/Arroyo Lupine
Lupinus truncatus	Collar Lupine
Malacothamnus fasciculatus	Chaparral Bush Mallow
Mimulus aurantiacus	Bush Monkey Flower
Opuntia littoralis	Coastal Prickly Pear
Rhus integrifolia	Lemonade Berry
Salvia mellifera	Black Sage
Sanicula arguta	Sharp-toothed Sanicle
Sisyrinchium bellum	Western Blue-eyed Grass
Stipa lepida	Foothill Needlegrass
Stipa pulchra	Purple Needlegrass

East Meadow Restoration Area



CALIFORNIA COASTAL COMMISSION
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COASTAL COMMISSION

EXHIBIT # 6
PAGE 1 OF 6

MEMORANDUM

FROM: Jonna D. Engel, Ph.D., Ecologist

TO: Liliana Roman, Coastal Analyst

SUBJECT: ESHA Determination: Crystal Cove State Park, Los Trancos Facilities Improvements Project

DATE: September 25, 2014

Documents Reviewed:

Smith, Justin E. (Environmental Intelligence, LLC). November 6, 2013. AT&T Application for Exemption No. 5-13-309-X: Results of a Biological Resources Assessment of the Los Trancos Site (Map Sheet L-1). Prepared for Mr. Steve Imhoof, Imhoof Environmental Consulting.

State of California, Department of Parks and Recreation. October 2012. Draft Initial Study (IS) and Mitigated Negative Declaration (MND). Los Trancos Facilities Improvements Project, Crystal Cove State Park.

I have been asked to review Crystal Cove State Park's Los Trancos Facilities Improvements Project proposal and determine whether the project will impact environmentally sensitive habitat (ESHA). In order to make a determination I reviewed the draft initial study and mitigated negative declaration (draft IS/MND), the biology report for an AT&T project that did not proceed, visited the project site on December 12, 2012 with other CCC and state park staff, and studied aerial photographs and google images.

The park is proposing to demolish an existing modular building serving as park offices and interpretive classroom space located on paved surface along the southeastern edge of the Los Trancos parking lot and replace with two new modular buildings within the adjacent native vegetation. One of the new buildings would be for State Park's interpretive programs and the other for State Park's sector office/meeting space use. An attached wood deck serving as additional outdoor classroom space would connect the two structures. Lastly, they are proposing to provide ADA access improvements including a pathway from the parking lot to existing restrooms and a pathway through

the parking lot and native vegetation to the Pacific Coast Highway (PCH) intersection/pedestrian crossing leading to the Crystal Cove Historic District.

The draft IS/MND reports that approximately 0.12 acres of vegetation would be removed to accommodate this work. The draft IS/MND states that:

> *A fuel clearance zone of approximately 20 ft. from all structures with a graduated fuel thinning zone for the next 75 ft. has been standard with other surrounding buildings and is planned to be used here. Both of these two zones have native cover, but are modified by removal of annual flashy fuels, limbing shrubs up from the ground, and not creating a continuous fuel ladder from habitat to structure.*

The draft IS/MND does not clarify if the fuel clearance and thinning zone are included in the estimate of 0.12 acres of vegetation that would be removed for the project.

The native vegetation that would be removed is coastal sage scrub (CSS). CSS is comprised of dominant species that are semi-woody and low-growing, with shallow, dense roots that enable them to respond quickly to rainfall[1]. The species composition and structure of individual stands of coastal sage scrub depend on moisture conditions that derive from slope, aspect, elevation and soil type. Sawyer, Keeler-Wolf, and Evens divide coastal scrub communities into series including California sunflower (*Encelia californica*), California buckwheat (*Eriogonum fasciculatum*), and coast prickly-pear, (*Opuntia litteralis*) series[2]. The coastal sage scrub found at Crystal Cove State Park is best characterized as California sunflower series and includes the following species California sunflower, lemonade berry (*Rhus integrifolia*), California sage brush (*Artemisia californica*), coyote bush (*Baccharis pilularis*), black sage (*Salvia mellifera*), California buckwheat, laurel sumac (*Malasoma laurina*), and toyon (*Heteromeles arbutifolia*).

