

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT AND RECOMMENDATION

ON CONSISTENCY DETERMINATION

Consistency Determination No. **CD-136-97**
Staff: JRR-SF
File Date: 9/24/97
45th Day: 11/8/97
60th Day: 11/23/97
Commission Meeting: 11/6/97

FEDERAL AGENCY: National Park Service

DEVELOPMENT

LOCATION: Cabrillo National Monument, Point Loma, San Diego
(Exhibit 1 and 2)

DEVELOPMENT

DESCRIPTION: Three-year continuation of tidepool protection, education,
and restoration program

SUBSTANTIVE FILE DOCUMENTS:

1. CD-140-96, Consistency Determination for one-year tidepool protection, education,
and restoration program.

2. CD-105-95, Consistency Determination by the National Park Service for Cabrillo National Monument's Management Plan.
3. General Management Plan Final Environmental Impact Statement, Cabrillo National Monument, February 1996.
4. Ecological Condition and Public use of the Cabrillo National Monument Intertidal Zone, 1990-1995, October 1996.

EXECUTIVE SUMMARY

The National Park Service (Park Service) submitted a consistency determination for a three-year continuation of the Tidepool Protection, Education, and Research Program at Cabrillo National Monument, Point Loma. The Park Service developed the program after findings from a six-year tidepool monitoring study indicate that the biological health of the tidepools has deteriorated in recent years. The monitoring study provides evidence that human visitation and exploration of the tidepools are one of the major factors affecting the biological health of the tidepools. The program combines increased education and on-site personnel to inform the public and enforce policies protecting resources. Additionally, the Park Service will close one third of the tidepools to general public use to allow natural restoration and scientific study. The Park Service initiated the program last year, with Commission authorization (CD-140-96). The Service's subsequent monitoring indicates that the new management practices benefit the tidepool resources. Although the tidepools closed to the public have benefited from that management action, longer closures are necessary to ensure full restoration.

The proposed project is consistent with the marine resource policies of the California Coastal Management Program (CCMP), because the measures proposed by the Park Service will improve habitat values to the tidepools and reduce adverse effects from public use. The project is also consistent with the access and recreation policies of the CCMP, because access restrictions are necessary to protect habitat values and the program includes measures that will minimize the access impact.

STAFF SUMMARY AND RECOMMENDATION:

I. Project Description.

The Park Service proposes a three-year continuation of the "tidepool protection, education, and restoration program" at Cabrillo National Monument, Point Loma. The purpose of that program is to restore the intertidal area within this National Monument

while permitting continued visitor enjoyment of these habitat areas. The National Park Service based its management actions on a six-year monitoring study of the tidepools.

The management program has three parts. Part one emphasizes educating park visitors and enforcing park regulations aimed at protecting habitat values. The Park Service plans to increase the number of park rangers and volunteers in the intertidal areas during low tides. This will enable the Park Service to educate visitors about the safest and least harmful way to explore the tidepools, and help visitors understand how the plants and animals relate to and depend on one another for survival. The increased presence of rangers and volunteers will also deter collecting and other inappropriate behavior. The second part involves continued monitoring of the tidepools. Twice a year, in the fall and spring, Park Service staff and scientist will record data from 99 separate plots in three zones in the tidepools. The Park Service will analyze the data to determine if the number of plants and animals has increased, decreased, or remained the same. The third part of the program involves designation of the southernmost and least visited part of the tidepools as critical habitat and close it to public entry during the low tide season, November 9 through June 30 to allow it to recover. Closing this area will allow the Park Service to compare the data from this zone against data from the other areas and will help the Park Service determine if regional environmental factors, such as pollution, are affecting the tidepools.

II. Status of Local Coastal Program.

The standard of review for federal consistency determinations is the policies of Chapter 3 of the Coastal Act, and not the Local Coastal Program (LCP) of the affected area. If the Commission certified the LCP and incorporated it into the CCMP, the LCP can provide guidance in applying Chapter 3 policies in light of local circumstances. If the Commission has not incorporated the LCP into the CCMP, it cannot guide the Commission's decision, but it can provide background information. The Commission has incorporated the San Diego LCP into the CCMP.

III. Federal Agency's Consistency Determination.

The National Park Service has determined the project to be consistent to the maximum extent practicable with the California Coastal Management Program.

IV. Staff Recommendation:

The staff recommends that the Commission adopt the following motion:

MOTION. I move that the Commission concur with the U.S. Park Service's consistency determination.

The staff recommends a YES vote on this motion. A majority vote in the affirmative will result in adoption of the following resolution:

Concurrence.

