

## CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

FREMONT, SUITE 2000

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49th Day: August 15, 1997  
180th Day: December 24, 1997  
Staff: James Muth  
Staff Report: June 25, 1997  
Hearing Date: August 14, 1997  
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 1-97-10

APPLICANT: CITY OF PACIFICA

AGENTS: MICHAEL CRABTREE and TIM MOLINARE

PROJECT LOCATION: The west side of Highway One, between Rockaway Beach and Pacifica State Beach, City of Pacifica, San Mateo County.

PROJECT DESCRIPTION: Construct a 4 to 7-foot-wide, 4,000± foot-long, wheel chair accessible, pedestrian walkway and boardwalk, along with signage and fencing to protect a snowy plover habitat area in Pacifica State Beach.

Zoning: Commercial Recreational/Hillside Preservation District/Coastal Zone (C-1/HDP/CZ) and Public Facilities (P-F+)

Plan designation: Commercial/Prominent Ridgeline/Special Area

LOCAL APPROVALS RECEIVED: City of Pacifica Coastal Development Permit No. 106-96

SUBSTANTIVE FILE DOCUMENTS: City of Pacifica Local Coastal Program, Pacifica State Beach General Plan.

STAFF NOTE:

A portion of the project area is located within Pacifica State Beach and within the Commission's retained coastal development permit jurisdiction. Thus, the standard of review for the permit application is the Coastal Act.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the project with three special conditions. Special Condition No. 1 requires the applicant to protect an environmentally

sensitive, snowy plover habitat area at Pacifica State Beach by implementing the City's own proposal to: (a) install and maintain a rod and cable barrier around the perimeter of the habitat area, and (b) posting the barrier with interpretative and no trespassing signs. Since the plover is particularly vulnerable to disturbance during its breeding season, Special Condition No. 1 also requires that installation of the fence, and construction of any portion of the paved walkway or boardwalk within 300 feet of the plover habitat area, shall occur during the non-breeding season of the snowy plover, which is August to April of each year. Special Condition No. 2 requires the applicant to submit a copy of an approved encroachment permit from the California Department of Transportation to the Executive Director prior to commencement of construction to ensure that the applicant has the legal ability to carry out the portion of the project that is located within the Highway One right-of-way. Special Condition No. 3 requires the applicant to obtain a permit amendment for any changes or additions to the approved project. As conditioned, staff believes the project is fully consistent with the Coastal Act and will result in major enhancement of coastal access in the area.

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STAFF RECOMMEDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will be in conformity with the provisions of the City of Pacifica LCP, is located, in part, between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies 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. See attached.

III. Special Conditions.

1. Protection of Snowy Plover Habitat Area.

PRIOR TO COMMENCEMENT OF CONSTRUCTION, the applicant shall: (a) install and maintain the applicant's proposed rod and cable barrier around the perimeter of the habitat area, and (b) post the barrier with interpretative and no trespassing signs as proposed. Installation of the fence, and construction of any portion of the paved walkway or boardwalk within 300 feet of the plover habitat area, shall occur during the non-breeding season of the snowy plover, which is August to April of each year.

2. Caltrans Encroachment Permit.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the applicant shall submit a copy of an approved encroachment permit from the California Department of Transportation to the Executive Director.

3. Permit Amendment.

Any changes to the proposed project, including but not limited to, re-aligning the route of the pedestrian walkway/boardwalk, adding a viewing platform or additional improvements to the project, and increasing the proposed amount of grading, shall require an amendment to this permit or a separate coastal development permit.

IV. Findings and Declarations.

1. Project and Site Description.

The applicant proposes to construct a 4 to 7-foot-wide, 4,000± foot-long, wheel chair accessible, pedestrian walkway and boardwalk along the west side of Highway One, between Rockaway Beach and Pacifica State Beach, in the City of Pacifica. See Exhibits No. 1 through No. 4.

The 4,000± foot-long project includes about 2,900 lineal feet of 4-foot-wide, paved walkway and about 1,200 lineal feet of 7-foot-wide boardwalk. The City estimates that the proposed project will require approximately 867 cubic yards of cut and fill. The cut and fill is needed to site the paved walkway at existing grade. The project includes signage and fencing to protect a snowy plover habitat area in Pacifica State Beach. Posts and guardrail fencing along the walkway and boardwalk will be used only where required by Code. The project will comply with the requirements of the ADA (Americans with Disabilities Act). The paved walkway will have a series of switchbacks where the trail crosses steeper slopes within the Highway One right-of-way on the hillside that comprises the Headlands, a local promontory and ridgeline located between Rockaway Beach and Pacifica State Beach.

