PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.:

4-97-040

APPLICANT:

County of Santa Barbara, General Services Dept., Facilities Services

AGENT:

Erich Brown, Architect/Project Manager

PROJECT LOCATION:

End of Ocean Avenue at the old Surf Station depot, Surf Beach, 0.6 mile south of Ocean Beach County Park, Santa Barbara County. (Exhibit #1)

SITE DESCRIPTION

The subject site consists of two parts. One portion is a parking area (in the former railroad right-of-way of 150 feet), approximately 100ft. x 300ft. situated off an unnamed paved turnout road, approximately 175 feet long, running west off West Ocean Avenue. The second portion is the existing 50 feet right-of-way on both sides of the centerline of the main rail line (track no.1) and approximately 850 feet long, situated abutting the western side of the parking area. (Exhibit #1)

PROJECT DESCRIPTION:

The project includes: a) Subdivision of a 5.97-acre parcel to 1 lot of 0.68 acre and 1 lot of 5.29 acres; b) Construction of: 1) a lighted, paved parking lot of approx. 23,600 sq. ft. for 39 cars and 1 bus, a pre-cast self-contained toilet structure for two restrooms and a steel traffic barrier gate at entrance to parking lot; and 2) a 16ft. x 800ft. concrete passenger boarding platform with five canopy structures, access ramp, and an atgrade pedestrian crossing with electronic warning device; and c) Temporary closure of the site to public during construction for approx. 6 months. (Exhibit #2)

Lot Area:

29,804.67 sq. ft. (parking area), 42,500 sq. ft. (rail right-of-way)

Building Area:

181.00 sq. ft. (restrooms),

Pavement coverage:

21,206 sq.ft. (parking), 14,441 sq.ft. (platform, ramp, and crossing)

Landscape coverage:

None

Parking spaces:

39 cars (includes 2 handicap spaces) and 1 bus

Ht above fin. grade:

12'-0" (canopy)

SUBSTANTIVE FILE DOCUMENTS:

- 1) Coastal Conservancy staff report (file no. 97-007) for Surf Beach Pedestrian Railroad Crossing Access Project.
- 2) Consistency Determinations: CD-21-82 (Air Force, Space Shuttle Facility), CD-5-89 (Air Force, Titan IV at SLC-7), CD-28-90 (Air Force, Titan IV at SLC-6), CD-65-90 (Air Force, Acquisition of development rights on Bixby Ranch) and CD-12-94 (Air Force, Public Access restrictions along Ocean Beach to protect nesting habitat for the snowy plover).
- 3) Executive Director's Cease and Desist Orders No. ED-95-CD-01 and No. ED-95-CD-02
- 4) Commission Cease and Desist Order No. CCC-96-CD-01 and staff report for the rescission of the order (adopted on March 13, 1997)
- 5) Final Rule for Determination of Threatened Status for the Pacific Coast Population of the Western Snowy Plover; Federal Register Vol. 58, No. 42, pp. 12864-12874; March 5, 1993.
- 6) Proposed Rule for Designation of Critical Habitat for the Pacific Coast Population of the Western Snowy Plover; Federal Register Vol. 60, No. 41, pp. 11768-11809; March 2, 1995.
- 7) Western Snowy Plover Monitoring in 1994 at Vandenberg Air Force Base prepared by Philip E. Persons, U.S. Fish and Wildlife Service, February, 1994

LOCAL APPROVALS RECEIVED: None required. (except for Bldg. Dept. review, the applicant has claimed exemption from the parcel map requirement pursuant to the Subdivision Map Act §66428(a)(2).)

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission determine that the proposed project, as conditioned, is consistent with the requirements of the California Coastal Act. The development, as conditioned, would enhance the public access to the shoreline while protecting the environmentally sensitive habitat of the snowy plover at Surf Beach. Staff further recommends special conditions regarding: protection of habitat and visual resources, access, signage, construction schedule, timing, access and staging area, Phase 2 construction, litter, garbage and restroom maintenance and management, assumption of risk, legal interest, and unknown archaeological resources.

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, located between the sea and first public road nearest the shoreline, as conditioned, 1) will be in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, including Chapter 3 public access and recreational policies, 2) will not have any significant adverse

impacts on the environment within the meaning of the California Environmental Quality Act, and 3) 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.

II. Standard Conditions

- 1. <u>Notice of Receipt and Acknowledgment:</u> 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. <u>Compliance</u>: All development must occur in strict compliance with the proposal set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
- 4. <u>Interpretation</u>: Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections</u>: The Commission staff shall be allowed to inspect the site and development during construction, subject to 24-hour advance notice.
- 6. <u>Assignment</u>: The permit may be assigned to any qualified person, provided the assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 7. <u>Terms and Conditions Run with the Land</u>: 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. Assumption of Risk:

In addition to any immunities provided by law, in exercising this permit, the applicant agrees to hold harmless and indemnify the Commission, its officers, employees, agents, successors and assigns from any claims, demands, costs, expenses and liabilities for any damage to public or private properties or personal injury that may result directly or indirectly from the project.

2. <u>Legal Interest:</u> Prior to the issuance of a permit, the applicant shall submit 1) final escrow document evidencing the County's purchase of the parking area and 2) leases or contracts between Amtrak and Southern Pacific Transportation Co. (SPT Co.) / Union Pacific Rail Road (UPRR) authorizing the construction and operation of the access ramp, platform, at-grade pedestrian crossing and electronic warning device.

- 3. Access: The applicant, may restrict public access to the beach at this site only during construction period for a total of six months for both phases. If the project is completed in less than 6 months, the site shall be opened for public access at the completion of construction. Public access shall not be restricted after Phase 1 is completed and before Phase 2 begins.
- 4. <u>Habitat Resources:</u> Prior to issuance of the permit, the applicant shall, submit for review and approval of the Executive Director, a monitoring plan, to assess the impacts on the snowy plover habitat, in consultation with USFWS and VAFB. Based on the recommendations of the applicant's monitoring plan, in coordination and consultation with USFWS and VAFB and their monitoring/management plans of Surf Beach, the applicant, after construction of the project, shall assess the impacts and implement a mitigation plan, of the access on the snowy plover habitat. If the monitoring program determines, the access is adversely affecting the snowy plover habitat, applicant shall submit for the review and approval of the Commission, a plan to mitigate the impacts.
- 5. <u>Signage:</u> Prior to issuance of permit, the applicant shall submit for review and approval of the Executive Director signage plans, which shall incorporate the following criteria:
 - (a) Access: Signs shall be placed, indicating the existence of a public coastal accessway, at the entrance to the site and at the parking lot side (near access ramp) of the pedestrian crossing.
 - (b) Habitat protection: In consultation with the U.S. Fish and Wildlife Service, signs shall be provided informing the public of the presence of the environmentally sensitive habitat area and listing the various animal and plant species with visual and descriptive information.
 - (c) Restrictions: In consultation with the U.S. Fish and Wildlife Service, Amtrak and UPRR/SPT Co., signs shall be provided informing the public of any access controls for protection of wildlife habitat and penalties for violation of the restrictions.
- 6. Construction schedule, timing, access and staging area: Prior to the issuance of a permit, the applicant shall submit for review and approval of the Executive Director a construction plan and time schedule with a CPM (critical path mean) chart which shall incorporate the following:
- (a) All construction personnel, activities, equipment, material and debris shall remain within the project site. Environmentally sensitive habitats shall not be used and/or traversed for any construction purposes. All access to the site during construction shall be through the steel barrier gate only.
- (b) The construction site shall be maintained such that litter/garbage be contained and not attract or be accessible to predators (raccoons, possums, skunks, foxes, coyotes, bobcats, ...) of the threatened species.
- (c) The construction time schedule and CPM chart shall be prepared in consultation with the U.S. Fish and Wildlife Service, so as to prohibit construction between sunset and sunrise.
- 7. Phase 2 construction: Prior to the construction of Phase 2, the applicant shall submit for review and approval of the Executive Director, evidence of approval from the Public Utilities Commission (PUC) for the Phase 2 work. An amendment to the permit is necessary, if the PUC does not approve the proposed Phase 2 work as per the scope of work of this application (no. 4-97-040).

- 8. <u>Litter and restroom maintenance/management:</u> Prior to the issuance of a permit, the applicant shall submit, for review and approval of the Executive Director, a plan showing the location and specifications of garbage containers. The plan shall provide for covered trash facilities that are designed to deter access by predators, and for at least three trash cans on the platform and two trash cans within the parking lot. The plan should also provide for restroom facilities that are designed to prevent access by predators. Additionally, the applicant shall submit an amended agreement with the City of Lompoc that provides for maintenance of the parking lot, restroom, access ramp, platform, and pedestrian crossing, free of any litter, garbage, or substances that could attract predators.
- 9. <u>Visual Resources:</u> Prior to the issuance of a permit, the applicant shall submit to the Executive Director, for his review and approval, revised plans of the platform without canopies.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Location

The County of Santa Barbara proposes the subdivision of a 5.97-acre parcel to one lot of 0.68 acre and one lot of 5.29 acres. The project also includes the construction of: 1) a lighted, paved parking lot and ancillary structures such as a steel traffic barrier gate at the entrance to the parking lot and a pre-cast self-contained toilet structure for two restrooms; and 2) a 16ft. x 800ft. concrete passenger boarding platform with ancillary structures, an at-grade pedestrian crossing with electronic warning device and an access ramp. Included in the project is the temporary closure of the site to the public during construction for approximately 6 months. The proposed parking area is approximately 23,600 sq. ft. and will accommodate 39 cars (including 2 vans for disabled persons) and 1 bus.