The draft IS/MND estimates that the CSS in the project footprint consists of approximately 85% cover of the species listed above. The parking lot is surrounded by a narrow band of CSS (approximately 50 feet wide) to the north and west with a border of native and landscaping trees between the CSS and the Pelican Hill Golf Course. There is large area (approximately four acres) of CSS east/southeast of the parking lot and a very narrow band of CSS (approximately 20 feet wide) between the parking lot and PCH to the south. The CSS in this area was restored by the park and is currently a nearly pristine stand of vibrant CSS. The draft IS/MND identifies the CSS in the project footprint and beyond as 'medium' quality habitat. I disagree and find that the CSS surrounding the parking lot is high quality habitat. Across PCH, Chrystal Cove State Park supports over 180 acres of CSS. The CSS at this location is the only stand of

[1] Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. State of California, The Resources Agency, Department of Fish and Game.

[2] Sawyer, J.O., T. Keeler-Wolf, and J.M. Evens. 2008. A manual of California vegetation, 2nd Edition. California Native Plant Society. 1300 pgs.

CSS immediately adjacent to the coast between Trump National Golf Course along the Palos Verdes Peninsula 35 miles north and Marblehead in Dana Point 10 miles south.

Coastal sage scrub in southern California provides habitat for about 100 rare species, many of which are also endemic to limited geographic regions[3]. One such species is the coastal California gnatcatcher (*Polioptila californica californica)*. The California gnatcatcher is an obligate, year-round resident of CSS habitat[4]. California gnatcatchers typically live a total of 4 to 6 years. They primarily feed on insects, which are eaten directly off coastal scrub and other vegetation. California gnatcatchers range from Baja California north to Ventura and San Bernadino Counties in southern California. Gnatcatchers in southern California preferentially nest and feed in CSS vegetation on mesas and gentle slopes that are characterized by varying abundances of California sagebrush, California sunflower; and California buckwheat[5]. Gnatcatcher densities in northern San Diego County were found to be highest in areas where California sunflower and California buckwheat were co-dominant with California sagebrush[6]. Where these species are in low abundance, California gnatcatchers will forage on other species, including some non-natives such as black mustard[7]. They also use grassland, chaparral, and riparian habitats in proximity to sage scrub for dispersal and foraging[8].

Coastal sage scrub is increasingly rare in the coastal zone and provides an especially valuable ecosystem service when occupied by the coastal California gnatcatcher or other rare species. In the last 60 years extensive southern California suburban sprawl has reduced and fragmented CSS habitats, resulting in a significant decline in coastal California gnatcatcher populations. In addition, the majority of remaining CSS habitat is disturbed to a greater or lesser extent by non-native and invasive plant species. In response to the drop in coastal California gnatcatcher numbers in southern California due to habitat loss and fragmentation resulting from urban and agricultural development, the northernmost subspecies (*Polioptila californica californica*) was listed as federally threatened in 1993[9]. The coastal California gnatcatcher is also a California Species of Special Concern. Loss of gnatcatcher CSS habitat in southern California is estimated to be 70 to 90 percent[10,11] and, in 1999, the United States Fish and Wildlife

[3] Westman, W.E. 1981. Diversity relations and succession in Californian coastal sage scrub. Ecology, Vol. 62: 170-184

[4] Atwood, J.L. and D.R. Bontrager. 2001. California Gnatcatcher (*Polioptila californica). In* The Birds of North America, No. 574 (A. Poole and F. Gill, eds.). The Birds of North America, Inc. Philadelphia, PA.

[5] Ibid.

[6] Weaver (1998) op. cit.

[7] Dixon, J. Dec. 18, 2002. ESHA Determination for the Marblehead Property. Memorandum to Karl Schwing

[8] Ibid.

[9] Department of the Interior, Fish and Wildlife Service, 50 cfr part 17, RIN 1018–AV38, Endangered and threatened wildlife and plants; Notice of determination to retain the threatened status for the coastal California gnatcatcher under the endangered species act. Federal Register 60:72069. (March 1993).

[10] Westman (1981) op. cit.

Service, estimated the number of coastal California gnatcatcher breeding pairs in Los Angeles, Orange and San Diego Counties at only 144, 643, and 1,917, respectively[12]. Fragmented habitats have reduced biological integrity due to the increased potential for human disturbance. An increase in recreational use of habitats, fire frequency, trash dumping, air pollution, invasive species, predators, cowbird parasitism, domestic pets, herbicides and pesticides, and night lighting are directly associated with development and can have adverse impacts on the quality of coastal California gnatcatcher CSS habitat.

