

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT REGULAR CALENDAR

APPLICATION NUMBER: 3-97-062

APPLICANT: CITY OF SAND CITY

PROJECT DESCRIPTION: Construction of a 12 foot wide bike path for 4,845 linear feet, and approximately 5 acres of dune revegetation, with associated grading, retaining walls, installation of fencing and interpretive signs, and modifications to existing portions of Sand Dunes Drive adjacent to the bike path. This is a portion of a larger project designed to connect the Monterey Recreational Trail with the Fort Ord Recreational and Bike Trail over a distance of 1.9 miles, which includes approximately 11 acres of dune revegetation.

PROJECT LOCATION: This permit is for that portion of the project located in the Coastal Commission's original jurisdiction, from the intersection of the Monterey Recreational Trail and Roberts Avenue (within the City of Monterey), along Roberts Avenue, under Highway One at Canyon Del Rey (within the City of Seaside), then generally parallel and seaward of State Highway Route 1 along Sand Dunes Drive between Humbolt Street and Fell Street (within the City of Sand City). The portion of the project north of Fell Street, which continues along the seaward side of the Highway One right-of-way to the intersection of Ord Avenue and Fremont Boulevard, is within Sand City's permit jurisdiction and has been previously approved by the City.

LOCAL APPROVALS: Coastal Development Permit 95-04 for the portion of the bike path within Sand City's permit jurisdiction.

FILE DOCUMENTS: Seaside - Sand City Coastal Alignment Bike Path Final Environmental Impact Report (EMC planning Group, October 17, 1995); Sand City Coastal Development Permit No. 95-04; Sand City Local Coastal Program; Geotechnical Investigation for Seaside Sand City Bike Path (Steven Raas & Associates, June 1993).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends conditional approval of the requested permit, which would authorize construction of the portion of the Seaside - Sand City bike path within the Commission's jurisdiction. This is a portion of a larger project to connect the existing Monterey Recreational Trail with the Fort Ord Recreational and Bike Trail.

The recommended conditions of approval require that the bike path be located on the seaward side of Sand Dunes Drive (rather than between Sand Dunes Drive and Highway One as currently proposed) to maximize and enhance coastal access and recreation opportunities. This change shall be incorporated into final project plans, which must comply with the recommendations of the geotechnical investigation completed for this project, and include additional information regarding public safety features (e.g., sign locations and text), the type and location of fencing necessary to protect adjacent sensitive habitat areas, and Department of Fish and Game and Department of Parks and Recreation approval of final landscaping plans. An operations plan to ensure that construction activities minimize impacts to adjacent habitat areas is also required, as is an archaeology report to ensure that any such resources found during construction are appropriately protected and preserved. In addition, the special conditions require evidence of authorization to undertake the grading and dune planting proposed on private property. Finally, the recommended conditions of approval require the permittee to be responsible for the ongoing maintenance and monitoring activities necessary to ensure the long-term success of adjacent dune plantings.

I. STAFF RECOMMENDATION

Staff recommends that the Commission adopt the following resolution:

Approval with Conditions

The Commission hereby **grants** a permit for the proposed development, subject to the conditions below, on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the Coastal Act, 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 of the Coastal Act, and, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. STANDARD CONDITIONS (Attached as Exhibit A)

III. SPECIAL CONDITIONS

1. Legal Interest to Undertake Development. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for Executive Director review and approval, evidence of legal interest to proceed with development activities outside of the existing Sand Dunes Drive right-of-way. Such evidence can be in the form of recorded easements, encroachment permits, recorded deeds, or other legal documentation acceptable to the Executive Director. The authorization for entry shall be sufficient to allow the City or other governmental agencies to conduct on-going monitoring and maintenance activities required by this permit.

2. Final Project Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for Executive Director review and approval, final project plans which: eliminate the proposed waterline extension from this project (unless a separate permit or amendment to the permit is approved by the Commission prior to the submission of final plans); conform to the conditions of approval of the locally issued Coastal Development Permit 95-04; and, include the following:

- a. relocation of the bike path to the seaward side of Sand Dunes Drive;
- b. best management practices to reduce the potential for contaminated urban runoff to enter Roberts Lake during and after construction;
- c. the type and location of all permanent fencing (chain link fencing to be prohibited except between Sand Dunes Drive and Highway One);
- d. the type and location of all signs (including traffic signs and environmental interpretive signs); and,
- e. for the crossing under Highway One between Roberts Lake and Sand Dunes Drive, the following signs/safety features shall be included in final plans:
 - 1) bicycle crossing warning signs and stop signs on both highway off-ramps;
 - 2) a stop sign for westbound cars on Canyon Del Rey Boulevard at the bicycle crossing; and,
 - 3) a median barrier of at least six feet in width at the Canyon Del Rey Boulevard bicycle crossing to allow southbound bicyclists crossing Humbolt street to stop in the middle of the street should there be eastbound traffic.

3. Geotechnical Review. The submission of final plans shall be accompanied by written evidence that a qualified geotechnical engineer has confirmed that the final plans conform with the recommendations contained in the geotechnical investigation prepared by Steven Raas and Associates (June 1993).

4. Archaeology Report. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for Executive Director review and approval, a plan providing for archaeological monitoring, evaluation, and mitigation should any archaeological resources be discovered during construction. If such archaeological resources are discovered all work which could damage or destroy these resources shall be temporarily suspended. A qualified archaeologist shall inspect the project site to determine the nature and significance of the archaeological materials and develop appropriate mitigation measures using standards of the State Historic Preservation Office. Construction within the affected area may not be resumed until these mitigation measures have been approved by the State Historic Preservation Office and the Executive Director and fully implemented by the permittee.

5. Monitoring and Maintenance Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for Executive Director review and approval, a plan which establishes specific performance standards, monitoring provisions, and

remedial actions that will be utilized to ensure the success of the proposed landscaping and the protection of coastal dune scrub habitat adjacent to the bike path. The monitoring and maintenance activities included in this plan shall be based on specific criteria such as plant cover, species diversity, and elimination of exotic invasive species, and be conducted over a five year period commencing at project completion, with a minimum monitoring frequency of one inspection every four months. Submission of this plan shall be accompanied by written evidence that the landscaping plan and monitoring and maintenance plan have been reviewed and approved by the California Department of Fish and Game, the California Department of Parks and Recreation, and the U.S. Fish and Wildlife Service, or evidence that such approvals are not required.

AT THE CONCLUSION OF THE FIVE YEAR MAINTENANCE AND MONITORING PERIOD, the permittee shall submit, for Executive Director review and approval, a report which either: documents the successful establishment of the approved landscape plan; or, provides for an extended monitoring and maintenance program, including appropriate corrective actions, which shall be implemented until successful establishment of the approved landscaping plan has been achieved to the satisfaction of the Executive Director.

6. Biological Monitor. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the permittee shall submit, for Executive Director review and approval, the name(s) and qualifications of a qualified biologist who will be on site to:

- a. conduct pre-construction surveys for Monterey Spineflower and Snowy Plover nests;
- b. identify locations where temporary fencing will be necessary to protect adjacent habitat areas prior to and during construction, and supervise the installation and maintenance of any such fencing;
- c. monitor the construction site on a daily basis and, where warranted, immediately stop any construction activities that would harm Monterey spineflowers or Western Snowy Plovers;
- d. capture any black legless lizard, coast horned lizard, Monterey dune scorpion, and burrowing owl found on the site each day prior to construction activities, and relocate these animals to a suitable habitat nearby that is not subject to construction disturbance; and
- e. undertake the post-construction monitoring and maintenance activities required by Special Condition 5 (above).

7. Construction Operations. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the permittee shall submit, for Executive Director review and approval, a plan which delineates the construction zone, staging area(s), and areas where sand may be temporarily stockpiled. These areas shall be demarked on site with temporary construction fencing wherever needed to ensure that construction activities do not intrude upon adjacent sensitive habitat areas. WITHIN 30 DAYS OF PROJECT COMPLETION, all construction materials/stockpiles shall be removed from the site. If there is any excess sand stockpiled on the site, plans for its disposal shall be reviewed and approved by the Executive Director.

IV. FINDINGS AND DECLARATIONS

A. Project Location:

This bike path project will complete the connection between the Monterey Recreation Trail to the south, and the Fort Ord Recreation and Bike Trail to the north, over a distance of approximately two miles (Exhibits B and C). This is the "missing link" in the 21.5 mile regional bikeway that extends from Pacific Grove to Castroville. The majority of the project site can be described as remnant sand dunes, in various stages of disruption and recovery, with significant coastal views available in various locations.

The project will be constructed in three segments, the alignments of which are illustrated in project plans attached as Exhibit D. Segment I originates in the City of Monterey, at the current termination of the existing Monterey Recreation Trail at Roberts Avenue. Segment I will extend the bike path around the west side of Roberts Lake to the intersection with Canyon Del Rey Boulevard in the City of Seaside. At this point, the bike path will cross the northbound Highway 1 off-ramp, continue under Highway 1 on the south side of Canyon Del Rey, then cross Canyon Del Rey into the City of Seaside prior to the southbound Highway 1 on-ramp. The path will then cross the southbound Highway One off-ramp to the intersection of Sand Dunes Drive. (Please see attached Exhibit D for alignment).

As proposed, Segment II originates at the intersection of Sand Dunes Drive and Humbolt Street in the City of Sand City. The path continues north between Sand Dunes Drive and the Highway One right-of-way, until Tioga Avenue, where Sand Dunes Drive ends. To accommodate this alignment, Sand Dunes Drive must be shifted 12 feet to the west.

Segment III parallels the western edge of the Highway One right-of-way, along a wastewater interceptor pipeline maintained by the Monterey Regional Water Pollution Control Agency. This segment extends to Ord Avenue, where it connects to the Fort Ord Recreation and Bike Trail at the intersection of Highway 1 and Fremont Boulevard.

Only Segment I, and the portion of Segment II south of Fell Street, are within the Coastal Commission's permit jurisdiction and subject to this permit. This is due to the lack of a certified Implementation Plan for this section of the Sand City coastline. The remainder of the project (Segment II north of Fell Street and Segment III) are within the coastal permit jurisdiction of Sand City. The City previously approved Coastal Development permit 95-04 for the section of the bike path within its jurisdiction; the conditions of this approval are attached to this report as Exhibit F.

While most of the project is located within existing public rights-of-way, slope stabilization and dune revegetation along portions of Segment II within the Commission's jurisdiction will extend onto lands that are publicly and privately owned. In order to ensure that the City has a legal right to undertake the development activities proposed in these areas, Special Condition One requires the permittee to submit, prior to the issuance of the permit, evidence that such a right has been established. This evidence can be in the form of recorded easements, encroachment permits, recorded deeds, or other legal documentation acceptable to the Executive Director, and must include provisions to conduct the on-going monitoring and maintenance activities. Such a condition is necessary to meet the requirements of Section 30601.5 of the Coastal Act.