The subject site consists of a parking area and a portion of a railroad right-of-way. The parking area is approximately 100ft. x 300ft. situated off an unnamed paved turnout road, approximately 175 feet long, running west off West Ocean Avenue at the old Surf Station depot, Surf Beach, one mile south of Ocean Beach County Park, Santa Barbara County. The County will construct the platform on a portion of the railroad right-of-way which consists of 50 feet on both sides of the centerline of the main rail line (track no.1) and is approximately 850 feet long, on the western side of the parking area. As of the date of this report, the applicant is in the process of acquiring the 0.68 acre parking area from Southern Pacific Transportation Co.(SPT Co.) for the construction of the parking lot and associated improvements. The applicant and the City of Lompoc will maintain the parking lot and improvements. Amtrak will lease the right-of-way from UPRR/SPT Co. and the applicant will construct the platform on behalf of Amtrak. Amtrak will maintain the platform. The at-grade crossing and access ramp will be constructed by the applicant and maintained by the applicant and the City of Lompoc. The electronic warning device will be installed and maintained by UPRR / SPT Co. on behalf of the applicant.

The proposed project includes 600 cubic yards of cut at the parking area for the installation of asphalt cement pavement. Of the 600 cubic yards of cut, 40 cubic yards will be used for re-compaction and 560 cubic yards will be disposed at the City of Lompoc landfill. The parking lot will be drained into a drop inlet from the pavement through curb gutters and a drainage apron. The drop inlet will be connected to the existing CMP drain. The project will be illuminated by 100 watt luminaires mounted on 4" diameter and 11'-8" high die cast aluminum poles. At the entrance to the parking lot the applicant proposes to install a steel traffic barrier gate that will be for security purposes only during construction of the project. The project includes two self-contained handicap accessible toilets approximately 10 feet in height above

grade. The proposed boarding platform will be accessible by a 10 feet wide concrete ramp from the parking area. From the platform, the beach will be accessible using a 10 feet wide concrete at-grade pedestrian crossing. The platform will be 8 inches above the top of the rail tracks and includes of five canopy structures. The canopy will consist of a supporting structure with seating and a roof. The proposed project does not include landscape materials or vegetation. (Exhibit #2)

The unstaffed rail platform would serve passengers embarking and disembarking the Amtrak San Diegan line. The parking area would serve the general public visiting Surf Beach for recreation and the public using the Amtrak service. The at-grade pedestrian crossing along with the electronic warning device would enhance existing access to the beach.

The proposed project is located near the shoreline, habitat for the federally threatened Western Snowy Plover, and a dune system, which contains sensitive plants (beach spectacle-pod or *Dithyrea maritima* and surf thistle or *Cirsium rhothophilum*).

B. Background

On June 4, 1996, the State Department of Transportation entered into a fund transfer agreement with Santa Barbara County, covering allocations of Transit Capital Improvement funds for the proposed platform with ancillary structures and the parking lot, for a total amount of \$1,048,000. Since June 1996, Santa Barbara County and SPT Co. have been engaged in negotiations for the sale of the parking area at Surf. On December 17, 1996 the Board of Supervisors of Santa Barbara County, in its capacity as the authority for the Coastal Resource Enhancement Fund (CREF), awarded \$120,000 for the at-grade pedestrian crossing, electronic warning device and restroom facilities, contingent upon the County receiving a grant of \$80,000 from the Coastal Conservancy On March 27, 1997, the Coastal Conservancy approved the grant (Coastal Conservancy File No.97-007). As of the date of this report, the County and SPT Co. are in the final stages of the sale of the parking lot, and Amtrak is in the process of leasing the right-of-way from SPT Co.

Section 30601.5 of the Coastal Act requires, the applicant to demonstrate a legal right, interest, or other entitlement to use the property for the proposed development. As of the date of this report UPRR/SPT Co. owns both the parking area and the railroad right-of-way. The applicant has been in negotiations, for the purchase of the parking area, with UPRR/SPT Co., for almost a year. Pursuant to Title 49 United States Code §24107, Amtrak, the National Railroad Passenger Corporation, entered into an agreement with the State of California (Department of Transportation), whereby Amtrak shall provide rail passenger service in the state. In addition, Amtrak is in negotiations with UPRR/SPT Co. to lease the railroad right-of-way. In a letter to the applicant from Luba Drahosz, Manager, Real Estate Services, Amtrak, dated August 16, 1996, stated that Amtrak is contractually obligated to repair and maintain the improvements placed on the leased area. That letter states that Amtrak, should it choose to do so, can assign this responsibility or enter into a contract with a third party. The application includes a draft purchase/sale agreement between SPT Co. and the applicant, a letter from Paul Minault, dated February 7, 1997, on behalf of SPT Co., which authorizes the applicant to apply to the Commission for a coastal development permit to construct the project. The letter does not authorize the applicant to construct the project.

C. Public Access Resources

Section 30210 of the Coastal Act states, in relevant part, 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.

Section 30252 of the Coastal Act states, in relevant part, that:

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, ..., and (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation,...

Existing access resources: The proposed project site is located between the sea and the first public road nearest the shoreline. Southern Pacific Transportation Co. (previously known as Southern Pacific Railroad Company) acquired the property for use as a railroad right-of-way in 1895. Surf station depot was built in 1901 and an annex was added in 1942. The depot was demolished in 1971, the station ceased operating in 1985 and all other structures were removed in 1988. Since the early 1900s Surf beach was accessible by traversing the Southern Pacific Transportation Co. (SPT Co.) land and rail tracks. Public park their vehicles on the land owned by SPT Co. and cross the tracks to use the beach.

In previous actions, the Commission has articulated a concern about the maintaining availability of access as a recreational opportunity in the Northern Santa Barbara County portion of the coastal zone. The Commission 's concerns are evident in the following actions: The Commission concurred with a consistency determination (CD-21-82) by the Air Force for the construction of a space shuttle launch facility. That determination was amended by the Air Force to provide for an expansion of public access at Ocean Beach and north of Jalama Beach. In the CD-5-89, Commission staff recommended objection (the project was withdrawn at the hearing) to a proposal to construct a new launch facility because of impacts, including closures, to the use of Jalama Beach. The Commission objected to a consistency determination (CD-65-90) by the Air Force for the acquisition of development rights on Bixby Ranch because it affected the local government's ability to implement the access provisions of its Local Coastal Program (LCP). Finally, the Commission concurred with the Commission's staff recommendation to CD-12-94, submitted by the Air Force to modify public access along Ocean Beach to protect the federally threatened snowy plover. Originally, the consistency determination contained a proposal to permanently close the existing vertical access to the shoreline at Surf Station (proposed project site), but due to Commission concerns, the Air Force modified its consistency determination so that it the closure of the vertical access was not included. Public access was limited through that consistency determination to linear closure of the beach area, for one year between the nesting season from March through September, above +7 mean lower low water (MLLW). Compliance was achieved through the placement of interpretive and restrictive signs. These actions demonstrate that protecting existing and providing new access and recreational opportunities in this area of the coast is a high priority for the Commission.

The proposed project provides for continued use of the project site to support public access. The project includes measures, such as paving the parking lot, installation of restrooms, construction of an access ramp to the platform, and construction of an at-grade crossing with electronic warning device, that will

improve public access to the shoreline at this location. Although the project provides for the installation of a gate at the entrance road to the parking lot, the applicant proposes to lock the gate only during construction. As conditioned, any further proposals to lock the gate or otherwise close the site to access would require an amendment to this permit.

The applicant proposes to renovate the existing parking area, which is currently Impacts on Parking: used for beach parking, by providing lights, paving and striping the parking area, installing drainage, and constructing restroom facilities. The County has not provided an analysis of the impacts the proposed project would have on the existing parking in the area or the increase/decrease of parking availability due to the re-introduction of the rail service. The informal parking area currently, provides approximately 45 spaces. Only 75.% of the parking spaces are occupied during normal weekends. On holiday weekends the parking area is usually full. Without a proper study it is difficult to determine the effects from the proposed project on existing parking. The project will reduce beach access parking because the lot will be smaller. The project includes the addition of bus parking and restrooms, and beachgoers will experience competition in parking from train users. However, the project will improve beach parking by the removal of existing structures, and installation of pavement, striping, lighting and drainage. The existing parking area consists of disturbed sandy portions intermingled with some insignificant vegetation (ice plants), the old platform, fences, power poles and areas of slopes. At present the public is able to park on the un-vegetated parts of the lot and above the sloped areas. When it rains, the lot gets flooded due to lack of drainage and approximately 50% of the total number of spaces are not available. Because of the improvements, the proposed project would make available more spaces during inclement weather, when Ocean Beach would not be accessible due to flooding. The potential impacts to dry season parking from the proposed improvements are partially mitigated by the removal of existing structures and paving and striping. Additionally, there are alternative areas for people to park, such as the area above the sloped areas as before, when the need arises, and at Ocean Beach County Park, which is less than a mile away. Finally, the train service will provide for non-auto transit to this beach. Therefore, the Commission finds, that the project will not reduce parking in a manner that significantly affects public access to the coast. The applicant has not proposed to dedicate any of the proposed parking spaces exclusively to the station/rail users. If the applicant makes alterations to the proposed parking, it will an amendment to this permit.

<u>Safety Issues:</u> Section 30210 of the Coastal Act requires the Commission to consider public safety concerns with respect to public access to and along the shoreline. There is a public safety risk associated with crossing the tracks to get to the beach. In his letter dated September 7, 1995, to Commission staff, Paul Minault, attorney for SPT Co., stated that in 1982, an individual who had climbed on to a parked train at Surf, injured his foot when the train began moving. In the same letter, Minault described another accident that occurred in 1994 "SPT Co. was sued a second time for the death of a young child killed by a high-speed Amtrak train at this site." The proposed at-grade crossing along with the electronic warning device would minimize the hazards by providing a point of access, with visual and audible warnings.