Coastal California gnatcatcher breeding season territories range in size from less than 2.5 acres to 25 acres[13,14], with a mean territory size generally greater for inland populations than coastal populations[15]. Nesting territories typically have greater than 50 percent shrub cover and an average shrub height that exceeds 2.3 ft; nests are most often at 3 feet above the ground[16]. The CSS surrounding the Los Trancos parking lot meets all the requirements for suitable coastal California gnatcatcher breeding and nesting habitat.

The coastal sage scrub surrounding the Los Trancos parking lot supports California gnatcatchers. The draft IS/MND states that:

> *One avian species that has been observed foraging within the project area is the California gnatcatcher, Polioptila californica, and it has been observed to nest nearby within restored coastal sage scrub. Up to 3 nests within the same breeding season have been observed on the inland side of the Coast Highway within the Los Trancos canyon area.*

In October 2013 a biological survey was conducted by Environmental Intelligence, LLC within the strip of CSS between the Los Trancos parking lot and PCH where AT&T was proposing to install fiber optic cable and directional boring pits. The AT&T project

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[11] Michael Brandman Associates. 1991. Unpubl. Report. A rangewide assessment of the California Gnatcacher (Polioptila californica). Prepared for Building Industry Assoc. of Southern California; July 23.

[12] Department of the Interior, Fish and Wildlife Service, 50 cfr part 17, RIN 1018–AV38, Endangered and threatened wildlife and plants; Revised designation of critical habitat for the Coastal California Gnatcatcher (*Polioptila californica californica*). 50; Federal Register 72:72069. (December 19, 2007).

[13] Atwood, J.L., S.H. Tsai, C.H. Reynolds, J.C. Luttrell, and M.R. Fugagli. 1998. Factors affecting estimates of California Gnatcatcher territory size. Western Birds, Vol. 29: 269-279.

[14] Preston, K.L., P.J. Mock, M.A. Grishaver, E.A. Bailey, and D.F. King. 1998. Calfornia Gnatcatcher territorial behavior. Western Birds, Vol. 29: 242-257.

[15] Ibid.

[16] Beyers, J.L. and W.O. Wirtz. 1997. Vegetative characteristics of coastal sage scrub sites used by California gnatcatchers: Implications for management in a fire-prone ecosystem. In Greenlee, J. M. (ed.), Proceedings: First conferenc on fire effects on rare and endangered species and habitats, Coeur d'Alene, Idaho, November 1995. International Association of Wildland Fire, Fairfield, Washington. pp. 81-89.

application was withdrawn and the project has not gone forward. The biological survey noted that:

> *Dominant species in this location includes California sage brush (Artemisia californica), California buckwheat (Eriogonum fasciculatum), Lemonade Berry (Rhus integrifolia), Laurel Sumac (Malosma [si] laurina), California salt bush (Atriplex californica), and California brittlebush (Encelia californica)."*

In addition the survey stated that:

> *During EI's assessment, a federally-listed threatened coastal California gnatcatcher (Polioptila californica californica) was observed in the narrow strip of restored coastal sage scrub near the East Work Area. The gnatcatcher was observed calling and actively foraging in the vegetation adjacent to where the active work will occur.*

Section 30107.5 of the Coastal Act defines Environmentally Sensitive Habitat as:

> *Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

There are three important elements to the definition of ESHA. First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat. Second, in order for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable. Plants and animals and habitats that meet the rarity criterion under this definition may include rare natural communities identified by the California Department of Fish and Wildlife, federal and state listed species, California Native Plant Society "1B" and "2" plant species, Global and State ranked, 1, 2, and 3 natural communities and plant and animal species, and California Species of Special Concern. Examples of areas that have a special nature or role in an ecosystem include habitats that support rare species such as monarch butterfly autumnal and over-wintering sites, raptor nesting sites, and CSS occupied by coastal California gnatcatchers and dispersal and wildlife migration corridors. Finally, the area must be easily disturbed or degraded by human activities.

Section 30240 of the Coastal Act, Environmentally sensitive habitat areas; adjacent developments; specifies how ESHA must be protected:

> *(a) 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.*

(b) 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.