Currently, there are several unimproved, volunteer trails that lead south from the surfer's parking lot area at Rockaway Beach and up over the hillside of the private property that comprises the Headlands, providing an unofficial access to Pacifica State Beach that is neither wheelchair accessible nor located on public lands. Once on State Beach property, beach users can follow a number of unimproved trails or descend the low marine terrace to the open beach. The northern portion of the State Beach contains a small, fresh water wetland next to Highway One. The northern portion of the State Beach also contains a substantial area of active dunes that support a population of the Federally-threatened snowy plover. Both the wetland habitat and the snowy plover habitat are considered to be environmentally sensitive. Vegetation on the dunes also includes several native plant species. Uncontrolled and undirected access by the public through the dunes disturbs the plovers and

tends to discourage the establishment of a successful nesting area. The present condition also impedes the revegetation of the dunes by native plants. As proposed by the applicant, the paved walkway and elevated boardwalk will be built over the alignment of an existing dirt path, and will avoid the environmentally sensitive, fresh water wetland and snowy plover habitat areas.

The route of the project is divided into three segments. See Exhibit No. 4. Segments No. 1 and No. 2 are not located within the Coastal Commission's permit jurisdiction, but instead are within the City of Pacifica's permit jurisdiction.

Segment No. 1 is located at the north end of the project. This segment of the paved walkway has a series of switchbacks within the Highway One right-of-way, starting at the end of the City (surfer's) parking lot in the southwestern part of Rockaway Beach and heading south and uphill on the north facing slope of the Headlands, a local ridgeline and promontory. The vegetation within Segment No. 1 is dominated by weedy, non-native plants.

Segment No. 2 includes the Headlands, where the paved walkway levels off and travels along the paved edge of Highway One. The walkway has an additional series of switchbacks once the trail begins to head downhill toward the ocean on the south facing slope of the Headlands. The vegetation within Segment No. 2 is dominated by weedy, non-native plants and includes a sparse scattering of commonly occurring native shrubs and herbs that are typical of a coastal scrub community.

Segment No. 3 includes Pacifica State Beach and the base of the south-facing slope of the Headlands. As shown in Exhibit No. 3, most of this area is located within the Coastal Commission's permit jurisdiction because it consists of historic tidelands that were filled when Highway One and the former Ocean Shore Railroad were constructed.

From the base of the Headlands, the proposed walkway follows an existing trail to the south on hardpacked soil believed to be part of the former Ocean Shore Railroad bed. As shown in Exhibit's No. 4 and No. 5, the walkway skirts the westerly edge of an environmentally sensitive, freshwater wetland that is located between the walkway and Highway One. The 1.2± acre wetland supports sedges, rushes, willows, and cattails and exists because it collects surface water runoff from Highway One. The paved walkway continues south into the dune area of Pacifica State Beach where the substrate shifts from hardpacked soil to a more sandy substrate. From this point southward, the project becomes an elevated boardwalk. The boardwalk skirts the easterly edge of an environmentally sensitive, snowy plover habitat area that is located in the dune area, between the boardwalk and the beach. The approximately 1,200-foot-long boardwalk ends at the northwest corner of a 112-space, public parking lot for Pacifica State Beach. The vegetation within Segment No. 3 transitions from weedy, non-native species within the highway right-of-way and the coastal scrub community within the Headlands hillside to a sand dune community at Pacifica State Beach.

Pacifica State Beach consists of an open, flat, sandy beach that is backed by a dune area having little or no vegetation. The dunes at Pacifica State Beach have been impacted heavily by man as evidenced by the presence of large areas of bare sand and vast expanses of non-native ice plant known as African sea fig (*Carpobrotus edule*). However, the dune area within Pacifica State Beach does support some native plant species, and they are: Dune Buckwheat (*Eriogonou parvifolium*), Silvery Beach Weed (*Abrosia chamissionis*), Mock Heather (*Ericameria ericoides*), and Sand Verbena (*Abronia* species).