B. Project Description:

Development activities included in the project consist of site grading, bike path construction, realignment of Sand Dunes Drive, construction of retaining walls, slope stabilization and erosion control, installation of fencing and signs, and approximately 11 acres of dune revegetation. For most of the project's length, the 12 foot wide bike path (two lanes of six feet in width) will be separated from existing roadways by a planted strip of 4 to 6 feet in width.

Segment I, which is approximately 2,300 feet in length, involves the construction of bicycle lanes for a short distance on Roberts Avenue, where this is not enough right-of-way to accommodate separated bicycle paths. The southbound bike lane changes into a bike path where Roberts Avenue turns north. For northbound bicyclists, Segment I takes advantage of an existing path on the east side of Roberts Avenue that will be improved to better accommodate bicyclists. This path crosses Roberts Avenue and connects with the bicycle path to be constructed on the west side of Roberts Avenue. Segment One also includes improvements to the Highway 1 undercrossing necessary to accommodate the bike path, including the construction of a retaining wall on the north side of the undercrossing, just east of the southbound off ramp, as well as signs directing bicycles and automobiles.

As proposed, Segment II involves moving the existing Sand Dunes Drive 14 feet to the west, in order to accommodate the 12 foot wide bike path between Sand Dunes Drive and the Highway One right-of-way. This would sandwich the bike path between two roads. However, in recent discussions with City staff, the City may be willing to "flip" the project, so that the bike path will be on the seaward side of Sand Dunes Drive as opposed to between Sand Dunes Drive and Highway 1. As detailed in the public access and recreation findings of this staff report, such a change is necessary to maximize coastal access and recreation opportunities, and is therefore required by Special Condition 2 of this permit. As conditioned, Sand Dunes Drive would maintain its existing alignment and the bike path would be located between the road and the dunes.

As previously noted, grading, slope stabilization, and revegetation along this segment of the project extend westward of the Sand Dunes Drive right-of-way. Slope stabilization includes grading and reshaping adjacent sand dunes to a maximum slope of 3:1. The width of these graded areas vary according to existing contours, as shown on the landscape plans attached as Exhibit E. All of these areas will be revegetated with native dune plants according to the attached landscape plans, subject to the requirements of Special Condition 5.

Submitted project plans also show a new waterline and fire hydrant to provide fire protection at the Monterey Regional Water Pollution Control Agency's pump station located at the southwest corner of Bay Street and Sand Dunes Drive. This development is not a part of the bike path project and is being proposed under a separate coastal development permit application that is anticipated to be heard by the Commission at its November, 1997 meeting. Because this development is subject to future approval, Special Condition 2 requires that it be eliminated from final project plans for the bike path unless it is approved by the Commission prior to the submittal of final plans.

C. Public Access and Recreation:

Coastal Act policies regarding public access and recreation applicable to this project include the following:

Section 30210. 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 30214 (part). (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- (1) Topographic and geologic site characteristics.
- (2) The capacity of the site to sustain use and at what level of intensity.
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

Consistent with the directive of Section 30210, the bike path project will enhance coastal access and recreation opportunities by providing the "missing link" to an important regional bike way. Installation of this project will greatly improve the ability of the public to travel to and along the coast via bicycle.

However, by locating the bike path between Sand Dunes Drive and Highway 1 right-of-way, the project falls short of "maximizing" coastal access and recreation opportunities. There are numerous reasons why locating the bike path on the seaward side of Sand Dunes Drive is preferable from an access and recreation standpoint. These include:

- the alignment between the two roadways substantially reduces the quality of the coastal recreation experience. Noise, visual obstruction, and odors from automobiles on both sides of the path creates an urban experience, whereas an alignment on the seaward side of the road would maximize opportunities for the public to experience and enjoy the natural beauty of this section of the coast;
- Sand Dunes Drive is an unnecessary barrier to coastal access. An alignment on the west side of Sand Dunes Drive eliminates the need to cross Sand Dunes Drive to reach the shoreline at designated access points; and,
- locating the bike path on the west side of Sand Dunes Drive is more compatible with park development planned for the area. Opportunities to integrate the bike path with coastal access and recreation facilities that may be provided by future park development will be

greatly enhanced by eliminating the need for bicyclists to cross Sand Dunes Drive in order to access the park.

For these reasons, Special Condition 2 requires that the bike path be located on the seaward side of Sand Dunes Drive.

With respect to the requirement that access and recreation opportunities be consistent with public safety needs (Coastal Act Section 30210), the proposed project involves roadway crossings that may result in conflicts between bicyclists and automobiles. In particular, crossings of Highway One off-ramps, as well as the crossing of Canyon Del Rey, have a high potential for such incidents. In order to address these concerns, Special Condition 2 requires the incorporation of specific safety features to minimize such conflicts.

The above Coastal Act sections also require coastal access and recreation facilities to address constraints related to habitat protection, private property rights, topographic and geologic features, and the capacity of the site to sustain the intensity of use. The preservation and enhancement of adjacent sensitive habitat areas will be assured by the extensive native dune plantings, and by the installation of fencing and interpretive signs, as further discussed in part D of this report. Fencing and interpretive signs also ensure that public use of the path will not overwhelm adjacent habitat areas. Regarding private property rights, most of the project area is publicly owned. However, there are some privately owned lots to the west of the bike path. The development of a public bike path within the established public right-of-way, will not interfere with the rights of these property owners. As required by Special Condition 1, the permittee must submit evidence of a legal right to undertake the slope stabilization and dune revegetation elements of the project which extend beyond the existing Sand Dunes right-of way before the permit can be issued. Finally, with respect to geologic and topographic features of the project site, a geotechnical investigation has been completed. This geotechnical report recommends specific measures that should be incorporated in project design and construction to address the geologic and topographic constraints of the site, including: method of site preparation; design of cut and fill slopes; construction of retaining walls; handling of surface drainage; and, pavement design. Special Condition 3 requires compliance with the recommendations of this investigation.

In conclusion, the bike path project will greatly improve public access and recreation opportunities by providing an important connection to a regional bicycle network that is used for coastal access and recreation purposes. Special Conditions attached to this permit maximize public safety and the coastal access and recreation qualities of the proposed project and ensure that habitat protection needs, the rights of private property owners, and the geologic constraints of the site are appropriately considered. Therefore, as conditioned, the project is consistent with Coastal Act access and recreation policies.

D. Environmentally Sensitive Habitat Areas:

Coastal Act Section 30240 provides in part:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only those uses dependent on those resources shall be allowed within those areas.

Section 30107.5 of the Coastal Act defines an environmentally sensitive area 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.

The bike path is located along the edge of an existing road (Sand Dunes Drive) within the Monterey Bay dune system. This dune system is one of the most important ecological systems of the Central Coast. Although large portions of it have been significantly degraded over the years, its value as regional environmentally sensitive habitat can not be discounted. According to the Technical Review Draft for the Smith's Blue Butterfly Recovery Plan, U.S. Fish and Wildlife Service:

more than 50 percent of the Seaside [Monterey Bay] dune system has been destroyed or altered significantly by sand mining, urbanization, military activities, construction, and the introduction of two aggressive exotic plants, European marram grass (*Ammophila arenaria*) and iceplant (*Mesembryanthemum* spp.) Even considering this, these dunes are the largest and best preserved of any of the central California dune systems except for the Oso Flaco Dunes near San Luis Obispo. The dune system at San Francisco has been almost totally destroyed (Powell, 1981).

The Monterey Dunes also support a number of native coastal plant and animal species that are dependent upon this habitat. Some of these species are listed, or are being considered for listing, on the federal register of endangered and threatened species. These species include the Smith's Blue Butterfly, the Western Snowy Plover, the Black Legless Lizard, Monterey spineflower, coast wallflower, and the sand gilia.

In addition, degraded areas of these dunes, such as where the bike path project would be located, retain important natural habitat values. As is evident from the success of restoration efforts at places such as Seaside State Beach (adjacent to the subject project), disturbed dunes represent existing and restorable environmentally sensitive habitat. In the context of overall preservation of sensitive dune plants and animals within the Monterey Dunes ecosystem, previously disturbed and currently degraded areas are important components to the area-wide dune restoration effort necessary to ensure the continuance of this unique habitat. Failure to protect the habitat values of open space dune areas that have been previously disturbed or degraded could seriously impede future efforts to restore, through a comprehensive planning approach, the environmentally sensitive dune habitats of the Monterey Bay dune system.

The direct impacts of this project will be limited to areas adjacent to the existing Sand Dunes Drive. The bikeway is set back approximately 500 feet from the beach; the intervening dunes comprise roughly 100 acres. The Environmental Impact Report (EIR) prepared for the project characterized the 3.18 acres of dune habitat that will be covered by the entire bike path (i.e., including the portion already permitted by Sand City), as: 0.20 acre of dune scrub (habitat dominated by native species growing at an average coverage of 25%); 0.38 acre of scrub-iceplant-bare (areas in which dune scrub comprises a relatively small component of plant cover as compared to ice plant or bare areas); 1.39 acres of iceplant (an invasive non-native species); 0.10 acre iceplant-bare; 0.88 acre bare; and 0.23 acre ruderal/non-native grassland (areas

dominated by non-native vegetation other than iceplant) (EIR pages, 91-103). Of these 3.18 acres, roughly 1.6 acres of mostly degraded or disturbed undeveloped dune habitat within the Commission's permit jurisdiction would be covered with an impervious surface by authorization of this permit.

However, the project will also positively impact areas adjacent to the Sand Dunes right-of way through grading and slope stabilization. All of the graded areas that will not be covered by the bike path will be revegetated with native dune scrub plants. In total, the revegetation component of the project includes the planting of 11.05 acres of dune scrub habitat; an increase of 10.15 acres of dune scrub habitat when compared to existing conditions (EIR, p.115).

To guarantee the success of this restoration effort, Special Condition 5 requires a five year monitoring and management plan, to be supervised by a qualified biologist per Special Condition 6. At the conclusion of the 5 year monitoring and maintenance period, the permittee is required to either: document the success of the revegetation effort; or, provide for an additional monitoring and maintenance period, with appropriate corrective actions, until the approved landscaping plan has been successfully established to the satisfaction of the Executive Director.

Special Condition 5 also requires that final landscaping plans, as well as the required monitoring and maintenance plan, be reviewed and approved by the California Department of Fish and Game, California Department of Parks and Recreation, and the U.S. Fish and Wildlife service. This will ensure that project landscaping will be compatible with adjacent habitat restoration efforts and resource needs.