I find that the coastal sage scrub in the area surrounding the Los Trancos parking lot is high quality habitat occupied by coastal California gnatcatchers; a gnatcatcher has been observed foraging within the project footprint, three nests have been observed in the CSS around the project footprint, and a gnatcatcher was observed calling and actively foraging in the narrow strip of CSS between the parking lot and PCH. I have determined that the CSS occupied by gnatcatchers surrounding the Los Trancos parking lot rises to the level of ESHA; the CSS is especially valuable because of its role supporting the rare coastal California gnatcatcher and CSS is easily disturbed or degraded by human activities as evidenced by the severe decline of this habitat type in southern California.

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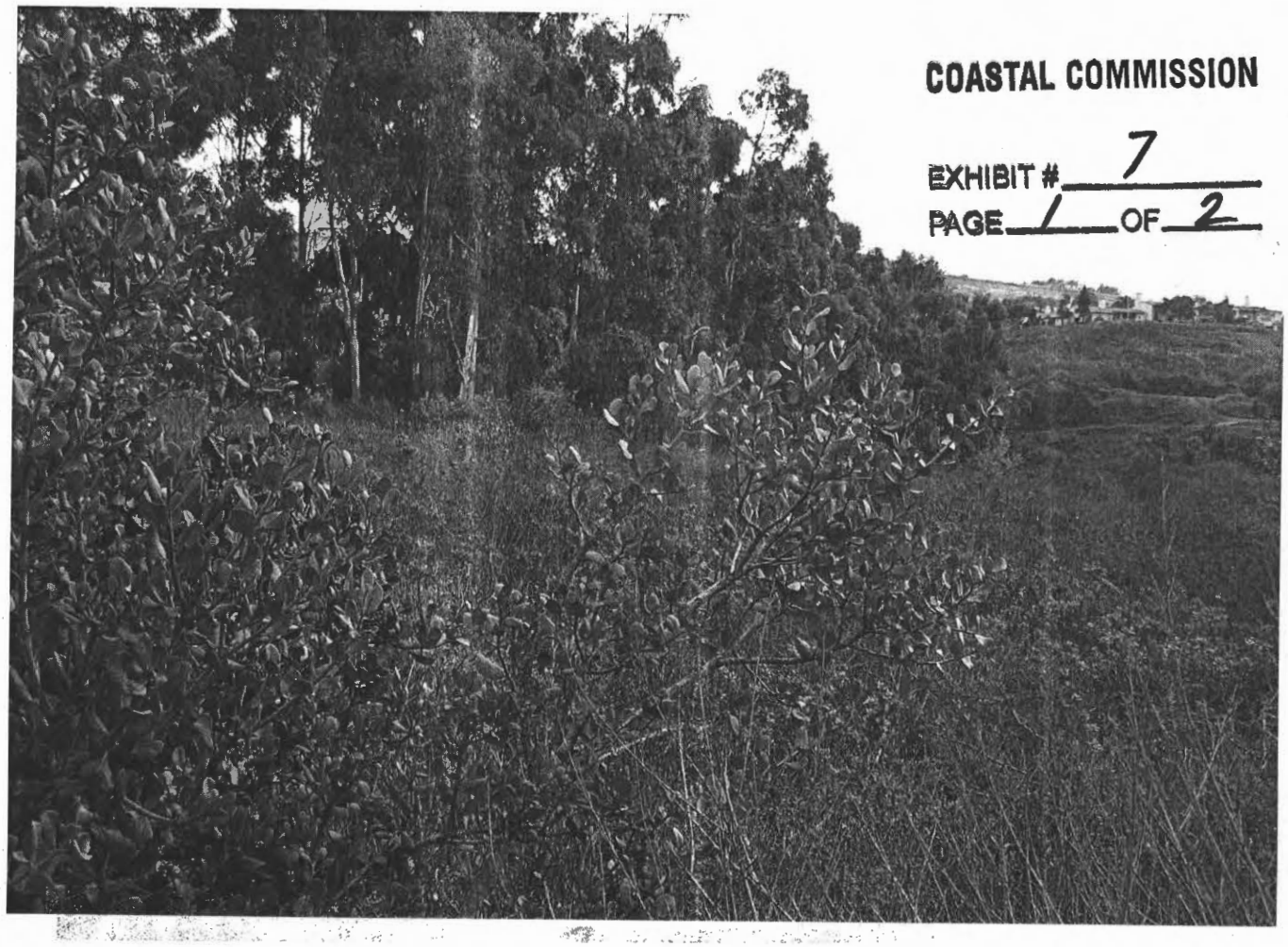
EXHIBIT # 7