Additionally, safety issues will be addressed, in part, through the review process of the Public Utilities Commission (PUC) for the at-grade pedestrian crossing and electronic warning device. Public Utilities Code §1201 requires the permission of the PUC, before the construction of any at-grade public crossing across the track of any railroad corporation (PUC General Order NO. 69-C, 1985, indicated that any grant of an easement for the purpose of providing a crossing of a railroad by a public "footpath" requires PUC authorization. Public Utilities Code §1202 grants the PUC "the exclusive power to determine and prescribe the manner, including the particular point of crossing and the terms of installation, operation, maintenance, use, and protection of each crossing ...of a street by a railroad or vice versa". Through its

review, the PUC will further address the public safety issue. The PUC standards for crossings require compliance with PUC Code Sections 1201-1205, including, but not limited to General Orders 26-D, 72-B, 75-C, 88-A, 118 and 135. The applicant's agent confirmed with Commission staff that the proposed at-grade pedestrian crossing was designed in compliance with PUC standards and requirements.

The project will allow for safer public access to the beach than exists. However, the proposed project will minimize, the hazard it will not eradicate it. Hence, the applicant in proposing the project, shoulders the responsibility to address the public safety and thereby public liability concerns that may arise through the construction of this project. Therefore, the Commission finds it necessary to require the assumption of risk condition.

The applicant proposes to close the subject site to public Temporary Impacts due to Construction: use during construction, for a maximum of six months. The temporary adverse impact to access availability is necessary to protect safety. Construction sites are inherently dangerous and the closure is necessary to protect the general public. Additionally, it would be impossible to construct some of the improvements, such as paving the parking lot, if the public had access to the site. The applicant will minimize this impact by constructing the project during the summer. The Surf Depot parking lot is located near the parking lot at Ocean Beach County Park (less than one mile away). That parking area provides enough parking to support use of the beach. Under most circumstances, the Commission would further minimize the parking impact by preventing construction during summer, which is usually the popular beach recreation season. However, in this case, the access road to the parking area at Ocean Beach County Park and the access trail from the parking to the beach are subject to flooding during the rainy season. This area is within the flood plain of the Santa Ynez River. It is common for the County Park to be inaccessible after the sand bar forms across the river mouth and this area floods, most of the winter season. If the County closed the Surf parking area during the winter, there would be no access to the beach in this area during the winter months. Additionally, the beach and ocean are used also for surf fishing, which is a year round activity. Therefore, in order to minimize the impact to beach access, it is necessary to construct the project during the summer and fall.

The Commission finds it necessary to further minimize construction impacts to public access by conditioning the project to limit site closure during construction to a maximum period of six months, to open the site for public access immediately after construction, and to ensure the site remains open during the period of time between completion of Phase 1 and commencement of Phase 2. The Commission finds, the applicant's concern for safety of the public and the request for closure of the site during construction, as conditioned, to be consistent with Section 30210 of the Coastal Act.

In conclusion the Commission finds that the proposed project, as conditioned, is consistent with the access policies of the Coastal Act for the following reasons: 1) the proposed project would maintain existing public access to the shoreline at this location; 2) the proposed improvements, as conditioned, will enhance safe public access to the shoreline; 3) the proposed project will not reduce public parking in a manner that significantly affects beach access; and 4) temporary access restrictions, are necessary to protect public safety and to allow construction of the project, and conditioned to minimize impacts to public access to the shoreline.

D. Environmentally Sensitive Habitat Issues

Section 30240(b) of the Coastal Act provides, in relevant part, that:

(b) Development in areas adjacent to environmentally sensitive habitat 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 30210 of the Coastal Act provides, in relevant part, 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 ... the need to protect ... natural resource areas from overuse.

Section 30214 of the Coastal Act provides, in relevant 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:
- (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

Existing Habitat Resources: The beach area seaward of the proposed station at Surf provides nesting habitat for the Pacific Coast population of the western snowy plover. On April 5, 1993, the U.S. Fish and Wildlife Service (USFWS) listed the Pacific Coast population of the western snowy plover (Charadrius alexandrimus nivosus) as "threatened" under the Endangered Species Act of 1973, as amended [Public Law 93-05 (16 USC 153) et. seq.]. The Endangered Species Act mandates Vandenberg Air Force Base (VAFB), owner of the 35 mile shoreline that includes Ocean Beach and Surf Beach, to protect snowy plovers within its borders and enforce the provisions of that Act. The Act prohibits accidental and intentional "take". Under Section 3 of the Endangered Species Act "take" is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect this species (including eggs, chicks and adults), or to attempt to engage in any such conduct". In February 1994, the Vandenberg Air Force Base submitted the above mentioned consistency determination (CD-12-94) to the Commission to modify public access along Ocean Beach in order to protect the snowy plover.

On March 2, 1995, the USFWS published the Proposed Rules for Designation of Critical Habitat for the Pacific Coast Population of the Western Snowy Plover. The USFWS proposed to designate 28 areas along the coast of California, Oregon and Washington as critical habitat for the snowy plover. Of these, four locations are on the Santa Barbara County coast and one of those is located on the Vandenberg Air Force Base. The location on Vandenberg Air Force Base is divided into three parts, and Ocean Beach at the mouth of the Santa Ynez River, is one of them. There has been no Final Rule to the above publication as of the date of this report. (Exhibit #4)

The federally listed western snowy plover is a small pale colored shorebird with dark patches on the either side of the upper breast. Snowy plovers forage on invertebrates in the wet sand, surf-cast kelp within the intertidal zone, dry sandy areas above high tide, on salt pans, dredge spoil sites, and along the

edges of salt marshes and salt ponds. The plover nests in loose colonies along beaches that provide flat open areas on sandy or saline substrates. The nest areas are normally devoid of vegetation and driftwood. Sand spits, dune-backed beaches, un-vegetated beach strands, open areas around estuaries, and beaches at river mouths are the preferred coastal habitats for nesting. In the publication titled, "Final Rule for Determination of Threatened Status for the Pacific Coast Population of the Western Snowy Plover", USFWS describes the status of the species as follows:

Poor reproductive success, resulting from human disturbance, predation, and inclement weather, combined with permanent or long-term loss of nesting habitat to encroachment of introduced European beach grass (Ammophila arenaria) and urban development has led to a decline in active nesting colonies, as well as an overall decline in snowy plover along the Pacific coast of the United States.

The snowy plover nests along the entire length of Ocean Beach including Surf Beach, approximately 3.7 miles south from the mouth of the Santa Ynez river to the rock outcrops north of Pedernales Point. (Exhibit #5)

According to an environmental assessment published by the U.S. Air Force to support its management of public access at Ocean Beach (dated February 22, 1994), Vandenberg Air Force Base represents important nesting habitat for the plover. Specifically, that document states that:

Vandenberg Air Force Base supports approximately 200 breeding snowy plovers (USFWS 1994). In 1993, 82 of these nested on Ocean Beach; the remainder are on beaches on the northern portion of the base which are restricted to base personnel. The Ocean Beach population represents six percent of the entire California population of the threatened coastal population of the western snowy plover. Overall, Vandenberg supports approximately 15 percent of the entire nesting population. Thus, proper stewardship of snowy plovers on Vandenberg is very important to the survival and recovery of the population. (EA, page 3.)

Section 30240(b) of the Coastal Act protects sensitive habitat from impacts associated with adjacent development. In this case, the Commission can approve the project, pursuant to Section 30240(b), if it finds that the development does not significantly degrade the habitat and if it is compatible with the continuance of the habitat. Additionally, Section 30210 of the Coastal Act provides for managing public access and recreational opportunities in order to protect natural resource areas, such as nesting habitat for a threatened species. The project is not likely to have any direct impacts on the habitat. However, there are two indirect effects that may degrade the habitat: 1) enhancing public access to the shoreline; and 2) the possibility of attracting predators to the area.

Public Access Impacts: Since plovers nest on sandy beach areas just above high tide, public access to and use of the beach could create conflict with habitat protection. By allowing for and enhancing existing public access, the project has the potential to degrade plover habitat. However, this habitat issue must be analyzed within the context of existing access resources in the area. Private and military ownership and use of the northern Santa Barbara County coast has resulted in a portion of the coast where public access to the shoreline is not readily available. Most of this coast is owned by three landowners: Air Force (96,000 acres), Bixby Ranch (24,000 acres) and Hollister Ranch (14,400 acres). Ocean Beach and Jalama Beach are the only two official locations available to the public, between Gaviota and Point Sal, a 64-mile stretch of coastline. Both these beaches are subject to temporary closure during missile launches at Vandenberg Air Force Base. Public access to Ocean Beach is through the Ocean Beach County Park located along the Santa Ynez river. During the winter and the rains, the

park access road and walkway under the railroad trestle gets flooded for extensive periods. The inundation of water subsides only when the mouth of the river breaches. Sometimes the park road is accessible, but not the walkway, and the public use the railroad tracks to access the beach, until the water has subsided enough to walk safely using the walkway. The access at Surf Beach has been in existence since the 1900s. The access at Surf Beach is the only alternative the public have when the Ocean Beach access is impassable due to flooding.

The Commission recognizes the significance of public access resources along this portion of the coast in relation to the restrictions to the access that would protect habitat resources.

The Commission, in reviewing the proposed project pursuant to Section 30240(b) of the Coastal Act, must protect environmentally sensitive habitats from significant degradation and only approve uses compatible with the continuance of the sensitive areas. Even though no conclusive study exists of the project's impacts on the habitat resources of the area, it can be argued that the proposed activity can alter the impacts on the snowy plover because the proposed train service and parking lot and access improvements could increase the number of visitors to the area, and thereby, intensifying the conflict with the plover. However, the Commission believes that the proposed project will not significantly affect the plover because access currently exists at this location. Although the Commission recognizes that closure of the Surf accessway and beach to public use would probably improve protection of the species, such an action would be difficult to enforce if the County constructs a train station. There would be no methods to prevent the general public from parking at the lot and crossing the tracks to use the beach. In this context, the Commission believes that the better way to protect the species is to provide for management of public use of the beach. The Air Force, which owns the beach, manages recreational use of this area in order to protect the species. The Air Force's management includes the following beach rules: 1) overnight camping is prohibited; 2) pets must be on leash; 3) no fires allowed without the permission of the Base Fire Marshal; and 4) littering is prohibited on the beach. Additionally, the Air Force institutes and enforces a linear closure of the beach to keep the public out of the nesting habitat. It can also be argued that enhancement of the informal access would direct the public to one area, as opposed to what exists at present. This concentration of the public could reduce any "take" of the snowy plovers. But, channeling of the public to one area could impact the habitat of the plovers adjacent to that access point more than areas located away from the access. Hence, the Commission finds it necessary to condition the permit as the proposed project could impact the habitat resources in the area. The condition requires the applicant to implement a monitoring and mitigation plan, after completion of construction of the project, to assess and mitigate impacts of the access on the snowy plover habitat, based on the recommendations of the existing and future monitoring and management plans of Surf Beach, in coordination and consultation with USFWS and VAFB.