While project grading and slope stabilization will not directly impact any special status plant or animal species, it will take place in close proximity to areas in which Monterey spineflower exists, and within the vicinity of an area previously used by Western Snowy Plovers as a nesting site, both of which are federally listed as threatened. The special conditions attached to this permit eliminate the potential that project construction will affect these habitat areas by requiring them to be fenced, under the supervision of a qualified biologist, prior to the commencement of construction (Special Condition 6). Special Condition 7 requires construction areas to be demarked with temporary construction fencing to prevent construction equipment or employees from trampling on sensitive resources adjacent to the project. To address the possibility that sensitive dune animals such as the black legless lizard, coast horned lizard, Monterey dunes scorpion, and burrowing owls may enter the construction area, the biological monitor required by Special Condition 6 must inspect the site on a daily basis prior to construction activities, and relocate such animals to a suitable habitat nearby. The biological monitor must also monitor the construction site on a daily basis and immediately stop any construction activities that would harm Monterey spineflowers or Western Snowy Plovers per Special Condition 6.c.

Following project completion, increased use of the area by bicyclists has the potential to result in increased trampling of adjacent sensitive habitat areas. To prevent this impact, the project includes the installation of fencing and interpretive signs which educate the public about the sensitivity of the dune habitat and direct them to stay on the path. To ensure that an adequate amount of fencing and signs will be installed to effectively protect adjacent habitat areas, Special Condition 2 requires Executive Director review and approval of final plans which indicate the specific type and location of all fencing and signs. The use of guide wire fencing

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and interpretive signs to effectively manage public use of areas adjacent to sensitive dune habitats has proven to be successful at the nearby Seaside State Beach.

Considering the above, the temporary impacts associated with grading and slope stabilization will not result in a significant disruption to environmentally sensitive habitat areas. In fact, as conditioned, the 11 acres of dune revegetation that will be provided by the project will actually enhance the habitat qualities of the area over the long term. Although in public ownership, the City has not taken the initiative to undertake dune restoration along the unused portions of the Sand Dunes Drive right-of-way. Further, the lack of fences or interpretive signs preventing unmanaged public access from Sand Dunes Drive increases the potential for disturbance to sensitive species in the area, such as nesting Snowy Plovers, by human trampling. It is likely that unused portions of the Sand Dunes right-of-way in which the bike path will be located would remain in a disturbed and degraded state and offer little value to the overall habitat quality of the Monterey Bay Dune system should the bike path not be installed.

The bike path project is also a catalyst for addressing the resource management needs of sensitive habitat areas adjacent to Sand Dunes Drive because of its dune revegetation component. In particular, the project will result in a smoother transition from the urban type use associated with Sand Dunes Drive, to the sensitive habitat values of the adjacent dune area, by providing a landscaped buffer of native dune plants. This will not only restore habitat values to the largely degraded area adjacent to Sand Dunes Drive, but will also stabilize the dunes to minimize the amount of sand that is blown onto Sand Dunes Drive. In addition, the fencing and interpretive signs to be provided will minimize impacts of unmanaged access that would persist under the status quo and, as discussed below, will increase public understanding and appreciation of the unique and sensitive resources of the Monterey Bay dune system.

Finally, in addition to being a significant regional public access and recreational enhancement, and a valuable dune revegetation project, the bike path project will serve an important educational and interpretive function vis-à-vis the protection of the Monterey dunes system. Thus, as with other resource dependent interpretive projects, another purpose of this project is to provide educational opportunities within and adjacent to environmentally sensitive habitat areas, in a manner consistent with the continuation and enhancement of the habitat. Indeed, long term preservation of the Monterey dunes environmentally sensitive habitat areas is dependent upon public understanding and appreciation of native dune resources and their needs. This necessitates opportunities for the public to experience, learn about, and passively interact with the natural dune environment. Such opportunities are critical to evoking the sense of stewardship that is essential to the overall protection and enhancement of the coastal environment. Most opportunities to experience and learn about the natural dune environment within the Monterey Bay region are currently limited to boardwalk facilities designed for pedestrians that have arrived at the destination via automobile (e.g., the nearby Seaside State Beach). Expanding this experience to the large number of people who recreate and exercise on the Monterey Recreational Trail and commute by bike will be an important addition to the coastal education experience in the Monterey Bay area.

Overall, the project as conditioned will not result in a significant disturbance to environmentally sensitive habitat areas, and will maximize resource dependent dune revegetation and educational activities consistent with the habitat preservation goals of the Coastal Act. As such, it is consistent with Coastal Act Section 30240.

E. Marine Resources/Water Quality:

Section 30231 of the Coastal Act states in part:

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 ...

A portion of Segment I of the bike path is adjacent to Roberts Lake, a freshwater wetland. The increase in impervious surface attributable to the project, as well as the construction activities adjacent to the lake, have the potential to increase the amount of sediment and urban pollutants contained in runoff entering the lake.

In order to protect the biological productivity and water quality of Roberts Lake, Special Condition 2.b. requires final project plans to include best management practices (BMP's) that will prevent sediments and urban contaminants from entering the lake both during and after construction. Examples of BMP's include the use of silt fences to capture sediment during construction, and planting a vegetative strip between the impervious surface and waterbody to filter out pollutants. Selection of the specific BMP's most appropriate for this project will be done by the project engineer, and must meet the approval of the Executive Director prior to the issuance of the permit.

With this condition, the project will not impact the biological productivity and quality of Robert's Lake. Therefore, the project, as conditioned, is consistent with Coastal Act Section 30231.

F. Archaeology:

Section 30244 of the Coastal Act requires:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

The Sand City certified Land Use Plan (LUP) identifies the potential for archaeological sensitivity in the southwestern portion of the City, within the immediate vicinity of the bike path project. The LUP recommends that development proposals in this area be required to submit archaeological surveys and recommended mitigation measures should archaeological resources be found.

To achieve project consistency with the guidance provided by the LUP and the requirements of Coastal Act Section 30244, Special Condition 4 requires the City to submit an archaeology report establishing monitoring, evaluation, and mitigation procedures in the instance that archaeological resources are discovered during construction. If such resources are discovered, this condition further requires construction activities that could damage the resource to be suspended, and State Historic Preservation Office and Executive Director approval of appropriate mitigation measures based on the significance of the archaeological materials.

With this condition, the project is consistent with Section 30244 of the Coastal Act.

G. LCP Certification:

Coastal Act Section 30604 states in part:

- (a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 ...

This permit authorizes the portion of the Seaside -Sand City bike path that is located in the portion of the Sand City coastal zone for which there is not a certified Local Coastal Program (LCP). Although Sand City has a certified Land Use Plan (LUP) and Implementation Plan (IP), the portion of the City west of Highway One and south of Fell Street is an area of deferred certification due to the fact that the certified IP does not contain the Transfer of Development Credit (TDC) program for this area provided by the certified LUP.

Section 30604 of the Coastal Act prohibits the Commission from approving a permit in an uncertified area that would prejudice the local governments ability to prepare an LCP that conforms with Chapter 3 of the Coastal Act. As detailed in the previous findings, the bike path project, as conditioned, is found to be consistent with Chapter 3. In addition, the project will not jeopardize any planning options for the area that would need to be contained in an LCP; the bike path is not located within the designated development envelope for the area, should the City wish to pursue completion of its LCP by finalizing the TDC program.

However, plans for the area of deferred certification are evolving towards the development of a public park/open space area, as most of this area is owned by the Department of Parks and Recreation and the Monterey Peninsula Regional Park District. The bike path project will be a positive asset to park development, and will not prejudice the development of a park plan that conforms with the Chapter 3 policies of the Coastal Act, consistent with the requirements of Coastal Act Section 30604.

H. California Environmental Quality Act:

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the project may have on the environment.

In response to the environmental review requirements of CEQA, Sand City certified an Environmental Impact Report (EIR) for this project on October 17, 1995. In certifying this document, the City adopted mitigation measures intended to reduce the project impacts on the environment to a less than significant level. During the course of coastal development permit

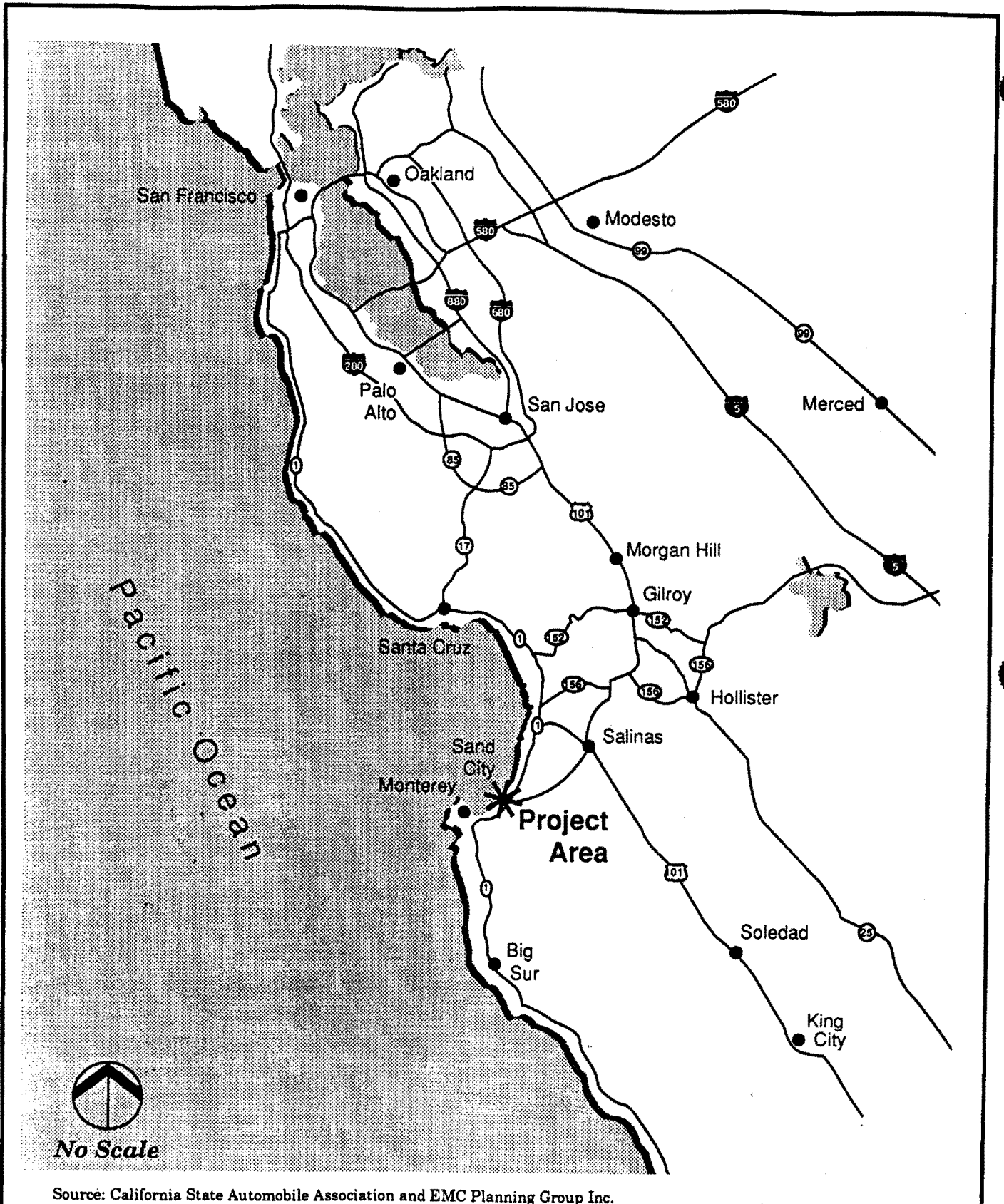
review, the Commission identified additional mitigation measures necessary to achieve project conformance with the Chapter 3 policies of the Coastal Act, which are required by the Special Conditions of this permit. These additional measures, in conjunction with the mitigation measures adopted by the City, ensure that the project, as conditioned, will not have a significant impact on the environment within the meaning of CEQA.