The Commission hereby **concurs** with the consistency determination made by the Park Service for the proposed project, finding that the project is consistent to the maximum extent practicable with the California Coastal Management Program.

V. Findings and Declarations:

The Commission finds and declares as follows:

A. Marine Resources. Section 30230 of the Coastal Act provides that:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

The Cabrillo National Monument is on the southern tip of Point Loma in the City of San Diego. The western boundary of the Monument and the southern tip of Point Loma contains one of the best-preserved, publicly available Pacific tidepool ecosystems in southern California (General Management Plan, p. 6). A variety of marine algae and vascular plant species occurs here, along with vertebrate and invertebrate animal species. Researchers have identified 109 plant species and 160 invertebrate animal species in six habitats in the intertidal area at Cabrillo National Monument (General Management Plan, p. 84).

In 1990, the Park Service began a six-year monitoring program to determine the ecological health of the tidepools. The study concluded that human use of the area has caused the overall health of these tidepools to degrade. The Park Service describes the study as follows:

The findings of the Davis-Engle Study cited above indicate that the health of the monument's tidepools has declined dramatically over the past 20 years. According to marine biologists Davis and Engle, seven of the

thirteen key indicator species have either declined significantly or are completely absent from the tidepool ecosystem. California mussels have declined 87%, thatched barnacles 75% and feather boa kelp 84%. While other species, such as owl limpets and gooseneck barnacles have not declined as dramatically, 23% and 29% respectively, abalone and ochre sea stars have virtually disappeared. The [Park Service] suspects that human factors, such as trampling, collecting and rock turning by the 70,000 to 90,000 people who visit the tidepools annually contribute to the loss of species. (Consistency Determination, p. 3)

Last year, the Service responded to the six-year monitoring study by proposing to implement the "Tidepool Protection, Education, and Restoration Program" for one year. The program contains three elements: (1) increased presence of rangers and volunteers; (2) continued monitoring; and (3) closure of a portion of the tidepools from public use between November and June. The intent of those management efforts was to reduce human impacts to the tidepools. The Park Service focused on education as a way to inform the public about the sensitivity of the habitat. Additionally, the increased presence of Park Rangers and volunteers allowed for increased enforcement of park regulations aimed at protecting the habitat. The Park Service also proposed to continue monitoring the status of the ecosystem. This monitoring allowed the Park Service to determine if the management measures are effectively protecting the habitat values or if additional management measures are necessary.

Finally, the management plan included closure of a portion of the habitat to public uses for one low-tide season (ending in June 1997). The Service believed that this closure would allow some natural restoration to occur. At the completion of that tidepool season, the Service monitored the closed habitat area. The monitoring indicated that some habitat restoration had occurred. The Service describes the monitoring results as follows:

Zone 3, the southernmost third of the intertidal area was closed to public access on November 9, 1996. While it is too soon to detect significant changes in depleted populations of long-lived biota, some encouraging signs were apparent in the spring of 1997 after only six months of protection. In Zone 3, owl limpet abundance increase (apparently a result of higher survival of juveniles), red algal turf increased its cover on walking surfaces, acorn barnacles began to recover, and formerly displaced wading birds returned to forage in the tidepools. Recovery of mussels, kelp, and other key species in the intertidal ecosystem will require several years to re-establish reproductively mature populations, and will depend on a number of factors, including protection from disturbance. For example, the current El Niño event has reduced primary productivity in the region's marine environment and will thereby slow

restoration of depleted populations, even with ideal protection from visitor disturbances. The improved vital signs observed in the spring of 1997 indicate that these intertidal resources can still respond to treatment, and suggest that the current restoration strategy should continue.

Based on this monitoring, the Service has concluded that it should continue to close the Zone 3 tidepools. To ensure complete restoration, the Service proposes to close this zone for three years. The Service will continue to monitor the habitat and has agreed to provide the Commission staff with copies of the monitoring reports. Any additional closures beyond the three-year period will require additional Commission review.

The Commission finds that the management approach described in the Park Service's consistency determination will at a minimum maintain the habitat values of the tidepools and will likely result in some restoration of these values. The Commission additionally finds that the monitoring is necessary not only to document the existing status of the tidepools but to determine the effectiveness of the proposed management program. Therefore, the Commission finds that the proposed tidepool management plan is consistent with the Marine Resource policies of the CCMP.

B. Access and Recreation Resources. Section 30210 of the Coastal Act provides that:

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.

Additionally, Section 30214 of the Coastal Act provides, in part, that:

(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.

....