Additionally, the Commission believes that education of the public is an important measure in reducing the conflict between public access and the plovers. The Commission finds that the County can participate in this public education, and provide some mitigation for any habitat impacts from the enhanced access facilities, through the installation of signs at the project site. Therefore, the Commission finds it necessary to require the applicant to develop and install, in consultation with U.S. Fish and Wildlife Service, educational signs informing the public of the habitat values of the area and existing access restrictions necessary to protect the plover. Additionally, the signs will provide information on penalties for violation any access restrictions. The Commission finds that, as conditioned, with the above measures, the project's access impacts will be consistent with Sections 30210, 30214(a)(3) and 30240(b) of the Coastal Act.

<u>Construction Impacts</u>: In addition to the access impacts, the Commission believes that the project may affect snowy plover habitat by attracting predators to the area, and thus increase predation on the plover. In the Final Rule for Determination of Threatened Status for the Pacific Coast Population of the Western snowy plover, U.S. Fish and Wildlife Service describes predation of the species as follows:

Predators destroyed at least 13 of the 70 nests with known outcomes (Table 3) ... Based on track evidence, the prominent nest predator was the coyote (Canus Latrans). Fresh coyote tracks were widespread and abundant on every visit to the study area. Coyotes destroyed at least 10 clutches. Two clutches were taken by a small mammal whose tracks were too faint to identify ... Raccoon (Procyon Lotor) tracks were widely observed on North Beach ...

Human disturbance destroyed 10 nests and may have destroyed four additional nests for which the cause of loss could not be documented. Losses were caused by people stepping or sitting on nests (8 nests) and crushing nests beneath driftwood dragged to beach fire sites (2 nests).

...activities detrimental to plover reproductive success included intensive use of plover nesting and foraging habitat threatening the destruction of clutches and separation of chicks from parents;...discarding of wastes potentially attractive to scavenging predators; and flushing of incubating plovers by people, dogs and horseback riders.

The Commission believes that litter, garbage or debris created both during and after construction of the project could affect the plover by attracting predators to the area. The breeding season of the Snowy Plover is between March and September. The nest creation and egg laying period is between March and July. The applicant has verbally communicated to Commission staff of its intention to begin construction of the project in June 1997 (personal comm. April 1997). According to the Western Snowy Plover Monitoring Report in 1994 by the U.S. Fish and Wildlife Service:

The clutch, usually of 3 but occasionally 2 eggs, is laid over a period of about 5 days. Sustained incubation begins upon completion of the clutch and continues 25 to 32 (average 27) days. Females incubate most of the day and males most of the night. ...Plover chicks are precocial, leaving the nest in search of food within a few hours of hatching. Chicks are not fed by their parents. Adults and young forage in the wet sand and debris of the intertidal zone, in dry sand above the tide line, and on mud flats.

Since the majority of the construction period, from June to November of 1997, is within the breeding season, construction activities and its management are of concern to the Commission. Construction activities of the proposed project would require the use of heavy equipment, including powerful lighting, that could create a considerable amount of noise, brightness and physical disturbance to plover habitat, if not managed in a manner consistent with Chapter 3 policies of the Coastal Act. The Commission believes that containment of project activities, within areas that do not contain any habitat constituent elements, like the parking area, the unpaved road, and the railroad right-of-way, would minimize disturbance of the environmentally sensitive habitat located near the project site. Construction activities also lead to the creation of debris, litter and garbage that attract scavenging predators. Hence, it is essential that the site be maintained, to prevent any more predators from being attracted to the area The construction of the proposed project, as mentioned in the drawings, is phased as follows:

Phase 1: Improvement to the parking area, construction of platform and access ramp to the platform.

Phase 2: Construction of restrooms and after PUC approval the at-grade pedestrian crossing and electronic warning device.

The applicant's agent verbally modified the project phasing to allow construction of the restrooms during Phase 1 and not Phase 2 (pers. comm April, 1997). Because of the sensitive nature of the area, the construction plan, schedule and CPM (Critical Path Mean, a chart that contractors use to illustrate the timing and period of the various components of the project's construction) must provide for protection of the plover. Specifically, these documents must include provisions that ensure that staging, equipment use, and other contractor activities remain on disturbed areas and are not used in or near plover nesting habitat. Additionally, these documents must provide for construction site maintenance to minimize predator attraction to the site. Without such provisions, the project's construction activities would not be consistent with Section 30240(b) of the Coastal Act. Therefore, the Commission finds it necessary to require the applicant to provide, to the Executive Director for his review and approval, construction plans, schedule, and CPM chart that include the above-described snowy plover protection measures.

After construction, the Commission believes that continued maintenance of the Site Maintenance: facility may also affect plover nesting in the area. Litter, garbage and restroom odors attract scavenging predators like raccoons and coyotes to the area. These predators would threaten the adjacent nesting and foraging habitat of the plover. The applicant has entered into an agreement with the City of Lompoc, to own and maintain the parking lot and associated improvements at Surf Rail Station. Section 4 of this agreement describes the maintenance, of the project improvements, between both the parties. That section is unclear about "removing trash". Furthermore, and the agreement does not address the following: 1) provision of predator-proof litter/garbage containers; 2) maintenance, number, locations, specifications and frequency of maintenance of litter/garbage containers, 3) maintenance of toilet facilities and frequency of maintenance, and 4) manner and frequency of maintenance of access ramp, platform, and at-grade pedestrian crossing. As stated above, Section 30240(b) of the Coastal Act, requires the Commission to protect environmentally sensitive habitat areas against any significant The Commission, therefore, finds it necessary to require the applicant to provide information pertaining to the management of the restrooms and litter/garbage. The plan shall provide for covered trash facilities that are designed to deter access by predators, and for at least three trash cans on the platform and two trash cans within the parking lot.

<u>Lighting</u>: The coastal population of the western snowy plover consists of both resident and migratory birds. As the migratory birds are restricted in their biorhythm to changing seasons and conditions, it becomes imperative for them to use what little opportunity they have to feed, brood or nest during their visits to the various habitats. Hence, in situations where the birds have to compete for their habitat with other beach users, they are forced to adapt, and feed at night. But the dark of the night is not always conducive in spite of the darkness providing additional protection from predators.

As stated in the section titled "Construction Impacts", powerful lighting which almost replicate daylight conditions are required for construction at night. Construction lighting is often not limited to the site due to security reasons which require areas adjacent to the site to be lit, especially at sites, far from human inhabitants. Additionally, lighting from the proposed platform could spread directly or indirectly, on to nesting and brooding areas of the plover habitat where they retreat to hide from scavenging predators. The Commission recognizes the significance of lighting for the security of the platform and the parking area. However, lighting parts of the beach could also lead to an increased use of the beach at night by human beings and reduce the predator-protection value of darkness. Additionally, as per the existing Amtrak train schedule, the last train passes by Surf (which could stop at the proposed platform in the

future) at approximately 8 p.m., and the first train at 7 a.m.. This suggests that there would be no need for lighting at the unstaffed platform between 8 p.m. and 7 a.m. The proposed platform will be lighted by 17 pole top luminaires, 11 ft. 8 in. high, 100 watt, high pressure sodium, spaced 50 ft. apart. The parking lot will be lighted by 6 fixtures similar to the platform. The photometrics spread of the specified fixture would be approx. 4.5 ft. candles at a distance of 8 ft. and 0.25 ft. candle at a distance of 34 ft. This would result in a spread overlap of 9 ft. between fixtures. The light source is approx. 63 ft. high above the sea level and the horizontal distance from the base of the fixture to the western edge of the railroad right-of-way is approx. 70 ft.. Therefore, after the approx. 34 ft. horizontal spread of the light (.25 ft. candle), there is 36 ft. of the railroad right-of-way before indirect light can reach the plover habitat, which is at a lower elevation. The Commission finds that the proposed lighting of the platform could have no significant impact on the plover habitat. However, the Commission finds that construction lighting is of a much higher intensity, simulating daylight, and would be present not only at the edge of the railroad right-of-way, but also adjacent to the subject site. Hence, the Commission finds it necessary to condition the permit by requiring construction activities to be limited to the period between sunrise and sunset. If new information relating to the impact of the proposed lighting leading to an adverse effect to the environmentally sensitive habitat is established, through a beach monitoring and/or management study, the applicant would need to apply for an amendment to this permit.

In conclusion, the Commission finds that the proposed project, as conditioned for the protection of habitat resources through monitoring and mitigation, signage, litter, and restroom maintenance/management, is consistent with Sections 30210, 30214(a)(3) and 30240 of the Coastal Act.

E. Visual Resources

Section 30251 of the Coastal Act states, in relevant part, 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 be visually compatible with the character of surrounding areas ...