CALIFORNIA COASTAL COMMISSION

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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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.

EXHIBIT NO. A
APPLICATION NO. 3-97-062
Standard
Conditions



Source: California State Automobile Association and EMC Planning Group Inc.

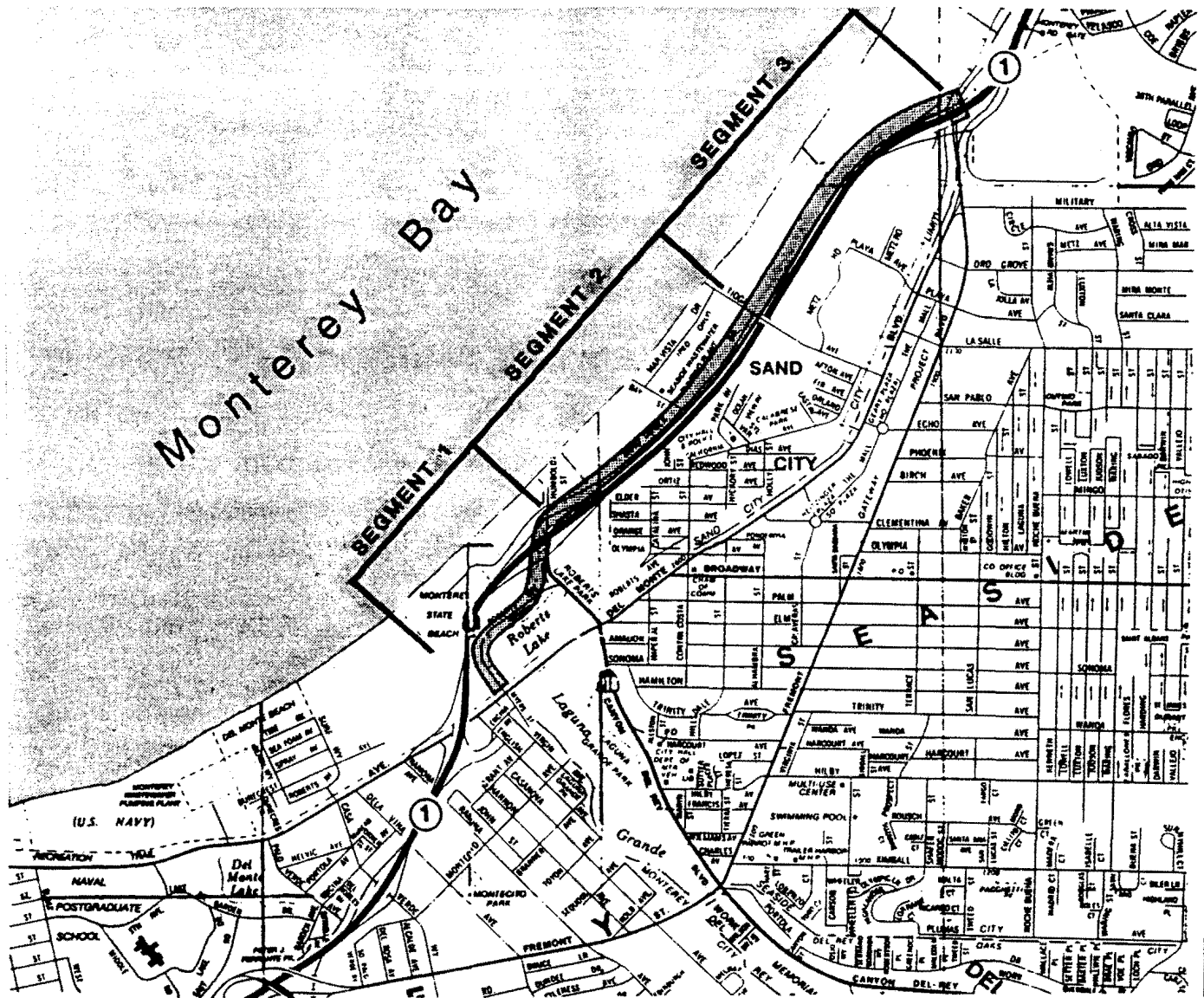


Seaside-Sand City Bike Path EIR Regional Location

EXHIBIT NO. **B**

APPLICATION NO.
3-97-062

*Regional
Location*



Source: LSA Associates and EMC Planning Group Inc.



Seaside-Sand City Bike Path EIR Project Site Location

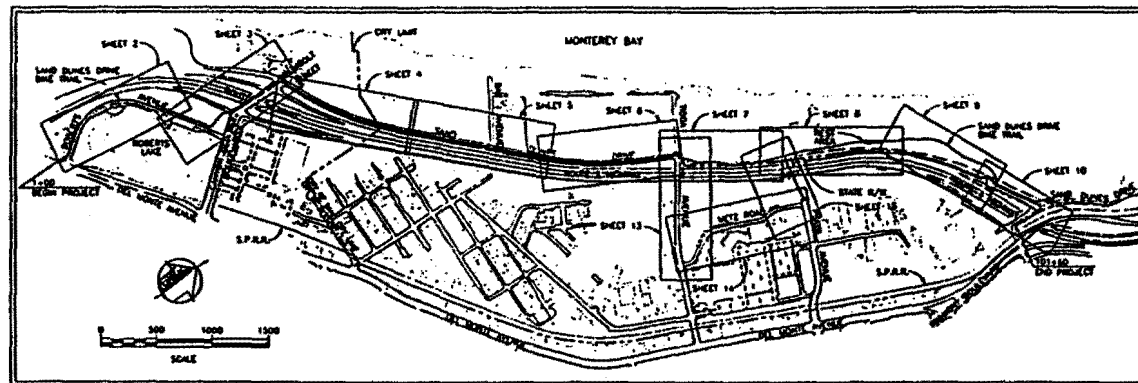
EXHIBIT NO. C

APPLICATION NO.
3-97-062

Site
Location

PLANS FOR THE CITY OF SAND CITY SAND DUNES DRIVE BIKE TRAIL SAND CITY CALIFORNIA

EXHIBIT NO. D, P, I
APPLICATION NO.
3-97-062
Construction
Plans



ABBREVIATIONS

AB(2)	AGGREGATE BASE, CLASS 2
AC	ASPHALT CONCRETE
BVC	BEGIN VERTICAL CURVE
E	CENTER LINE
EVC	END VERTICAL CURVE
EX	EXISTING
FG	FINISH GRADE
LOL	LAYOUT LINE
OG	ORIGINAL GRADE
PVC	POINT OF INTERSECTION, VERTICAL CURVE
R/W	RIGHT OF WAY
S	GRADE SLOPE
VC	VERTICAL CURVE

LEGEND

(No)	PAVEMENT STRIPE, DETAIL, SEE CALTRANS STANDARD PLAN A20A, A20B, AND A20D.
------	---

LIST OF DRAWINGS

SHEET NO.	DESCRIPTION
1	VICINITY MAP, COVER SHEET & SHEET INDEX
2 THRU 10	PLAN & PROFILE
11	HUMBOLT STREET UNDERCROSSING
12	TYPICAL SECTIONS
13 THRU 15	PLAN & PROFILE
	TIOGA-METZ-PLAYA BYPASS
L-1 (Not Included)	DUNE RESTORATION & REVEGETATION
	SHEET INDEX, PLANT LIST & NOTES
L-2 THRU L-10	DUNE RESTORATION & REVEGETATION PLAN
L-11 & L-12	TYPICAL SECTIONS

PREPARED BY: CREEGAN + D'ANGELO

PROJECT ENGINEER: _____ DATE: _____
CHECKED BY: _____ DATE: _____

APPROVED FOR CITY OF SAND CITY

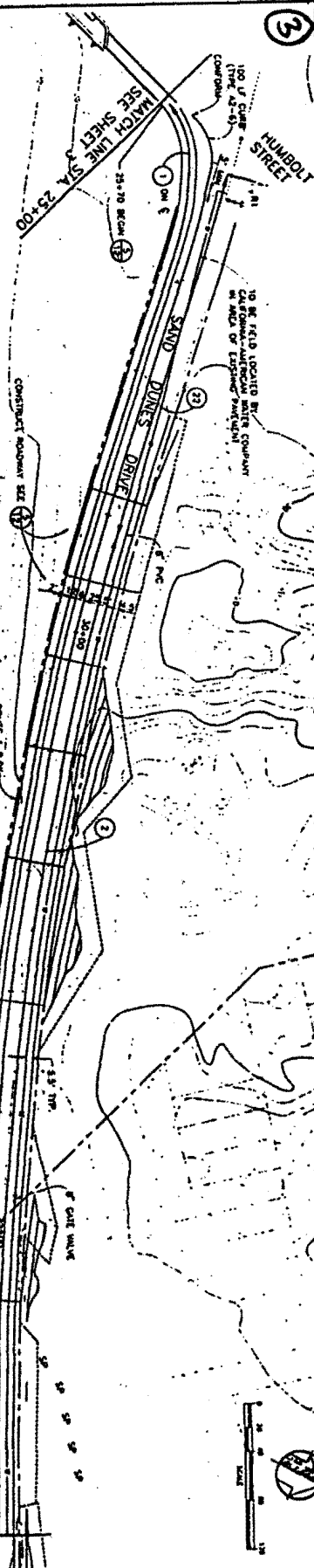
DATE: _____

CREEGAN + D'ANGELO
Consulting Civil and Structural Engineers
SHEET NUMBER
1
OF 37 SHEETS
DRAWING NO.
156708-01