The tidepools at Cabrillio National Monument are a popular destination point attracting between 70,000 to 90,000 visitors per year. As described above, this high level of use has resulted in degradation of habitat values of the tidepools. The Park Service proposes tidepool management measures, including the closure of approximately one third of the tidepools. Although the proposed project requires shoreline restrictions, the project is consistent with the access and recreation policies of the CCMP. The Park Service determined that the closure is necessary to protect the tidepools from over use. This type of restriction on public access to and recreational use of the shoreline is clearly allowable under Section 30210 of the Coastal Act.

Additionally, the Park Service designed the tidepool management program to minimize adverse effects on access. Specifically, the management program includes provisions for increased education and enforcement. Through these measures, the Park Service will reduce the adverse effect on habitat values from public use, and may reduce the need for future closures. Finally, the Park Service selected the least used tidepool area to close. The area selected for closure is the furthest from parking lots and accounts for approximately ten percent of the public use.

In conclusion, the Commission finds that the proposed tidepool closures are necessary to protect the habitat from overuse and that the Park Service has incorporated measures to minimize the adverse effect on access and recreational resources. Therefore, the Commission finds that the project is consistent with the access and recreational policies of the CCMP.

MAP 2: FACILITIES AT Cabrillo National Monument

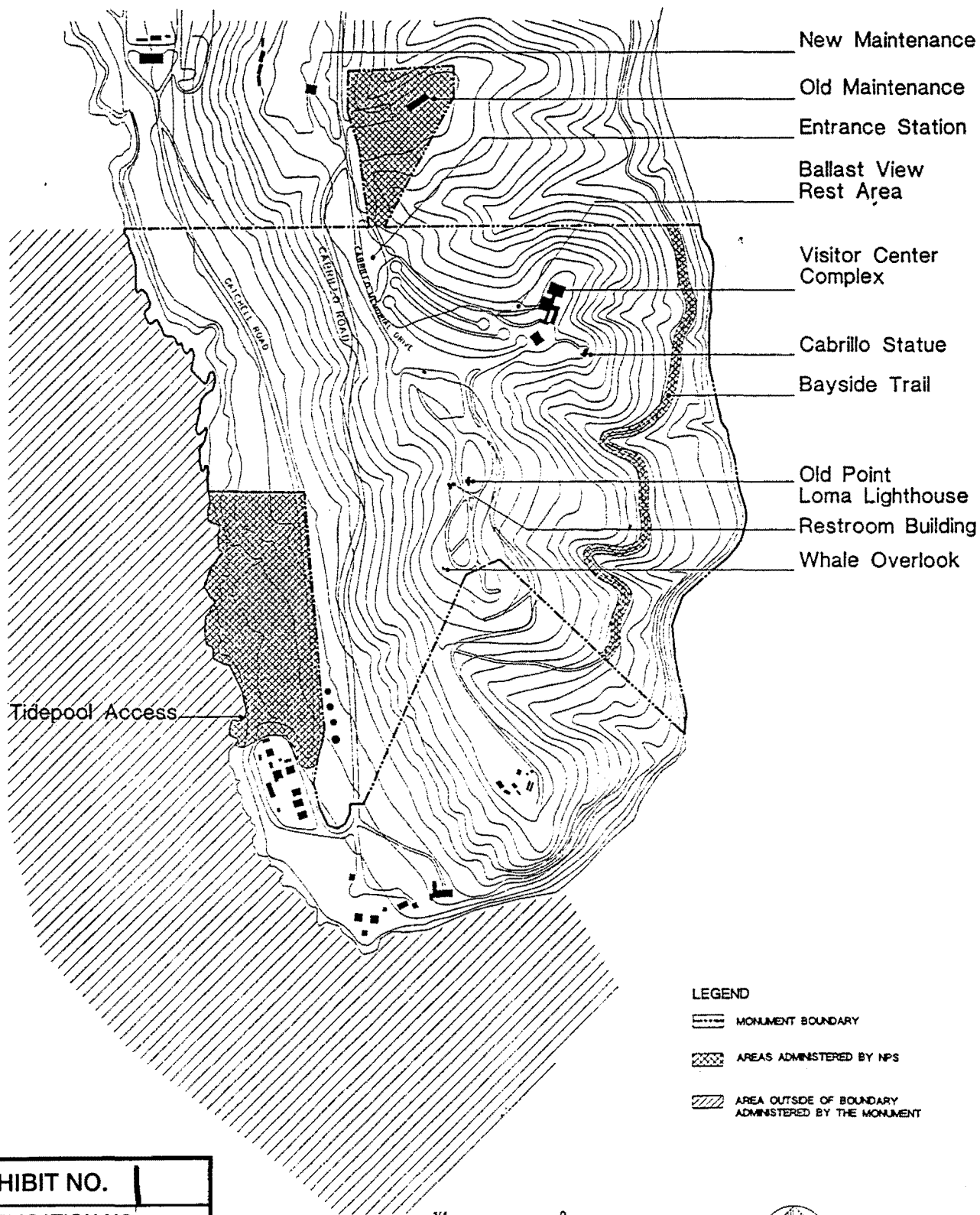
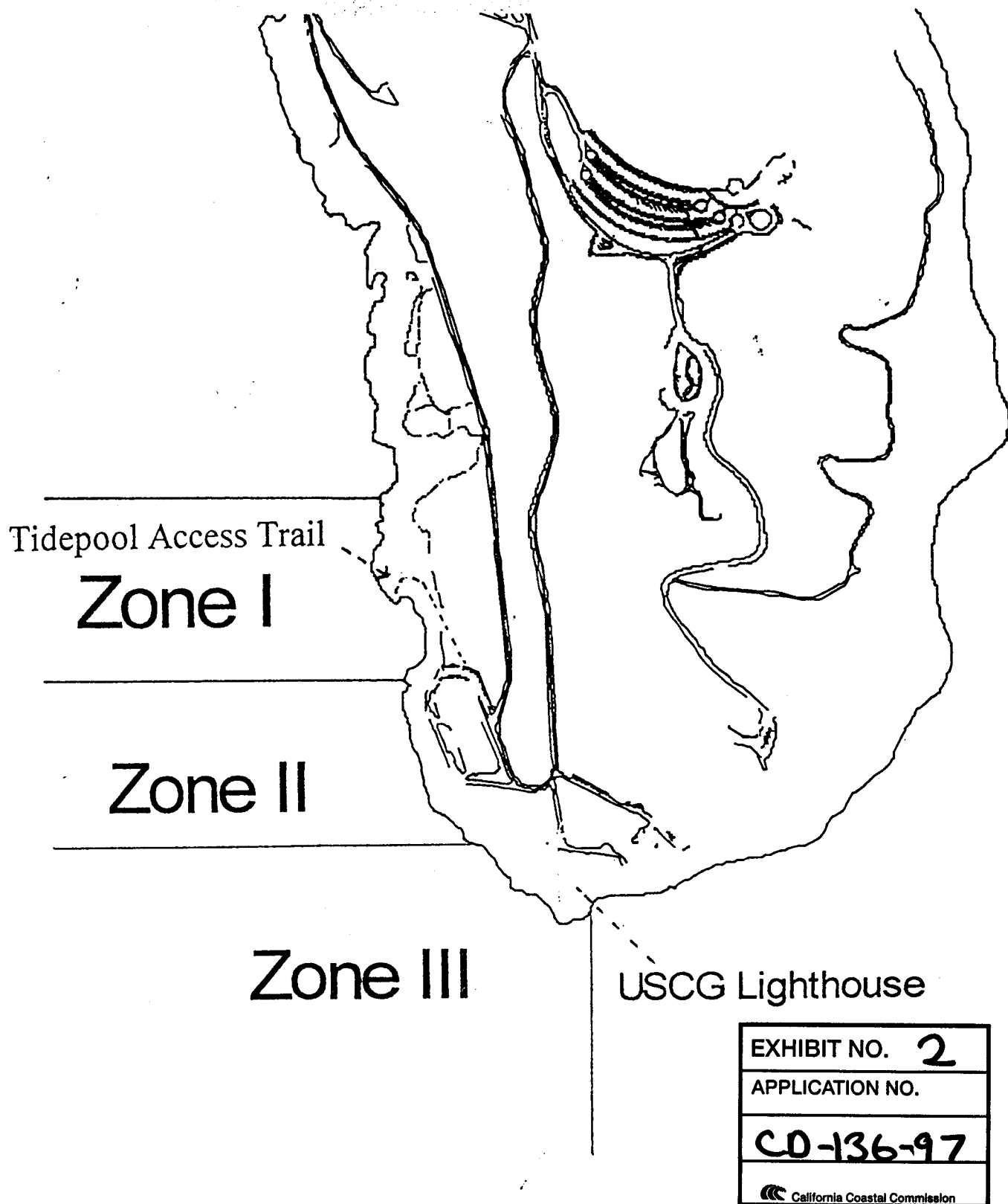


EXHIBIT NO. 1
APPLICATION NO.

CO-136-97

California Coastal Commission

CABRILLO NM GMP/FEIS, FEBRUARY 1996



Tidepool Access Trail

Zone I

Zone II

Zone III

USCG Lighthouse

EXHIBIT NO. **2**

APPLICATION NO.

CD-136-97

 California Coastal Commission

Cabrillo National Monument Tidepools