In 1988, the City estimated that visitation to Pacifica State Beach was approximately 200,000 people annually. Developed facilities at the State Beach include a 112-space parking lots and a restroom building with outdoor showers. Several fire rings are located northwest of the parking lot. Common activities in the State Beach include picnicking, hiking, swimming, surfing, surf kayaking, surf-fishing, sunbathing, horseback riding, and general nature appreciation. The parcel containing the parking area and restrooms is owned by the City of Pacifica.

The proposed project is surrounded by commercial development to the north at Rockaway Beach, Highway One and residential and commercial development to the east, the beach and ocean to the west, and additional commercial development to the south.

The project area was the subject of a September 1996 field investigation by Holman & Associates, archaeological consultants. No cultural resources were located along the route of the trail, although a small area of possible prehistoric cultural deposit (midden) was sighted near the northern end of the proposed project outside of the Commission's jurisdiction. Portions of what is thought to be the former railroad bed were identified in the northern portion of Pacifica State Beach in Segment No. 3 of the project.

The project area was surveyed by Thomas Reid & Associates (TRA), the City's environmental consultant for the project, to determine the project's potential impact on sensitive animal and plant species. Except for the snowy plover habitat area in Pacifica State Beach, no other sensitive animal or plant species were identified.

The applicant intends in the future to construct an eight-sided, approximately 20-foot diameter wide, viewing platform with benches. The viewing platform and benches will be located off of the boardwalk in the dune area of Pacifica State Beach. At this time, however, the exact location of the viewing platform and benches has not yet been finalized by the applicant and the platform is not proposed as part of this application. Thus, the applicant will need to apply for an amendment to this permit at a later point in time to construct the viewing platform and benches.

The City of Pacifica has approved a coastal development permit for the portion of the project that is located within its permit jurisdiction. No appeals were filed. The City adopted a negative declaration, based in part, on the

environmental studies performed by TRA, which concluded that no significant adverse environmental impacts would result from the project.

The proposed boardwalk and walkway are part of a series of improvements to the pedestrian and bicycle trail network in the City. The improvements are funded by the Federal Inter-Modal Surface Transportation Efficiency Act (ISTEA) grants.

## 2. Protection of Environmentally Sensitive Habitat Areas.

Section 30240 of the Coastal Act states in applicable part that: (a) environmentally sensitive habitat areas be protected against any significant disruption of habitat values, (b) only uses dependent on those resources shall be allowed within those areas, and (c) development adjacent to environmentally sensitive habitat be compatible with the continuance of those habitat areas.

As previously mentioned, Thomas Reid & Associates (TRA), investigated the project's potential to impact sensitive animal and plant species. Potential sensitive animal species within this coastal region include: the Red-legged frog (*Rana aurora draytonii*), the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), the San Bruno elfin butterfly (*Incisalia mossii bayensis*), the Mission blue butterfly (*Icaricia icariodes missionensis*), the California clapper rail (*Rallus longirostris obsoletus*), and the snowy plover (*Charadrius alexandrinus nivosus*).

No sensitive species except the snowy plover were indentified at the site. The habitat requirements for the Red-legged frog include deep pools of water with overhanging trees that provide shelter, and no such habitat is located along the proposed route of the project. Similarly, no ponds which could provide the appropriate San Francisco garter snake habitat are located in the vicinity of the proposed project. In addition, no portions of the project area support the lupine species used by the Mission Blue butterfly or the stonecrop used by the San Bruno elfin butterfly. Furthermore, the clapper rail requires coastal salt marshes which are not present in the project area. Moreover, no listed or special plant species were noted within the entire alignment of the proposed walkway. See Exhibit No. 8.

Pacifica State Beach, however, does provide habitat for the snowy plover. Coastal populations of the snowy plover are listed under the Federal Endangered Species Act as threatened since March of 1993. The plover's decline is attributed to habitat loss and increased predation resulting from human disturbance and development.