MATCH LINE STA. 37+50
SEE SHEET 4

(3)

(4)



ROUTE 1 HIGHWAY

ROUTE 1 HIGHWAY

NE STA. 37+50
PT 5

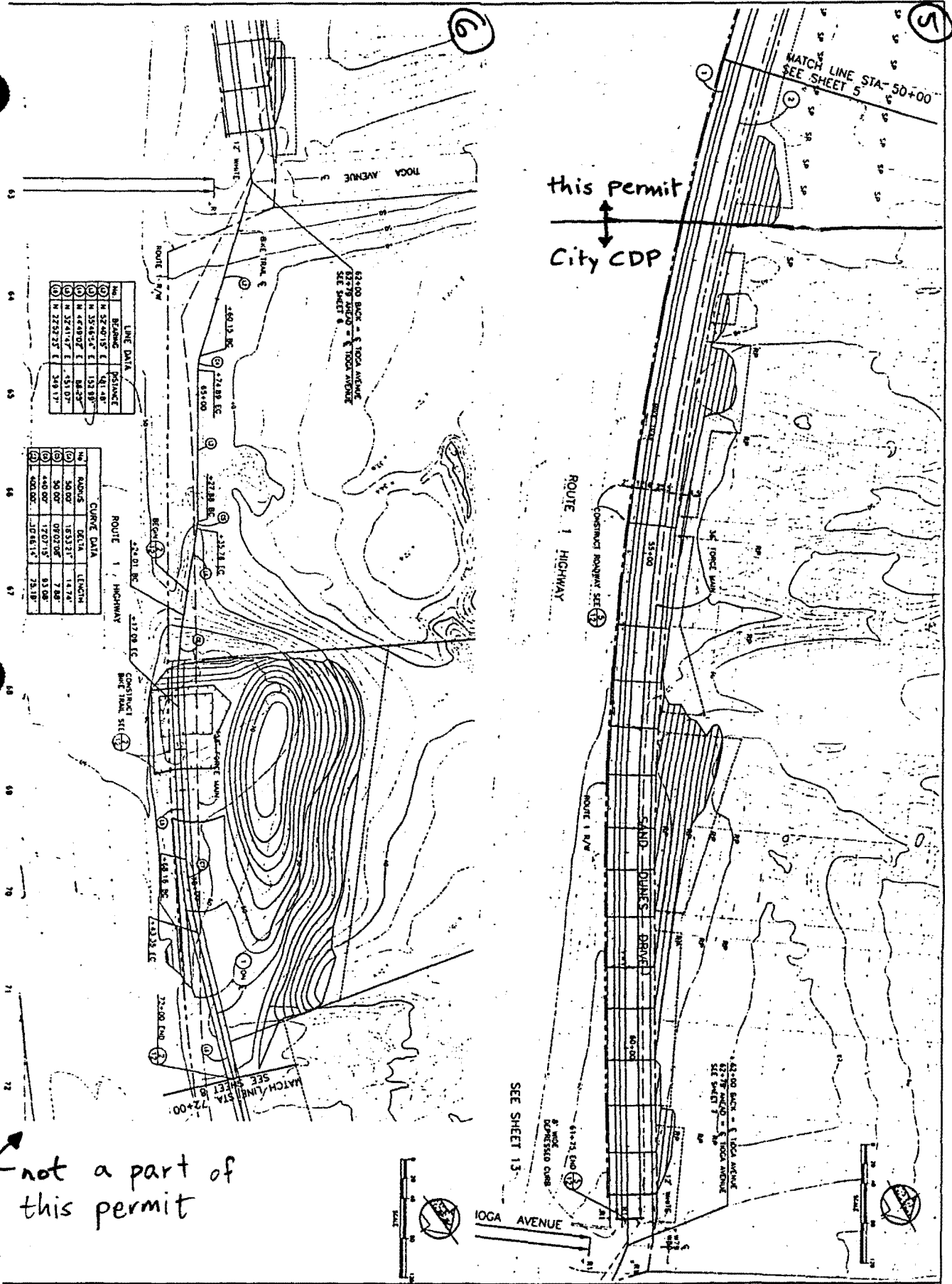
MATCH LINE STA. 50+00
SEE SHEET 6

D'ANGELO Structural Engineers	C+D	
	C+D	
	C+D	
	C+D	

C+D	
C+D	
C+D	
C+D	

Segment II

3-97-062
Exhibit D, p.3



NO.	BEARING	POINT
1	N 32°47'15" E	41.48'
2	N 35°45'45" E	152.83'
3	N 4°48'02" E	88.23'
4	N 32°11'47" E	55.07'
5	N 22°22'25" E	348.17'

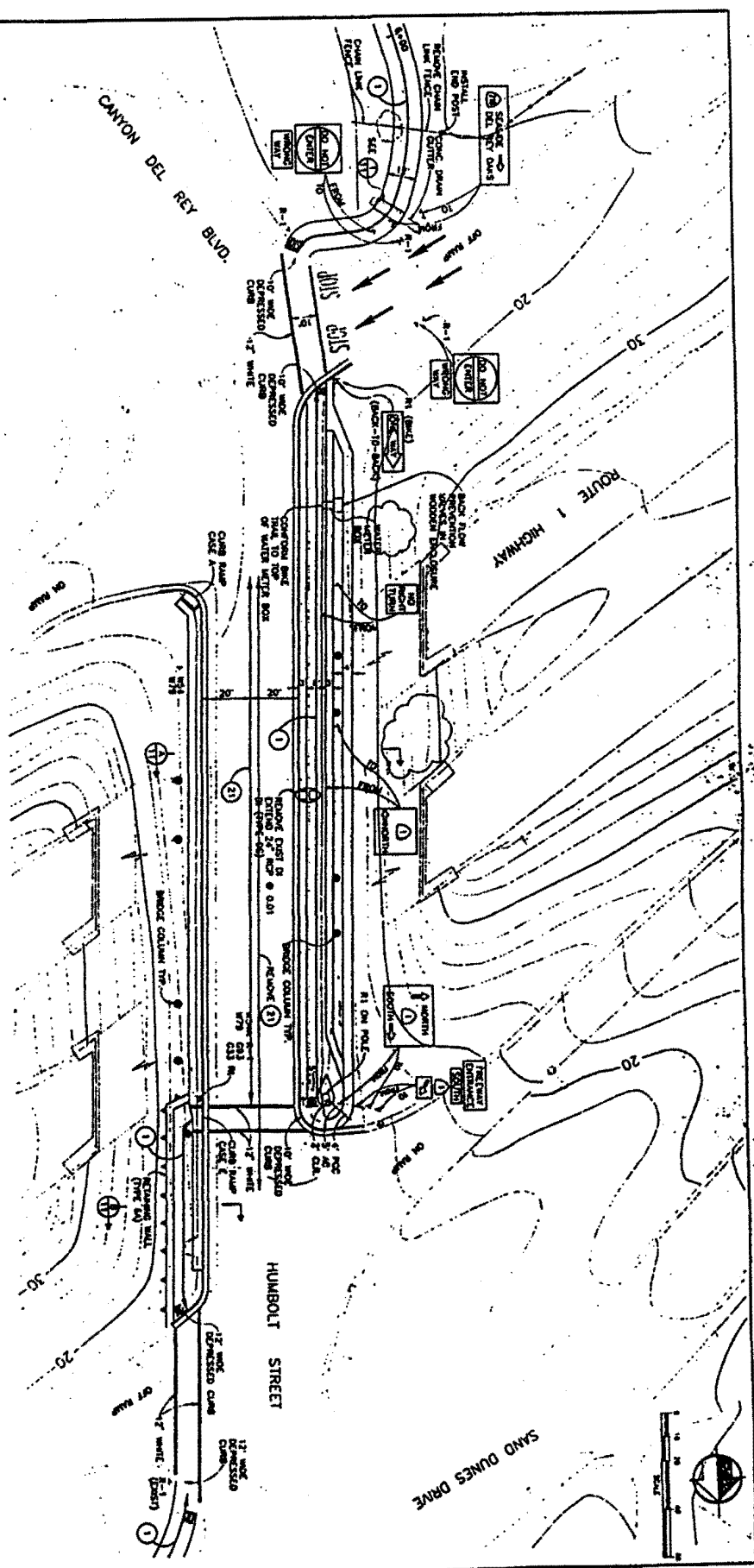
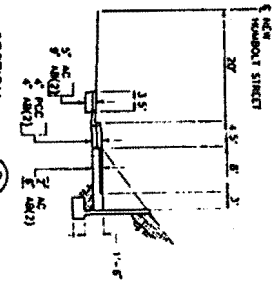
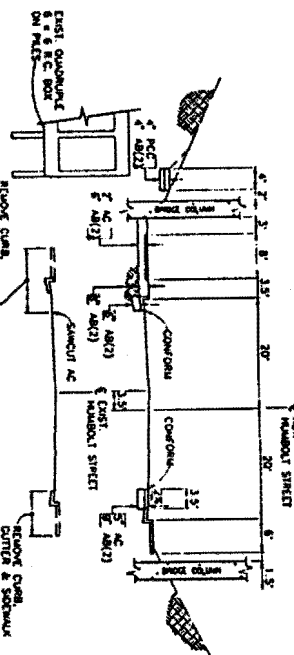
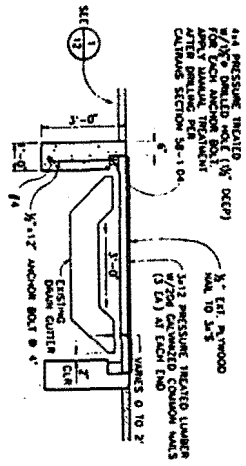
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2	N 35°45'45" E	152.83'
3	N 4°48'02" E	88.23'
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5	N 22°22'25" E	348.17'

GELO	C+D
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GELO	C+D
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100	C+D

Segment II (continued)

3-97-062
Exhibit D, p.4



OF 27 T-111 DATED NO 196708-11	SAND DUNES DRIVE BIKE TRAIL
	HUMBOLT STREET UNDERCROSSING

CREEGAN+D'ANGELO
Consulting Civil and Structural Engineers

JOHN FARMFIELD, MONTEVET, PLEASANTON, SAN FRANCISCO
120 UNIVERSITY DRIVE, SUITE 100, PLEASANTON, CALIFORNIA 94586 (415) 876-1811