Initially the project contained five canopies approximately 4 ft. x 12 ft. (11 ft. ht.) to be erected equidistant on the 800 feet long platform. Each canopy will consist of four pre-cast concrete sandblasted columns supporting a tubular steel frame with a seam panel roof. The space between the columns will be in-filled with aluminum windscreen frame with tempered glass and a wooden bench. Around the columns and the windscreen would be a steel pipe leaning rail. The tempered glass infill would allow for limited views of the beach and ocean. (See Exhibit #3, page 1) This design proposal (Canopy 1) was made when the application was submitted to the South Central Coast office on March 6, 1997. On April 18, 1997, the applicant amended the application by sending a revised design for the canopies. (See Exhibit #3, page 2) The revised design (Canopy 2) will be 6ft. wide and made entirely of concrete. There was no dimension for the length on the sketch. Through proportional derivation of the isometric sketch, the long dimension would be approx. 18 ft. and the height would be 8 ft.. On April 23, 1997, the applicant further amended the application by sending another revised design for the canopies. (See Exhibit #3, page 3) The revised design (Canopy 3) will be 5 ft. x 25 ft. (8 ft. ht.) and made entirely of concrete, except for the 4 in. thick glass block infill. The glass block would only allow for the passage of light, but hinder any view of the beach or ocean. There was no change in the number of canopies and their spacing on the platform in both the revisions. Section 3 of the "Standard Specifications for Unstaffed Amtrak Stations in California", (Exhibit #3, page 4 &5) states:

3. Each station shall contain **SHELTER(S)** to protect passengers from sun, wind, and inclement weather. Shelter size shall be based on anticipated peak hour passenger usage. If the shelter is small, it shall be placed on the platform. Large shelters may be placed near or adjacent to the platform. Seating areas outside of shelters may also be built if necessary.

The Commission finds that the "specifications" established by Amtrak provides ample room for flexibility in the design of "shelters". It does not define "small" or "large" shelters. Considering the anticipated peak hour passenger usage for Surf (as compared with Santa Barbara) the Commission infers the need for only one "small" shelter. The Amtrak "specifications" also provide the latitude to the designer in placing the "shelter" near or adjacent to the platform. All the designs of the canopies will restrict the continuous views of the beach and the ocean when observed from the parking area. Projecting vision lines from the parking lot facing west, (allowing for the block in views due to the mound/slope of sand south of the parking area as shown in Exhibit #3, page 6), it is apparent that any canopy placed within the viewshed created in the angle facing west would restrict views of the public. The only part of the platform which do not fall within the viewshed is the southern half (425 ft.) containing two canopies. Canopies 2 and 3 would be approx. twice the size of Canopy 1 and concrete monoliths, visually bulky and intrusive to coastal views. It is also not visually compatible with the character of the surrounding area. Members of the public have expressed to Commission staff that they enjoy the visual qualities of Surf beach and Pacific ocean by sitting in their parked vehicles at the parking area (see public comments in the file for CD-12-94). If the Commission were to approve only two canopies (Canopy 3) on the Southern half of the platform, however visually intrusive they may be, does not provide the applicant an opportunity to revise the design in consistent with the visual resources of Coastal Act policies, through an amendment.

The applicant's agent has verbally communicated to staff (pers. comm. April 24, 1997) that the design of Canopy 2 is not final and might be revised again, before the Commission meeting on May 16, 1997. In denying the proposed platform with any canopies, the Commission finds, it is in the best interest of the applicant to be given the opportunity to redesign and locate the canopies, consistent with policies of the Coastal Act. As currently designed and located, the proposed canopies will interfere with public views of the shoreline and are, therefore, inconsistent with the visual policies of the Coastal Act. The Commission is conditioning its approval of this application, to require submittal of revised plans for the platform excluding the construction of the canopies. In conclusion, as conditioned, the project would not adversely affect scenic public views and would be consistent with the requirements of Section 30251 of the Coastal Act.

The platform's proximity to the ocean and thereby its exposure to constant wind, rain and fog demonstrates a need for shelter. The Commission recognizes this need and would consider an amendment to this permit for shelter that does not interfere with scenic public views of the ocean.

F. Local Coastal Program

Section 30604 of the Coastal Act states that:

(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 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice

the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit, only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore the Commission finds that as required by Section 30604(a), approval of the proposed development, as conditioned, will not prejudice the County of Santa Barbara's ability to prepare a Local Coastal Program which is also consistent with the policies of Chapter 3 of the Coastal Act.

G. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, modified by any conditions of any approval, be consistent with any applicable requirements of 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 activity may have on the environment.

The applicant has claimed statutory exemption from CEQA pursuant to CEQA §21080(b)(10) and §15275 of Title 14, Guidelines for the Implementation of the California Environmental Quality Act, which state the division shall not apply to a project for the institution or increase of passenger of commuter services on rail right of way already in use, including the modernization of existing stations and parking facilities. Notwithstanding the applicability to the subject proposed project of the cited statutory exemption from CEQA, the Commission finds, in addition, that the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, is found to be consistent with CEQA and policies of the Coastal Act

H. Violation

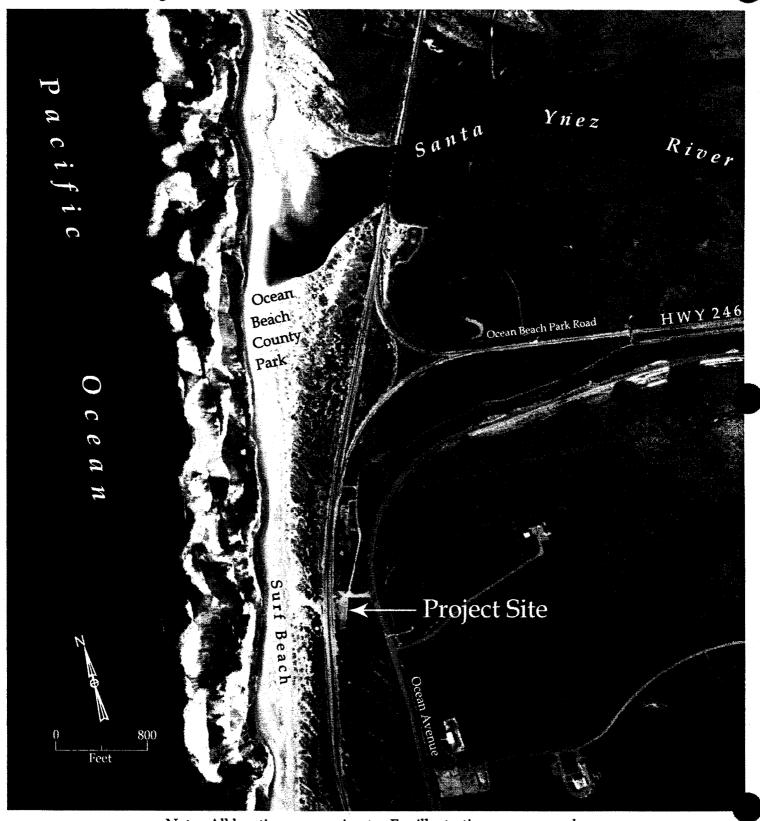
Although development has taken place prior to the submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to any violation of the Coastal Act that may have occurred; nor does it constitute an admission as to the legality of any development undertaken on the subject site without a permit.

EXHIBITS

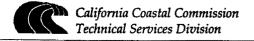
- 1. Photocopy of aerial photograph.
- 2. Photocopies of project drawings.
- 3. Photocopies of the canopy designs, Amtrak specifications, and diagram showing the visual shed.
- 4. Photocopy of map of critical habitat location.
- 5. Photocopy of the western snowy plover habitat on Vandenberg Air Force Base.

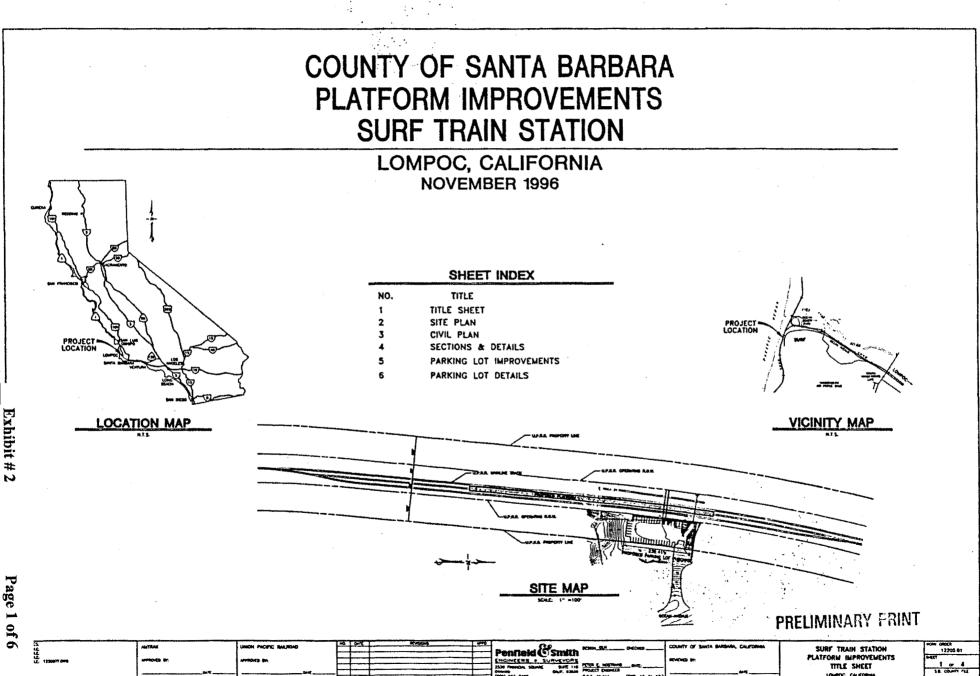
CDP 4-97-040

County of Santa Barbara - Surf Station



Note: All locations approximate. For illustrative purposes only.