At Pacifica State Beach, the snowy plover habitat area is comprised of the active dune area towards the northern end of the beach. According to the TRA study, sightings of small flocks of 6 to 15 snowy plover have been made for the past few years during the non-breeding season, which is generally between August and April. Monitoring of local coastal populations of snowy plovers is coordinated by the Point Reyes Bird Observatory in Bolinas, CA and is carried

out by volunteer observers. In this case, the delineation of the snowy plover habitat area was made in the field by Jean Adams, the field observer for the Point Reyes Bird Observatory. All populations of the snowy plover are listed by the California Department of Fish and Game as a State Species of Special Concern.

Unfortunately, human use of beaches is the greatest factor contributing to the species decline. As described in more detail below, the snowy plover nests in the spring and summer when beach use is highest. Birds abandon their nests when disturbed, leaving chicks exposed to gulls and ravens. Off highway vehicle (OHV) use, prohibited at Pacifica State Beach, is a big threat as are uncontrolled pets.

According to the TRA study, pairs of snowy plovers nest singularly or in loosely concentrated colonies in sandpits, dune-backed beaches, bare beach strands, and open areas around river mouths and estuaries. The snowy plover avoids detection by predators by remaining motionless. The plover's sandy coloration, color pattern, and behavior makes it very difficult to detect in its preferred habitat.

Plovers are very traditional in their use of breeding and wintering sites year after year. Males scrape a shallow depression in the sand, that is sometimes lined with twigs, pebbles, or debris to conceal it. By mid-March, the first scraps are in place. Females lay eggs as early as April and may produce 3 broods in succession during the breeding season, ending usually in August.

According to an April 22, 1997 circular prepared by the U.S. Fish and Wildlife Service for the snowy plover at Ocean Beach in San Francisco, nesting plovers are very sensitive to disturbance and will react to an approaching human as a significant threat and can be disturbed from their nest at a distances over 100 yards. A person may pass within a dozen feet of a plover without disturbing it if the plover perceives that it has not been detected or is not the object of the person's attention. Plovers respond to people and vehicles that approach too closely by running a short distance before settling into another position. Various activities, such as uncontrolled human use, off-road vehicle use, horseback riding, and unleashed pets, can cumulatively result in a significant amount of harassment of snowy plovers.

Page 13 of the December 1996 TRA study states in applicable part:

In addition to avoidance of the habitat area, and as part of this project, the City would install a visually unobtrusive cable and rod fence around the sensitive area. An interpretative panel would be installed to explain to the public the reason for the restrictions.

A similar program using the same type of fencing in addition to interpretative signing has been instituted by California Department of Parks and Recreation at Half Moon Bay State Beach. Park staff report that this minimal fencing has been effective in encouraging visitors to stay out of the restricted area.

The visually unobtrusive "cable and rod" fence proposed by the applicant is adequate to mark the perimeter of the snowy plover habitat area. In addition, the interpretative and warning signs proposed by the applicant and to be posted on the fence will explain to the public why the snowy plover habitat is environmentally sensitive and why the public needs to stay out of the area. Taken together, these two aspects of the project proposed by the applicant will ensure consistency of the project with Section 30240's requirement that environmentally sensitive habitat areas be protected against any significant disruption of habitat values. Accordingly, the Commission attaches Special Condition No. 1, which requires in part, that the applicant install the fence and signs as proposed.

However, since the plover is particularly vulnerable to disruption during its breeding season, Special Condition No. 1 further requires that installation of the fence, and construction of any portion of the paved walkway or boardwalk within 300 feet of the plover habitat area, shall occur during the non-breeding season of the snowy plover, which is August to April of each year. Furthermore, if unleashed pets or off road vehicle (ORV) use appears to be adversely impacting the plover, the State Department of Parks and Recreation has the ability to enforce leash laws and ORV use at the State beach. The Commission therefore finds that the project, as conditioned, is consistent with Section 30240 of the Coastal Act because the environmentally sensitive, freshwater wetland area and the environmentally sensitive, snowy plover habitat area will be avoided and protected against significant disruption of habitat values and will be sited and designed to be compatible with the continuance of those habitat areas.

### 3. Public Access and Recreation.

The project is located between the first public road, Highway One, and the sea. As a result, the Coastal Act requires that a finding be made as to whether the project is consistent with the public access and recreation policies of the Coastal Act.

Coastal Act Section 30210 requires in applicable part that maximum public access opportunities be provided when consistent with public safety, private property rights, and natural resource protection.