APPROVED BY: _____ DATE: _____

_____ DATE: _____

[illegible]

Highway One Undercrossing
at Humbolt Street

3-97-062
Exhibit D, p.5

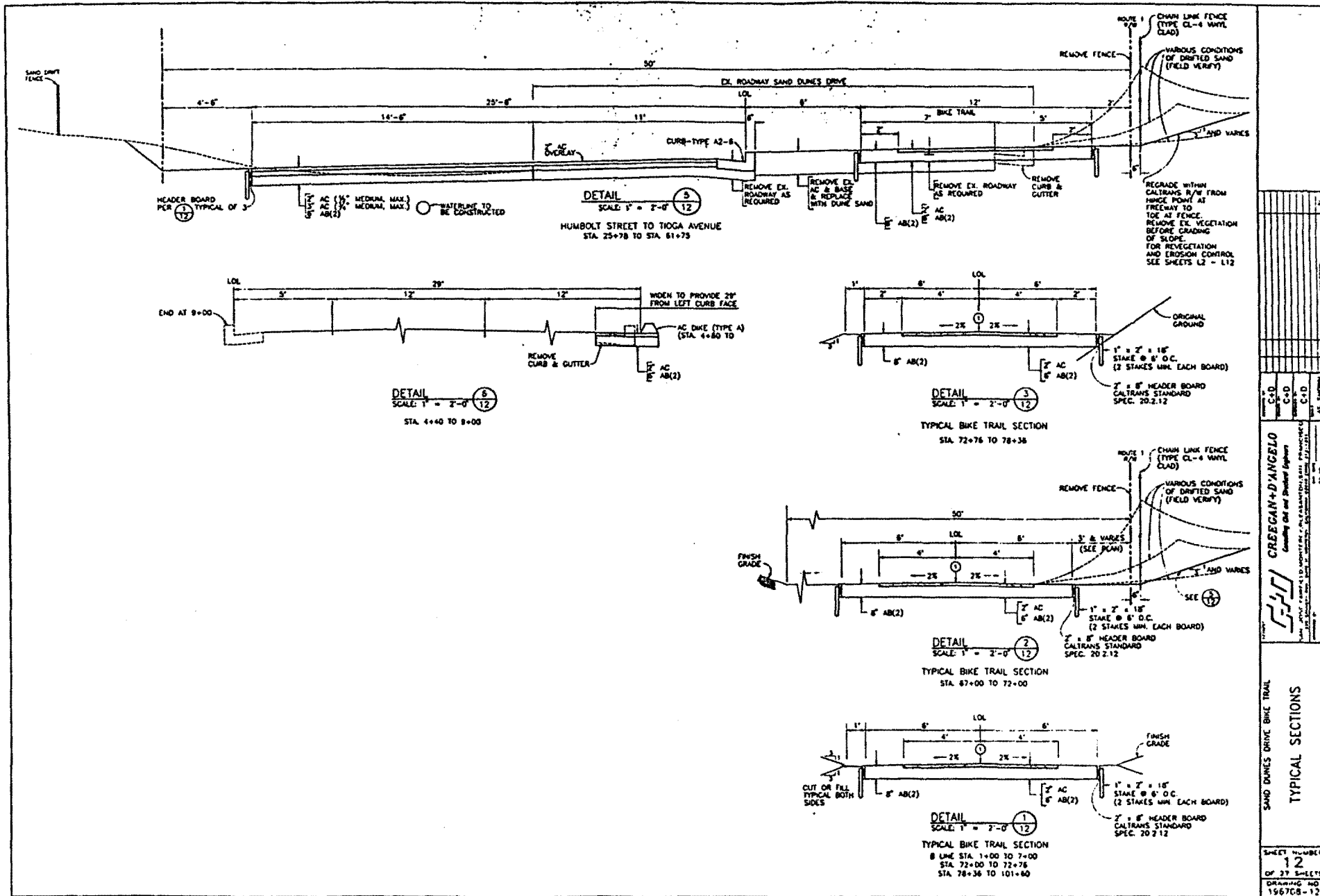
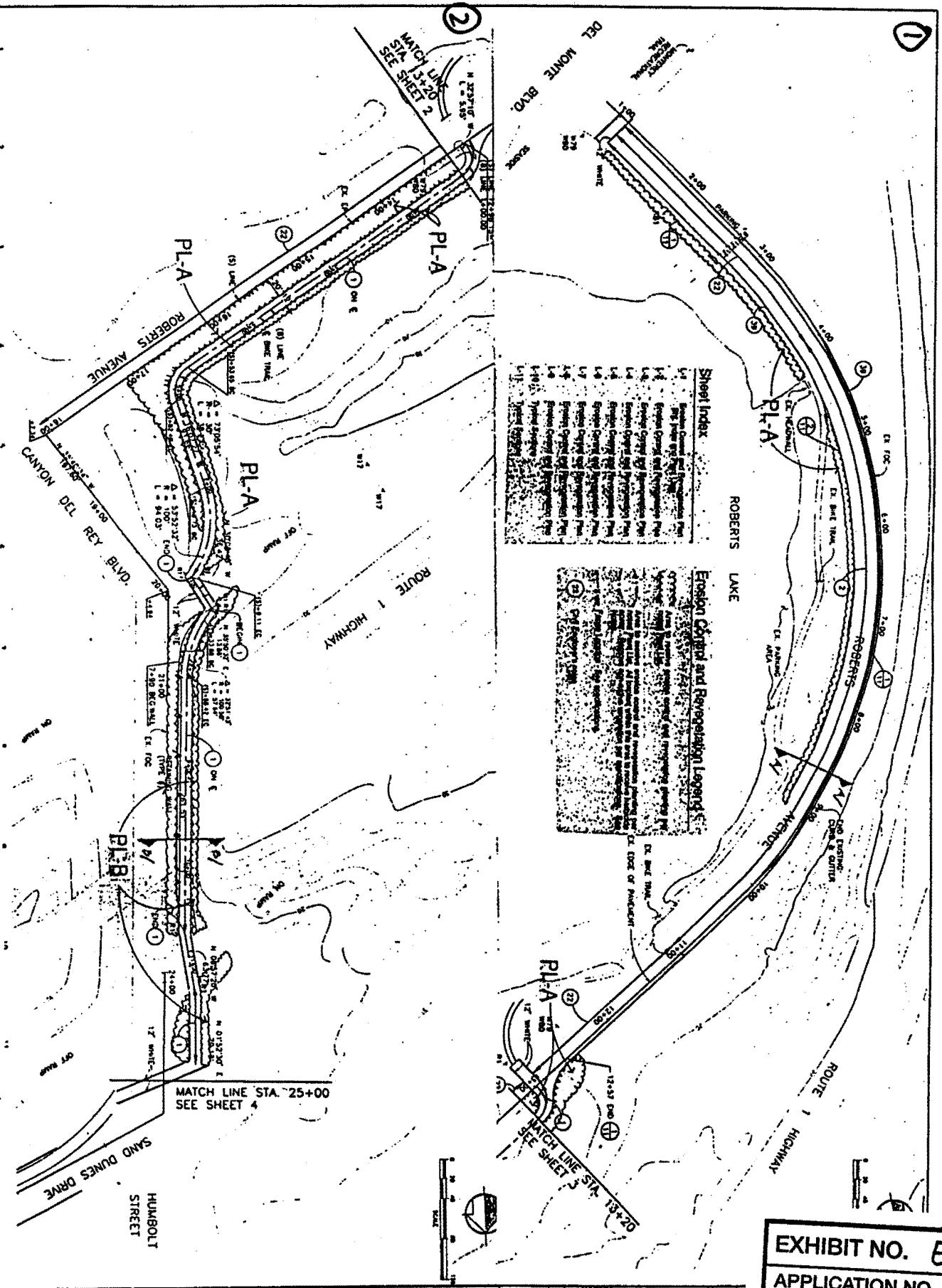


Exhibit P, P.6
3-97-062

Typical cross-sections



D'ANGELO Landscape Architects	C+D	Bellinger & Foster Landscape Architects	C+D
	C+D		C+D
	C+D		C+D
	C+D		C+D
1" = 40'		1" = 40'	

EXHIBIT NO. E, P
APPLICATION NO.
3-97-062
Landscape
Plans

Segment I

MATCH LINE STA. 37+50
SEE SHEET 4

(3)

(4)