County of Santa Barbara

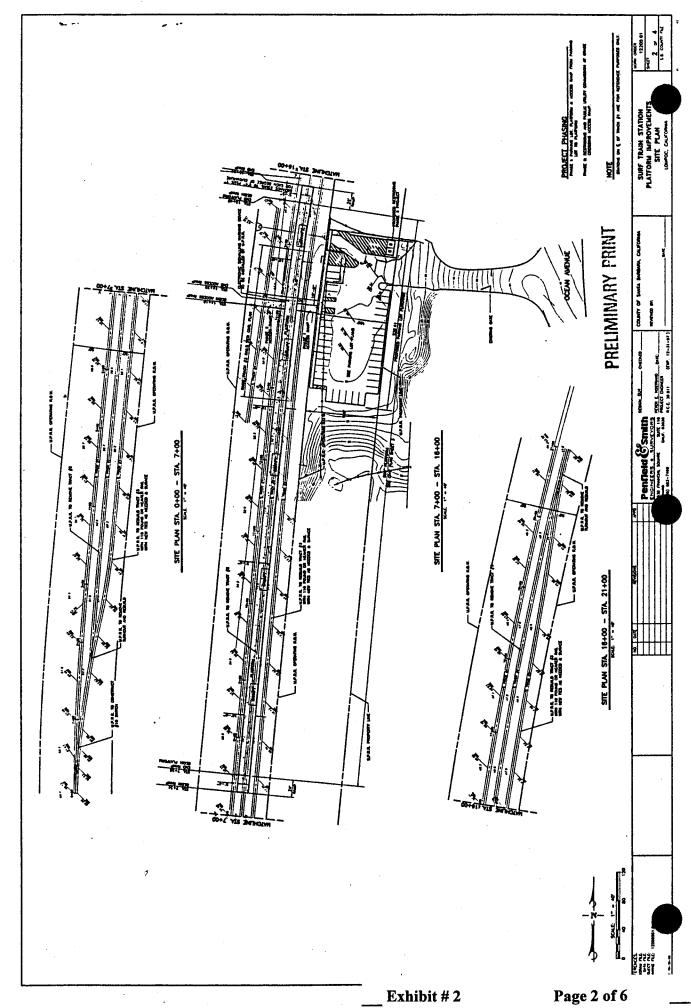
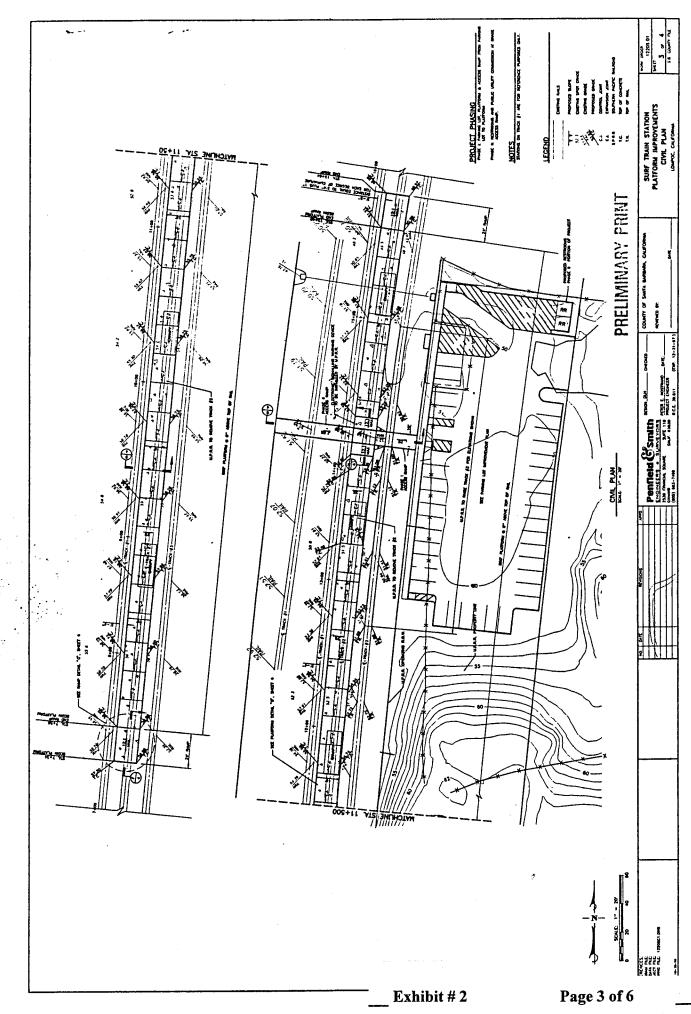


Exhibit # 2

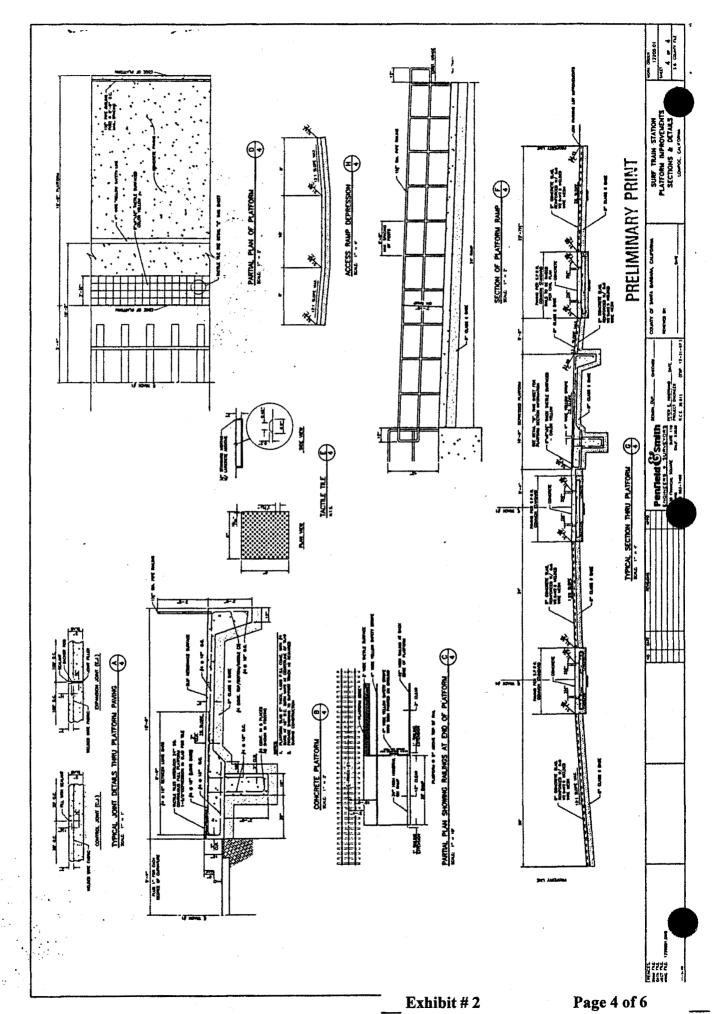
County of Santa Barbara

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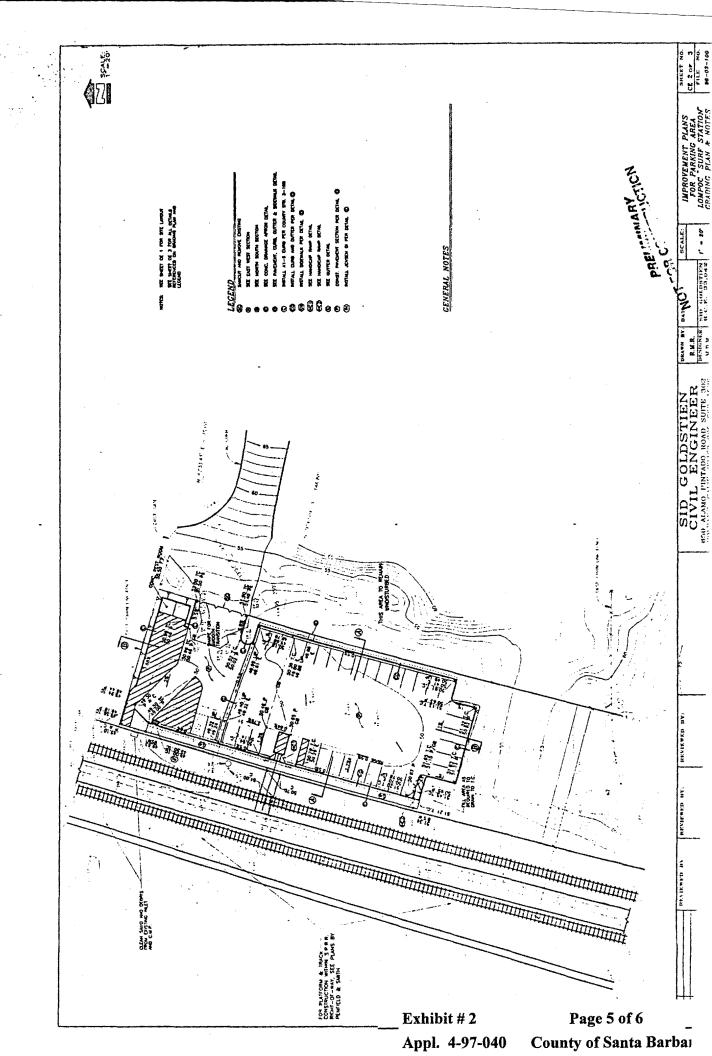