Coastal Act Section 30211 requires in applicable part that development not interfere with the public's right of access to the sea where acquired through use.

Coastal Act Section 30212 requires in applicable part that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects, except in certain instances, such as when adequate access exists nearby or where the provision of public access would be inconsistent with the protection of fragile coastal resources.

Coastal Act Section 30214(a) of the Coastal Act requires in applicable part that the public access policies 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.
- (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

In applying the above referenced public access and recreation policies of the Coastal Act, the Commission is limited by the need to show that any denial of a permit application based on those sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential public access.

The proposed project will be a major asset for coastal access in the area. Pacifica State Beach and Rockaway Beach are very popular with the public. The proposed 4,000± foot-long, pedestrian link between the beaches will clearly enhance the visitor attractiveness of each beach and complete a significant segment of the California coastal trail.

The project is consistent with Section 30210 of the Coastal Act because it provides maximum public access opportunities to and along the coast in a manner that is consistent with public safety, private property rights, and natural resource protection. The project has been sited and designed to conform with the requirements of the American with Disabilities Act and other safety requirements. The provision of a conveniently located walkway and boardwalk is consistent with the protection of private property rights since the project is located entirely on public lands. The project is consistent with the protection of natural resources. As discussed in the Environmentally Sensitive Habitat Area finding above, the project has been sited and designed to avoid disturbance of an environmentally sensitive, fresh water wetland and an environmentally sensitive, snowy plover habitat area.

The portion of the project that is within the permit jurisdiction of the Commission is limited to public lands. Consequently, the provisions of

Section 30211 of the Coastal Act are not applicable as the public's right of access to the sea where acquired through use (i.e. rights of implied dedication or prescriptive rights) cannot accrue on lands that are already in public ownership.

The project is consistent with Section 30212 because it provides public access from the nearest public roadway, Highway One, to the sea and along a 4,000± foot-long section of the coast and will be constructed in a manner that is consistent with the protection of fragile coastal resources.

The project is consistent with Section 30214 because it has been designed and conditioned to respect the capacity of the site to sustain a certain level of use and intensity that also includes the protection of fragile natural resources. By providing a confined trail and an elevated boardwalk for the public, the project is designed to keep people away from fragile natural resources, such as the environmentally sensitive, fresh water wetland habitat area and the environmentally sensitive, snowy plover habitat area. In addition, the provision of an elevated boardwalk through the dune area provides a means of public access that respects the limited capacity of the dune area to sustain the proposed use. It is only by providing a boardwalk above the dunes that foot traffic through the area can be accommodated without trampling the vegetation that holds the dunes in place.

In conclusion, the Commission finds that the project, as conditioned, is consistent with Sections 30210, 30211, 30212, and 30214 of the Coastal Act for the reasons stated above and because the project will provide a public access connection between Pacifica State Beach and Rockaway Beach which will enhance the visitor attractiveness of both beaches.

#### 4. Flood and Geologic Hazards.

Section 30253 of the Coastal Act states in applicable part that new development shall minimize risks to life and property in areas of high geologic and flood hazards.

According to the City, the top surface of the boardwalk will be approximately 14 feet above mean sea level. The base flood elevation for a 100-year storm in this area is estimated to be 18 feet above mean sea level. The run-up distance along the wave slope is estimated to be about 250 feet. Therefore, the project will be subject to flood waters from the 100-year storm. Notwithstanding, the project minimizes risks to life and property in an area of high flood hazard because: (1) the project is not intended for human habitation or occupancy, and (2) bad weather conditions during a severe winter storm tend to discourage use of the beach by the public so few people would be at risk. The Commission therefore finds that the project is consistent with Section 30253 to the extent that it minimizes risks to life and property in an area of high flood hazard.

In addition, installation of the boardwalk will not cause geologic instability of the sand dunes. Sand will continue to be able to freely move over and under the boardwalk without restriction. Installation of snow fencing to protect the snowy plover habitat area will also serve to stabilize the dunes where the plover habitat is located by trapping blowing sand and by preventing sand from being blown across Highway One, where it could become a traffic hazard. The Commission therefore finds that the project is consistent with Section 30253 to the extent that it minimizes risks to life and property in an area of high geologic hazard.