HUMBOLT STREET

MATCH LINE STA. 23+00
SEE SHEET 3

PL-B

SAND DUNE'S DRIVE

PL-B

Former Western Snowy Plover
Nest Site

ROUTE 1 HIGHWAY

BAY AVENUE

PL-B

ROUTE 1 HIGHWAY

SAND DUNE'S DRIVE

PL-B

FORMER SNOWY PLOVER
NEST SITE

ROUTE 1 R/W

MATCH LINE STA. 50+00
SEE SHEET 6

NE STA. 37+50
IT 5

D'ANGELO
Landscape Architect

C+D
C+D
C+D

Bellinger & Foster
Landscape Architects

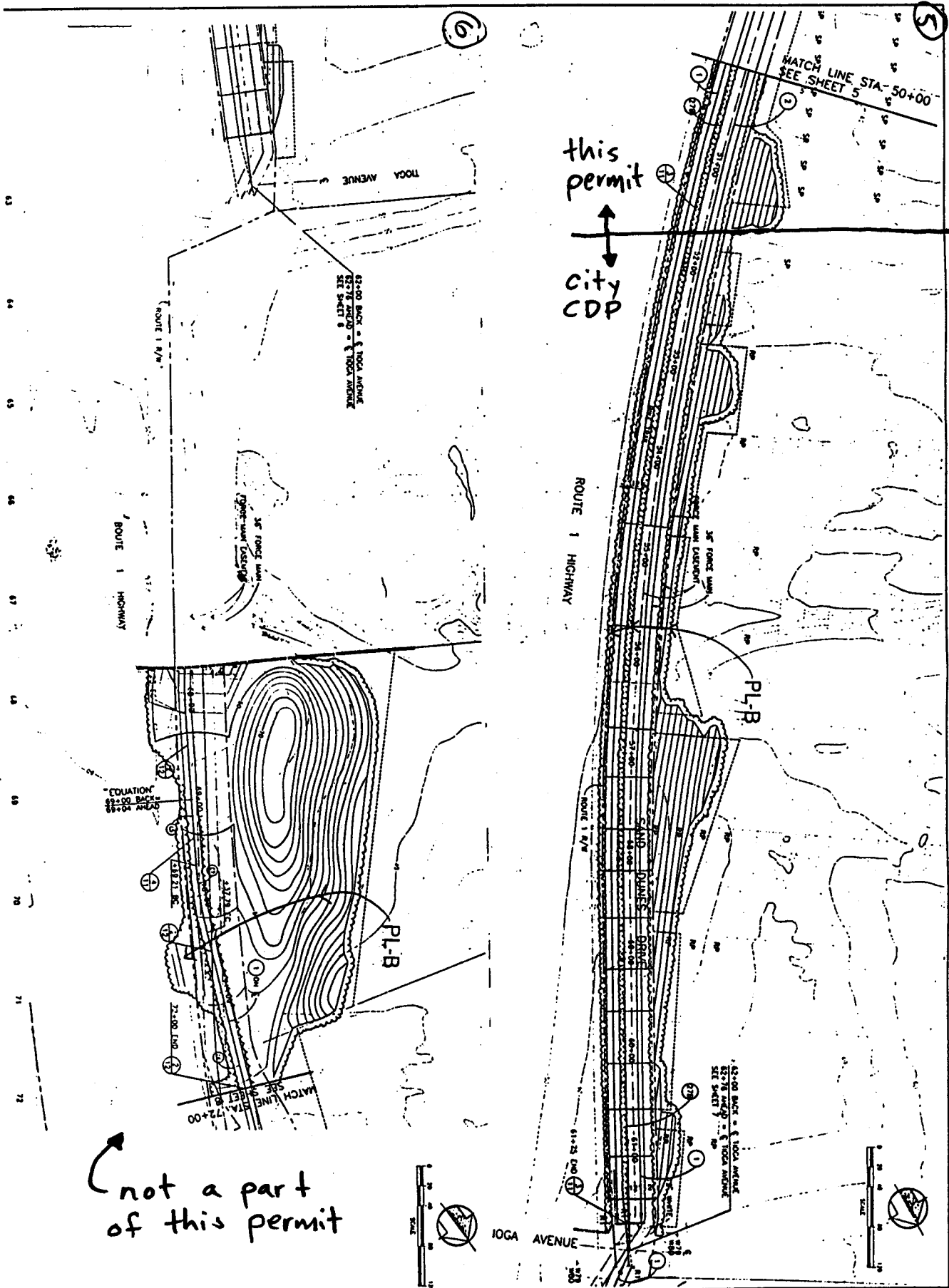
200 Canyon Road
Berkeley, CA 94704
Phone 848-1361 • Fax 848-373-0063

Bellinger & Foster
Landscape Architects

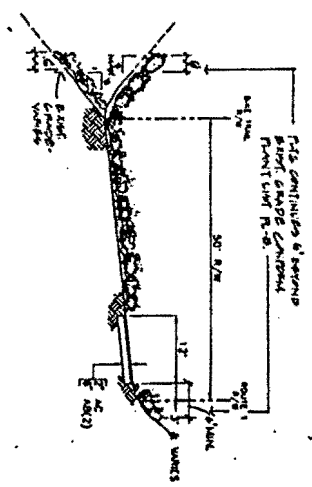
200 Canyon Road
Berkeley, CA 94704
Phone 848-1361 • Fax 848-373-0063

Landscape Plans, Segment II

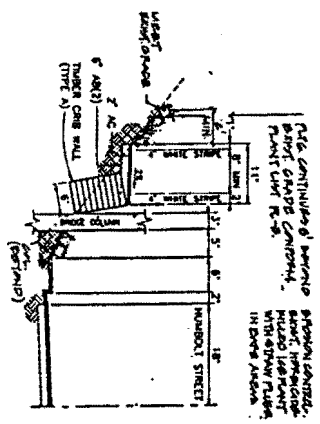
3-97-062
Exhibit E, p.2



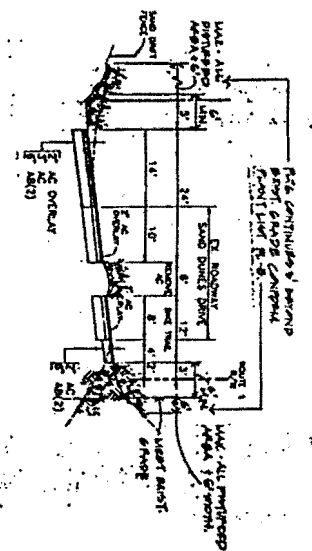
72+00 C+D C+D C+D 1" = 40'	Bellinger & Foster Landscape Architects 10711 200 Canyon Blvd Berkeley, CA 94704 (415) 863-1233 • Fax (415) 863-0853	72+00 C+D C+D C+D 1" = 40'	Bellinger & Foster Landscape Architects 10711 200 Canyon Blvd Berkeley, CA 94704 (415) 863-1233 • Fax (415) 863-0853
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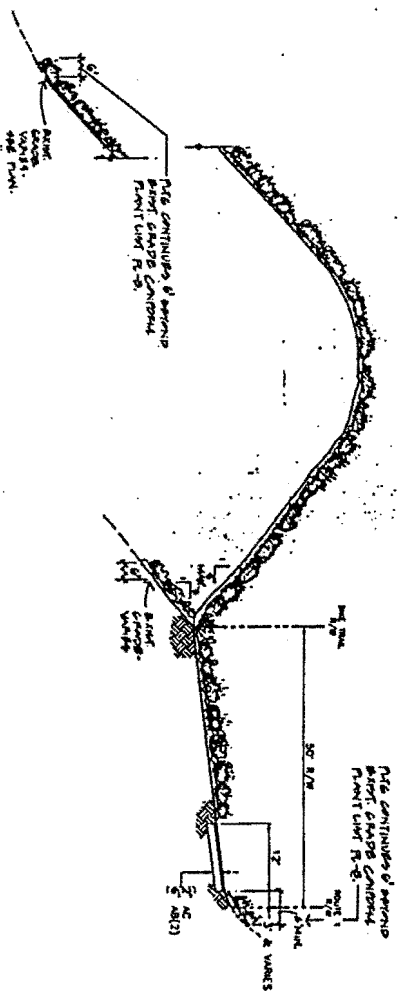
SECTION A
 SCALE: 1"=10' (HORIZ) 1"=4' (VERT)
 STA. 1+40 TO 1+18
 1+40 TO 1+42
 1+42 TO 1+44
 1+44 TO 1+46
 1+46 TO 1+48



SECTION B
 SCALE: 1"=10' (HORIZ) 1"=4' (VERT)
 STA. 1+48 TO 1+50
 1+48 TO 1+50
 1+50 TO 1+52
 1+52 TO 1+54
 1+54 TO 1+56



SECTION C
 SCALE: 1"=10' (HORIZ) 1"=4' (VERT)
 STA. SAND DUNE DRIVE / SAND TO 81+43 / TIOGA AVE



SECTION D
 SCALE: 1"=10' (HORIZ) 1"=4' (VERT)
 STA. 8+40 TO 8+42
 8+40 TO 8+42
 8+42 TO 8+44
 8+44 TO 8+46
 8+46 TO 8+48

Bellinger & Foster
 Landscape Architects
 2000 Canyon Blvd.
 Berkeley, CA 94704
 Tel: (415) 877-0000

CREEGAN+D'ANGELO
 Consulting Civil and Structural Engineers
 SAN JOSE, FAIRFIELD, MONTEREY, PLEASANTON, SAN FRANCISCO
 1000 SAN JOSE AVENUE, SUITE 200, SAN JOSE, CALIFORNIA 95128
 Tel: (415) 435-1100

SAND DUNE DRIVE BIKE TRAIL
 Erosion Control and Revegetation Plan
 SAND CITY, CALIFORNIA

Date: 1/20/96
 Scale: 1/4"=1' (HORIZ) 1"=4' (VERT)
 Drawn: JLP
 Checked: JLP
 Project No. 96-038

EXHIBIT "C"
SEASIDE-SAND CITY COASTAL ALIGNMENT BIKE PATH PROJECT
CONDITIONS OF APPROVAL

Introduction

This coastal Development Permit (CDP) is for the portion of the Seaside-Sand City Coastal Alignment Regional Bicycle Path located within the City of Sand City, north of Fell Street only. It authorizes construction of a 12-foot wide Bike path (8-foot travel lanes with 2-foot wide paved shoulders on each side). A separate CDP is required to be issued by the California Coastal Commission and a Design Permit is required from the Sand City Design Review Committee (DRC) prior to project initiation.

Environmental Conditions of Approval

1. The proposed project shall incorporate the recommendations of the geotechnical investigation prepared by Steven Raas and Associates, June 1993. The recommendations shall be incorporated into the final construction plans subject to review and approval by the city prior to issuance of a grading permit and shall be incorporated as conditions of the grading permit. The most applicable recommendations are listed here. All recommendations are included in the geotechnical report contained in Appendix C:
 - a. Grading plans shall be reviewed by the geotechnical engineer during their preparation and prior to contract bidding.
 - b. Surface vegetation and organically contaminated topsoil shall be removed from the graded areas. These soils may be stockpiled for future landscaping. The required depth of stripping will vary with the time of year. It is anticipated that the depth of stripping may be as much as two to four inches in the in the underpass area at the intersection of Highway 1 and Canyon Del Rey Boulevard.
 - c. Following the stripping, the area shall be excavated to the design grades. The exposed soils in the paving areas shall be scarified, moisture conditioned and compacted as an engineered fill. The moisture conditioning procedure will depend on the time of year that the work is done.
 - d. Should the use of imported fill be necessary for the proposed project, the fill material shall meet the requirements specified in the geotechnical investigation.
 - e. All cut and fill slopes along the proposed project alignment shall not exceed a 3:1 (horizontal:vertical) gradient and a 15 foot vertical height unless specifically reviewed by the geotechnical engineer. Where the vertical height exceeds 15 feet, intermediate benches must be provided. These benches shall be at least six feet wide

EXHIBIT NO. F, p.1
APPLICATION NO. 3-97-062
Local Conditions

and sloped to control surface drainage. A lined ditch shall be used on the bench.