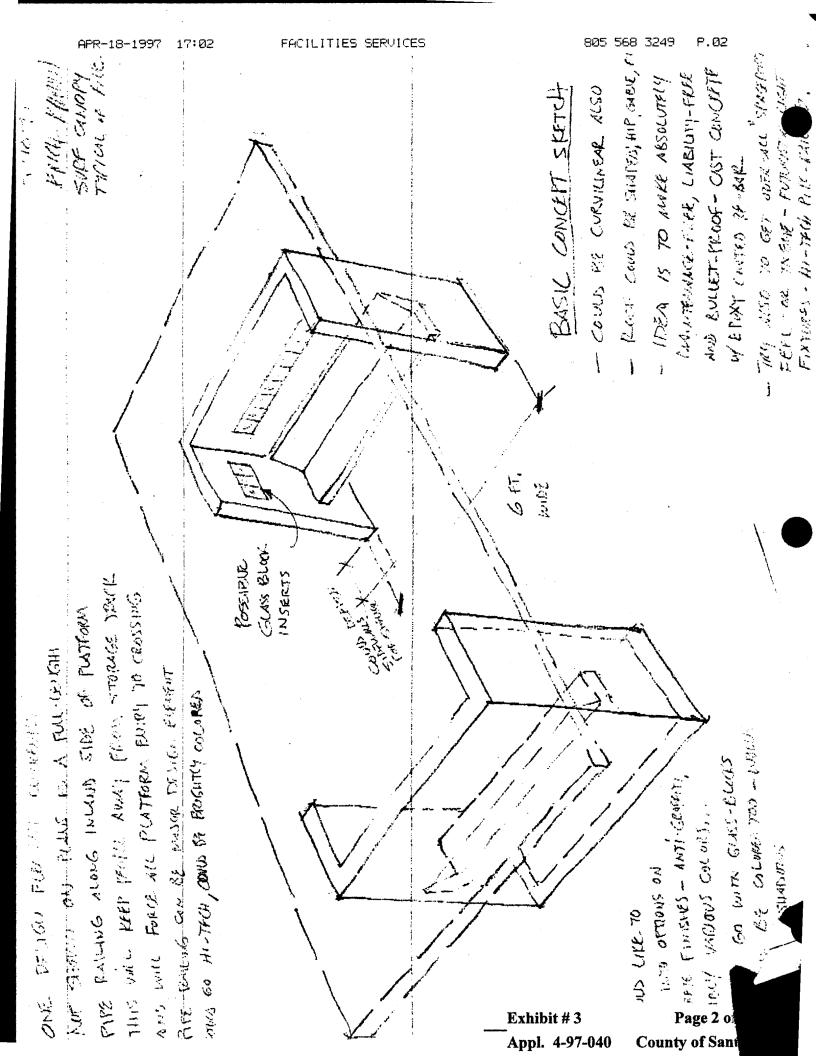
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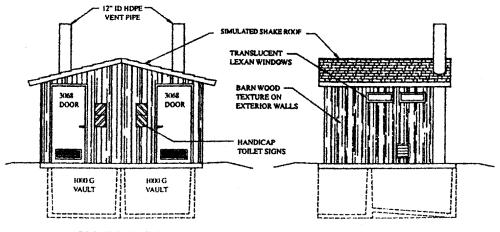






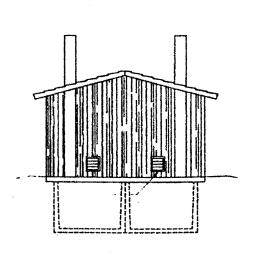
PRODUCT DATA

Tioga Special Toilet Building

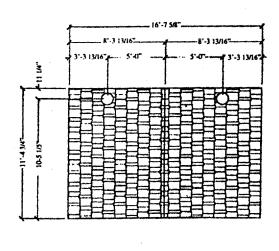


FRONT ELEVATION

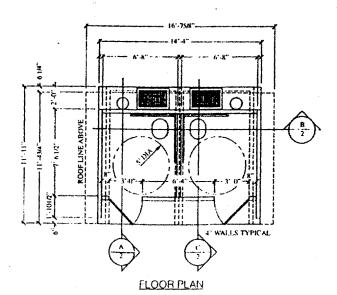
SIDE ELEVATION



BACK ELEVATION



ROOF PLAN



TYPICAL RESTRAOM PROPOSED OF SURF BEACH AMTRAK STATION

- comental Division

15602 East Marietta Avenue P.O. Box 14757 Spokane, Washington 99214-0757 509-921-8760 Phone

Exhibit #2

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County of Santa Barbara

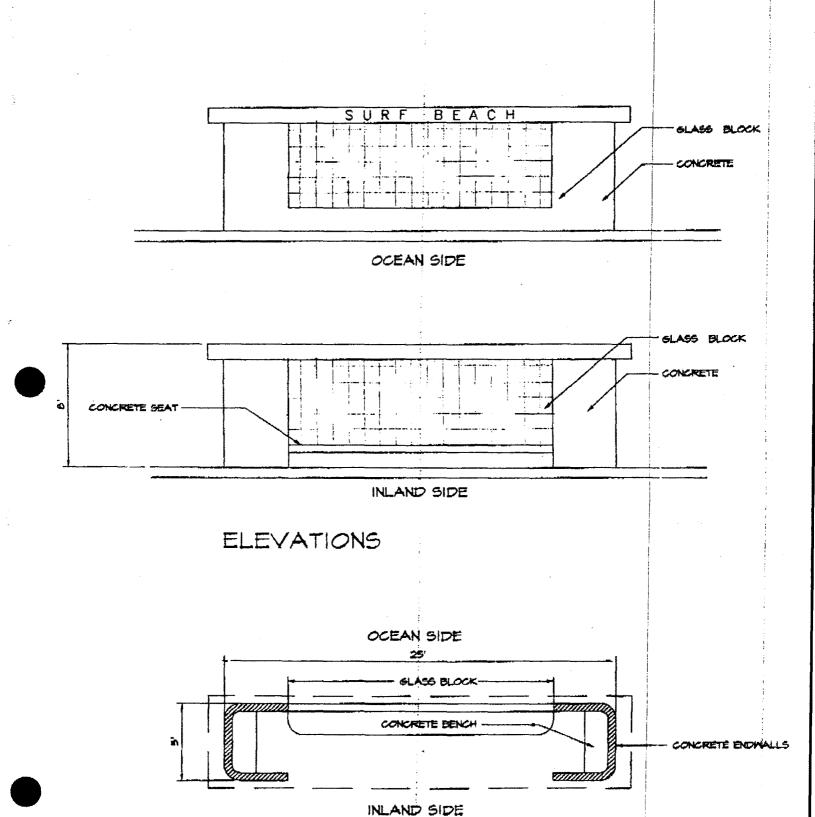


Exhibit #3

Appl. 4-97-040

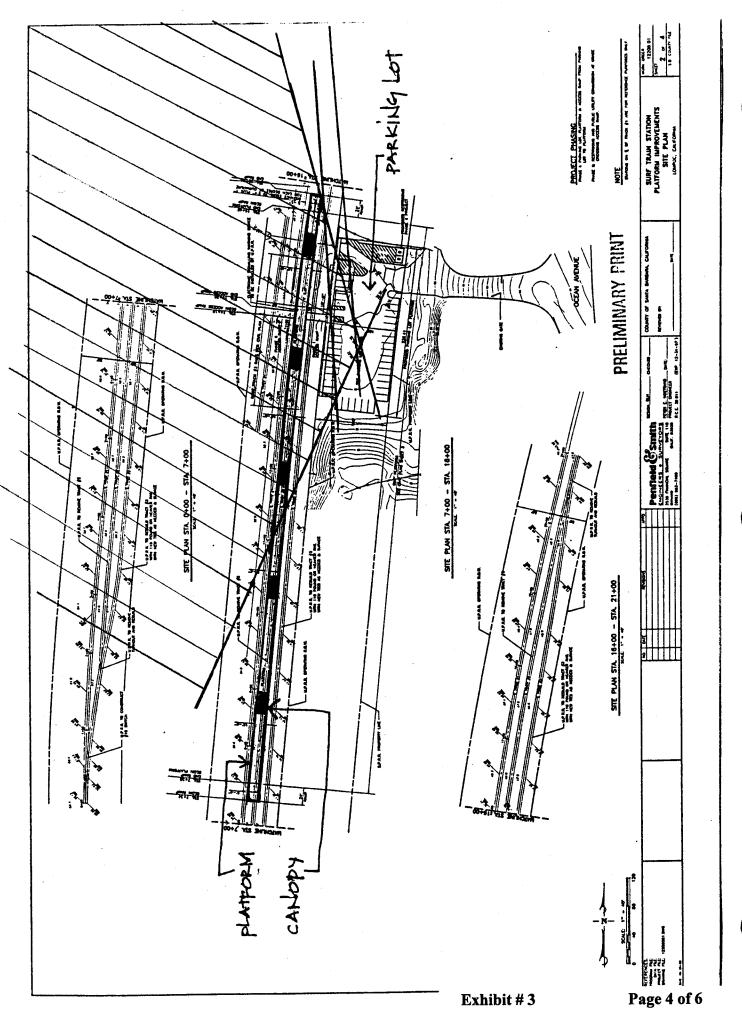
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County of Santa Barbara

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Appl. 4-97-040 County of Santa Barbara

Standard Specifications for Unstaffed Amtrak Stations in California

Typical new, relocated, or upgraded unstaffed Amtrak stations in California will be constructed to the specifications noted below. Staffed stations will include all the following, plus other buildings to meet American Railway Engineering Association standards as modified to meet California needs.

1. Each station shall contain at least one PLATFORM, usually constructed of portland cement concrete, no less than 12 feet wide and constructed eight inches above top of rail. The minimum standard length of platform shall be 800 feet. Longer or shorter platforms will be constructed on an exception basis. This platform shall meet all current handicapped accessibility laws and shall contain provisions for handicapped lift security. Platform shall be lighted during night, evening and inclement weather hours.

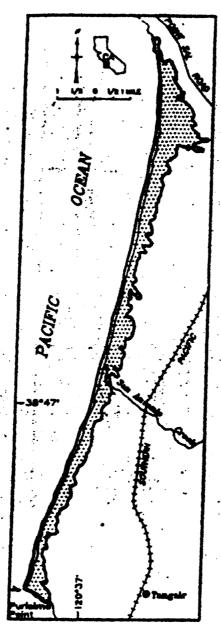
In multiple track locations where more than one platform is needed, platforms will be constructed on the outsides of the rail lines unless there is a minimum distance of 30 feet between center lines of the main railroad tracks. Center platforms (those between two tracks) should be avoided unless they are at least 20 feet wide. If there is more than one platform, platforms shall be connected across the tracks at intervals of no less than every 150 feet. All platforms at a station should be constructed of similar materials and in similar style.

2. Each station shall have a PARKING LOT, capable of containing no fewer than twenty-five cars for the use of Amtrak passengers. Lots shall be expandable, and shall be larger than twenty-five cars if needed for peak hour, commuter or other public transit uses. Parking lot shall contain handicapped accessible parking as defined by law or local custom, whichever is greater. Parking lot will be lighted during night, evening and inclement weather hours. Stations

shall contain bus stops whenever practical or needed for intermodal transfer.