PAGE 1 OF 2



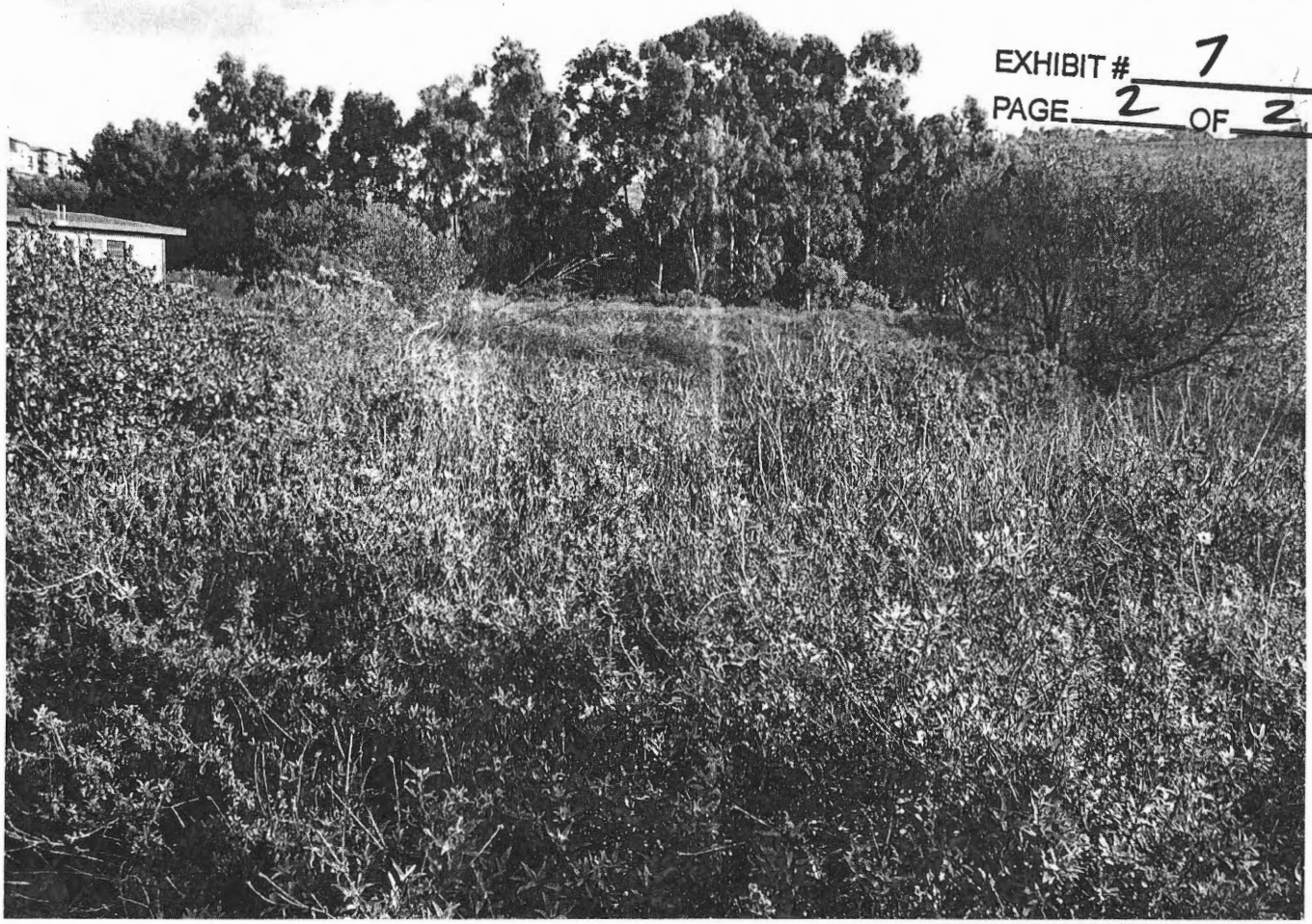


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EXHIBIT # 7

PAGE 2 OF 2