- f. The surfaces of all cut and fill slopes shall be prepared and maintained to reduce erosion. This work, at a minimum, shall include track rolling of the slope and effective planting. The protection of the slopes should be installed as soon as practicable so that a sufficient growth will be established prior to inclement weather conditions. It is vital that no slope be left standing through a winter season without erosion control measures having been provided. Dune slope planting stabilization is difficult and very specific plantings as approved in the project landscape plans, must be used. The above-recommended gradients do not preclude periodic maintenance of the slopes as minor sloughing and erosion may occur.
 - g. An appropriate foundation system to support the retaining walls will consist of reinforced concrete spread footings bedded into firm native soil or engineered fills on the project site. Footings shall be embedded below the adjacent grade not less than two feet. The footings shall contain steel reinforcement as determined by the project engineer.
 - h. Surface water must not be allowed to pond or be trapped adjacent to the proposed bike path. Final grades shall be provided with a positive gradient away from the proposed bike path in order to provide for rapid removal of the surface water from the proposed bike path to a discharge point approved by the City Engineer.
 - i. Cut and fill slopes shall be constructed so that surface water will not be allowed to drain over the top of the slope face. This may require berms along the top of fill slopes and surface drainage ditches above cut slopes.
2. Final construction plans shall include construction specifications which identify methods to eliminate the potential for urban pollutants to enter Roberts Lake and its associated drainage basin during construction. The construction specifications shall be subject to review and approval by all participating cities and the Coastal Commission prior to issuance of a grading permit.
3. In order to protect the existing individuals and habitat of the Monterey spineflower, the following measures shall be included in the final construction plans and contractor work specifications subject to the review and approval by the city prior to issuance of a grading permit:
- a. Conduct a survey to definitively locate the boundaries of the spineflower population in the project area.
 - b. Include a 10-foot buffer between the construction area and the spineflowers. A silt fence should border the spineflower population to prevent the deposition of any soil onto the spineflowers during grading activities.

3-97-062
Exhibit F, p. 2

- c. The spineflower population shall be fenced to prevent construction-related impacts. Fencing shall remain after construction to prevent persons and domestic animals from entering this area.
 - d. Upon completion of construction, posting of permanent signs to explain the sensitive nature of the spineflower and its habitat and to lessen the inclination of persons to enter this area shall be required.
 - e. Construction equipment use and storage shall be restricted to the construction zone.
 - f. Monitoring of the construction site daily for any impacts to the spineflower population shall be required. The Community Development Director shall have authority to stop construction if the spineflower has experienced any direct impacts from construction-related activities.
 - g. Monitoring of the spineflower population for a five-year period in order to determine whether the population has experienced impacts due to intrusion of persons and domestic animals, shall be required.
4. In order to protect the remaining suitable habitat for the western snowy plover, the following measures shall be included in the final construction plans and contractor work specifications subject to the review and approval by the city prior to issuance of a grading permit:
- a. Contractor work specifications shall include a notice restricting construction workers from entering sensitive areas on the project site, such as the remaining suitable habitat for the western snowy plover.
 - b. A pre-construction survey shall be performed to determine whether any nests are located in the project area, if construction is planned during the western snowy plover nesting season (April to the middle of August). Construction activities shall be avoided in areas containing nests.
 - c. Remaining suitable nesting habitat for the western snowy plover located on the project site shall be fenced and avoided during construction activities. The location of this habitat and methods to protect this habitat during construction activities shall be indicated on final construction plans and shall be included in the contractor work specifications.
 - d. Construction equipment use and storage shall be restricted to the construction zone.
 - e. Upon completion of construction, permanent signs shall be posted to prohibit on-street parking and vehicle use of the dunes, as well as to discourage pedestrian

3-97-062
Exhibit F, p. 3

use by explaining the sensitive nature of the dune environment and to direct vehicles and persons to appropriate coastal access points along the eastern boundary of Sand Dunes Drive. This shall be included in the final construction plans, subject to review and approval by the city, prior to issuance of a grading permit.

5. Individuals of the black legless lizard, coast horned lizard, and Monterey dune scorpion existing within the project site shall be captured and relocated to adjacent suitable habitat immediately prior to construction activities. In order to accomplish this, qualified biologists shall rake substrate in suitable habitat to find any individuals of these three animal species in the area designated for construction on each day prior to construction. Any captured animals shall be relocated to adjacent suitable habitat. Detailed plans explaining capture techniques and relocation areas shall be developed by a qualified wildlife biologist. These plans shall be included in contractor work specification and are subject to review and approval by the city prior to issuance of a grading permit. If no sensitive species are found as a result of this examination, this condition of approval will become null and void.
6. A pre-construction survey shall be performed for individuals of the burrowing owl prior to construction activities. If burrowing owls are observed at the project site, they shall be captured and relocated to city-controlled suitable habitat. This shall be indicated on the final construction plans and contractor work specifications subject to review and approval by the city prior to issuance of a grading permit.
7. The following design changes shall be incorporated into the project plans in order to reduce or eliminate conflicts between bicyclists and motor vehicles where the proposed project is located on or crosses roadways or driveways. The location of these recommended design changes are identified in the traffic analysis report for the proposed project:
 - a. Provide center line striping on the bike path near the retaining wall under Highway 1; the proposed four-inch wide edge line striping is not required according to the highway design manual (Sheet 3).
 - b. Provide "Bike Lane" signs at all intersections and every one-half mile throughout the entire project (Sheet 4).
 - c. Install a "Stop" sign on the Monterey Recreational Trail westbound approach to the crossing at Roberts Avenue (Sheet 4).
 - d. At all bike lane street crossings, replace "Bike Lane" sign with "Pedestrian Crossing Symbol" or "Bicycle Symbol" signs. These signs are considered warning signs and are appropriate for use with "X'ing Sign"; the currently proposed "Bike Lane" sign is not a warning sign (Sheets 4-11).
 - e. Locate proposed "Stop" signs on bike path approaches to all crossing locations on the right-hand side of the approach (Sheets 4-11).
 - f. Install a fence (minimum of 4.5 feet high) along the drainage channel between Roberts Avenue and Canyon Del Rey Boulevard to serve as a guard rail (Sheet 5).

3-97-062
Exhibit F, p. 4

- g. Provide center line striping on the bike path under Highway 1 along Canyon Del Rey Boulevard. The six-inch white strip along the edge of this section of the proposed project is not necessary (Sheet 5).
- h. Remove fencing and vegetation, as necessary, to improve sight distance along the bike trail approaches to the Canyon Del Rey Boulevard crossing between the Highway 1 southbound ramps and Sand Dunes Drive (Sheet 5).
- i. Change regulatory signs "Walk Bikes Downhill" to warning signs that are advisory in nature. The proposed signs are not enforceable as regulatory signs (Sheets 9-10).
- j. Provide a "Reverse Turn" warning sign with a 20 mile per hour advisory speed plate on the westbound bike trail adjacent to the Highway 1 southbound on-ramp near its intersection with Fremont Boulevard (Sheet 11).

These recommended design changes shall be incorporated into the final construction plans subject to review and approval by the city prior to issuance of a grading permit.

Other Conditions of Approval

- 8. As a condition of coastal development permit approval for the proposed project, the final construction plans shall delete the proposed 50 foot right-of-way grading for the future extension of Sand Dunes Drive between Tioga Avenue and Fremont Boulevard. The final project plans shall include only construction and grading associated with the proposed bike path, including slope stabilization and native plant revegetation as described in the Final EIR.
- 9. The final construction plans shall include the following components, identified in the response to comments, prior to review and approval of the City Engineer and City Plan Checker/Building Inspector.
 - a. The final construction plans will include performance standards based on plant cover and species diversity to evaluate plant establishment success as supplied by Bellinger and Foster, landscape architects to the proposed project.
 - b. The final project plans will not include Santa Barbara Island buckwheat (*Eriogonum giganteum*), Seaside daisy (*Erigeron glaucous*), and Dune strawberry (*Fragaria chiloensis*) in all revegetation planting west of Highway 1.
 - c. The final project plans will not include hydromulch technique of stabilizing sand areas to be seeded. Instead, the proposed project will use a combination of crimped straw bundles to stabilize dune slopes and an application of straw mulch over seeded areas.
 - d. The final project plans will be revised to locate the bicycle crossing of the railroad tracks as close as possible to the existing at-grade street crossing at the intersection of Highway 1 and Fremont Boulevard.
- 10. Pursuant to Sand City LCP Policy 4.3.23, the proposed project shall submit final construction drawings, which include specific dune stabilization and native plant revegetation for review and approval by the California Department of Fish and Game and the California Department of Parks and Recreation.
- 11. Pursuant to Sand City LCP Policy 4.3.33 and Policy 4.3.34 the project proponent shall complete a preliminary cultural resources reconnaissance for the small portion of the proposed project located within the LCP identified archaeologically sensitive area prior to

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- preparation of final project plans. and shall provide protection of archaeological resources if any are found during construction. If archaeological resources are uncovered during site preparation or construction activities, work will be halted in the immediate areas of the find and qualified archaeologist will be retained to evaluate the find, recommend appropriate mitigation measures, and oversee implementation of the mitigation measures.
12. Pursuant to Sand City LCP Policy 5.3.4, the proposed project shall be consistent with the design standards identified in this policy. The proposed project shall utilize native plant materials, conformance to natural and manmade contours, create distinct separation between auto, pedestrian, and bicycle pathways wherever possible, and shall use of wood signs and wood supports (or wood trim around signs) with painted and/or carved graphics where appropriate and consistent with Caltrans Bicycle construction standards.
 13. Pursuant to Sand City LCP Policy 5.3.5 the proposed project construction plans shall be approved for a design permit from the city design review committee.
 14. The proposed project shall be constructed in two separate phases so that Segment I and II (south of Tioga Avenue) are to be constructed first, after authorization for construction is received from the California Transportation Commission ("CTC"). Segment III (north of Tioga) of the bike path shall be constructed after Segment I and II are completed and authorization of Segment III construction allocation is received from the CTC. During construction of Segment III, temporary bike lanes (street stripping) or route markings shall be developed along Tioga Avenue to Del Monte Boulevard and then to Fremont Boulevard at Highway One, connecting to the existing regional bike path north through Fort Ord.
 15. The proposed project shall be constructed in accordance within the construction allocation time requirements of the CTC, as amended by the CTC in accordance with the City of Sand City construction phasing program, and the approved budget in the Proposition 116 grant application ("Seaside - Sand City Beach Front Alignment Bike Path") approved by the CTC in February 1992.
 16. Construction of Segment III shall be timed to coincide with private and public coastal development north of Tioga. In the event construction of the proposed project, as analyzed in the Final EIR and as described in the Coastal Development Permit, is not possible north of Tioga due to funding or delays in coastal zone development timing, the project proponent shall construct Segment III in a manner consistent with the one or combination of Alternatives analyzed in the Final EIR.
 17. The project applicant shall obtain "proof of interest in property", as required by the California Coastal Commission as part of its CDP application requirements. This includes land within the project plan line (as described in the Final EIR) for bike path construction and for the grading/slope stabilization and native plant revegetation elements of the proposed project. The documents may be either a recorded deed, easement, or encroachment permit from legal title holders of property, or other proof of interest satisfactory to the Coastal Commission. Such proof of interest shall also provide for temporary access for ingress and egress for construction and/or on-going monitoring and maintenance of native plant revegetation and slope stabilization materials.