- 3. Each station shall contain SHELTER(S) to protect passengers from sun, wind, and inclement weather. Shelter size shall be based on anticipated peak hour passenger usage. If the shelter is small, it shall be placed on the platform. Larger shelters may be placed near or adjacent to the platform. Seating areas outside of shelters may also be built if necessary.
- 4. Each stations shall contain an OPERATING PUBLIC TELEPHONE in a well lighted area. The telephone should not require coins for emergency use. The Amtrak information telephone number shall be posted with the telephone.
- 5. Each station will have SIGNAGE with the name "Amtrak" and the name of the station visible from the nearest street. Appropriate local authorities will post signage from major population and or business centers to the station. Caltrans will post larger signs on nearby Freeways and State Highways as is done with airports.
- 6. Each station will have SCHEDULE INFORMATION posted in a visible, well lighted place. Amerak information will be updated as necessary by Caltrans personnel. If possible, the station's owner will make space available to local public transit operators for schedule information. Such information will be maintained in good condition and updated regularly as necessary by the transit operator.
- 7. Each station will be kept CLEAN and in good REPAIR. The appropriate local authority will be responsible for routine cleaning and maintenance. Major rehabilitation will remain the responsibilities of Amtrak and Caltrans.

Caltrans
Division of Rail
Station Branch



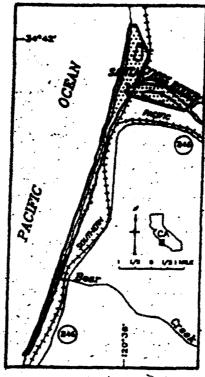
CA-13 POINT SAL TO POINT CONCEPTION UNIT 1- VANDENBERG BEACH

Unit 2—Sunta Ynez River Mouth/Ocean Beach

Beginning at 34°42′16′ N. 120°35′54″W, focated west of beach access road, thence-southeasterly to 34°41′56″N, 120°35′45″W, located west of railroad tracks, thence-southwesterly to 34°41′35″N, 120°35′55″W, located on north bank of Santa Ynez River,

thence northeasterly to 34°41'41"N, 120°35'43"W, thence southeasterly along north bank of Santa Ynez River to 34°41'24"N, 120°35'05"W, located at end of Gravel Pit Road, thence southwesterly to 34°41'18"N, 120°35'13"W, located on south bank of Santa Ynez River, thence west across railroad tracks to 34°41'27"N, 120°35'58"W located on 40-foot contour line, thence

southwesterly along 40-foot contour line to 34°37′28″N, 120°37′16″W, located 400 feet west of railroad tracks, thence west to MLW thence northeasterly following MLW to a point west of point of beginning, thence east to point of beginning, (Surf USGS 7.5″ Quad 1074).

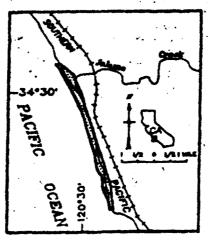


CA-13 POINT SAL TO POINT CONCEPTION UNIT 2- SANTA YNEZ RIVER MOUTHLY OCEAN BEACH

- Jalama Beach Lagoou, thence southeasterly to - northwesterly following Mi.W to's point west 1974)

Unit 34- Juliana Beach of postin of bustonstille, to

of position segments, thereof and by point of beginning (Tranquillor Memerials USGS 7.5



CA-13 POINT SAL TO POINT CONCEPTION UNIT 3- JALANA BEACH

Exhibit #4

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DISTRIBUTION OF WESTERN SNOWY PLOVER NESTS AT OCEAN BEACH, VAFB, 1993 BREEDING SEASON (USFWS 1993)

--- Snowy Plover nests

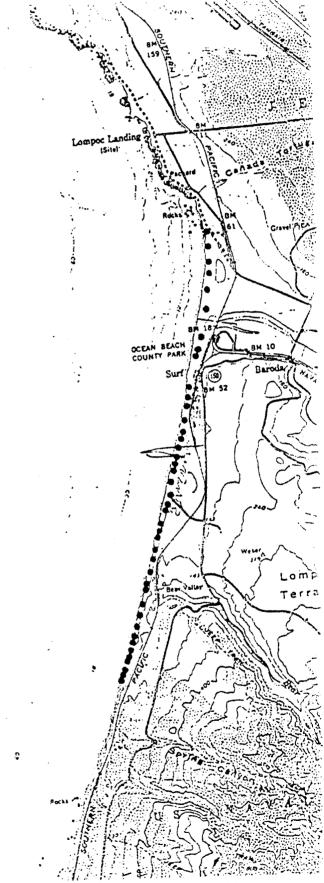
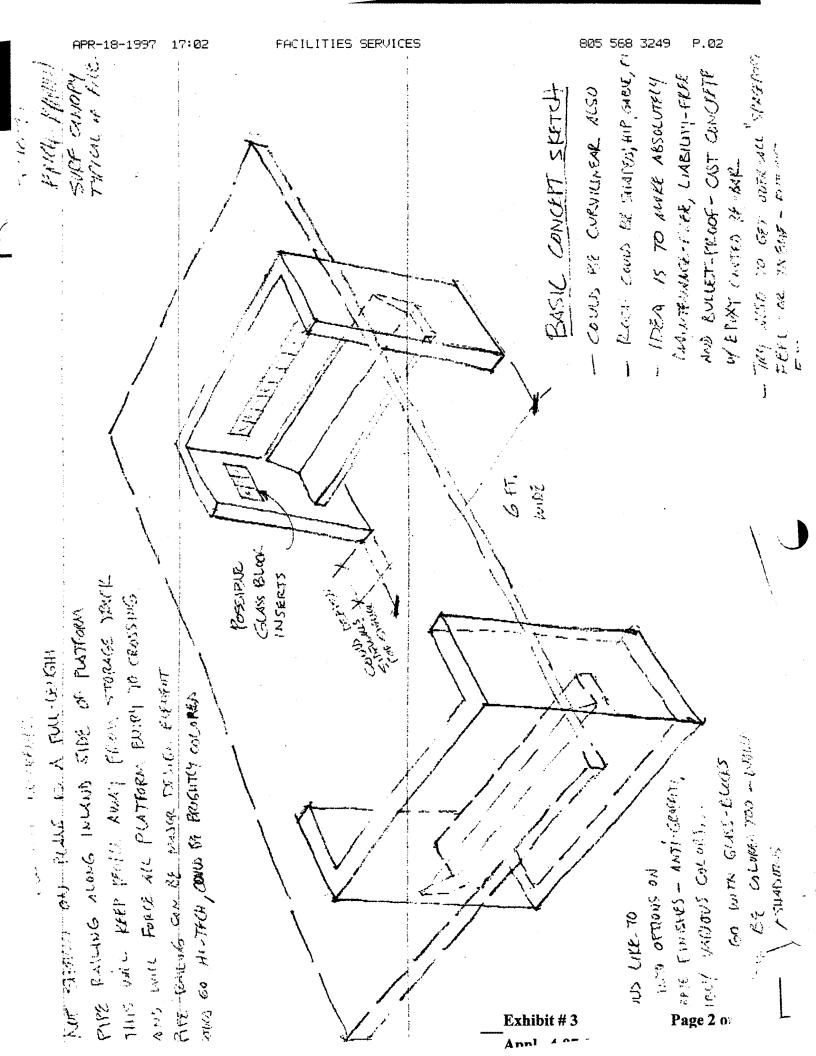
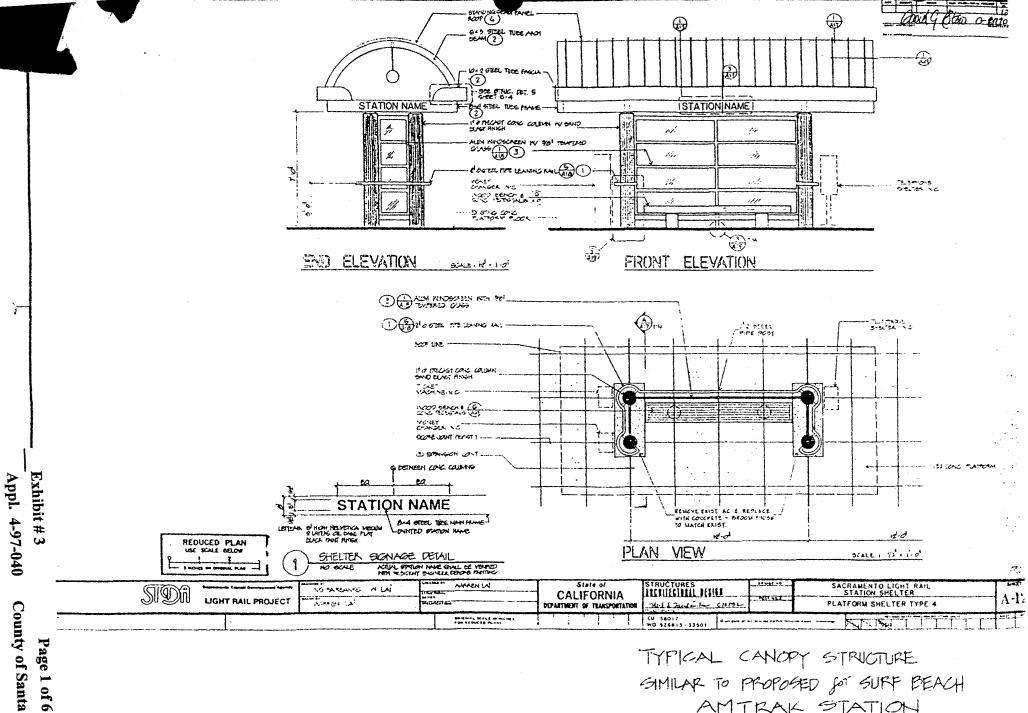


Exhibit # 5
Appl. 4-97-040

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County of Santa Barbara





SIMILAR TO PROPOSED SOT SURF BEACH AMTRAK STATION

Barbara