5. Visual Resources.

Section 30251 of the Coastal Act states in applicable part that permitted development shall: (a) be sited and designed to protect views to and along the ocean and scenic coastal areas, (b) minimize the alteration of natural land forms, and (c) be visually compatible with the character of surrounding areas.

The proposed boardwalk may be partially visible from Highway One as it travels through the dunes. Again, no views of the Pacific Ocean from Highway One will be blocked by the boardwalk due to its low profile. Construction of the boardwalk minimizes the alteration of natural land forms since it will be constructed on poles above grade. Boardwalks are typically used to traverse sand dune areas, and the proposed boardwalk will be visually compatible with the character of the surrounding area, which includes Pacifica State Beach.

Lastly, installation of the proposed rod and cable fence to protect the snowy plover habitat will not block views to and along the sea as a solid fence would. The unobtrusive fence will be visually compatible with the character of the surrounding area. Therefore, the Commission finds that the project is consistent with Section 30251 as it will: (1) be sited and designed to protect views to and along the ocean and scenic coastal areas, (2) will minimize the alteration of natural land forms, and (3) be visually compatible with the character of surrounding area.

6. New Development.

Section 30250(a) of the Coastal Act states in applicable part that new development be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The proposed project provides a pedestrian link between two popular beaches in the City of Pacifica. The project is located in close proximity to an existing developed area, the City of Pacifica. The parking lot at each end of the walkway/boardwalk appears to be adequate to accommodate those people who are likely to drive to the beach, park their car in a lot, and then take a hike along the walkway/boardwalk. As sited and designed, and as conditioned

herein, the project will not result in adverse impacts to an environmentally sensitive, fresh water wetland and an environmentally sensitive, snowy plover habitat area found at the project site. The project will not result in adverse impacts to visual and scenic resources to and along the coast. The project minimizes risks to life and property in an area of high flood and geologic hazard. The Commission therefore finds that the project is consistent with Section 30250(a) of the Coastal Act.

#### 7. Other Permit Reviews.

The applicant indicated on page 5 of the permit application that the U.S. Army Corps of Engineers has made a jurisdictional determination that the project does not require a Corps permit. Consequently, no addition review by the U.S. Army Corps of Engineers appears to be necessary.

As indicated in Exhibit No. 7, Mr. Ronald P. Schafer, the District Superintendent for the State Department of Parks and Recreation (California State Parks), has granted permission to the City to construct the portion of the project that is on State-owned Pacifica State Beach. Mr. Schafer indicates that the project is consistent with the general plan for Pacifica State Beach, which states in applicable part:

A low-profile boardwalk will direct pedestrian circulations, parallel to the beach and through the dunes from the main parking lot to the pedestrian access at Crespi Drive...

The project also requires approval an encroachment permit from the California Department of Transportation since portions of the project are located within the Highway One right-of-way. The City has not yet obtained this approval. Therefore, to ensure that the City has the legal ability to carry out the project, the Commission attaches Special Condition No. 2 which requires the applicant to submit a copy of an approved encroachment permit from the California Department of Transportation to the Executive Director, prior to the commencement of project construction.

#### 8. City of Pacifica LCP.

The portion of the proposed project that is the subject of this application is located within the Commission's retained coastal development permit jurisdiction. Therefore, the standard of review that the Commission is applying in its consideration of the application is the Coastal Act. Nevertheless, the project is also consistent with City of Pacifica's Local Coastal Program.

According to the City staff report that was prepared for the local coastal permit for the project, the project is generally consistent with provisions in the City's Coastal Plan (LUP) which call for visitor-serving recreational facilities and increased public access to the beach. The proposed project is also consistent with the Trails Plan in the Circulation Element of the City's General Plan and the provisions of the Open Space and Recreation Element.

In 1990, the City adopted the Pacifica Beach General Plan. Among the "Priorities for Development" is development of a boardwalk through the sand dune area of the beach with interpretative panels to increase visitors' knowledge and enjoyment of the beach. Consequently, the Commission finds that the project will be in conformity with the provisions of the City of Pacifica's certified Local Coastal Program.

9. California Environmental Quality Act (CEQA).

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(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 impacts which the activity may have on the environment.

As discussed above, alternatives have been considered and the project has been mitigated to avoid or minimize impacts to coastal resources, specifically to avoid impacts to endangered species. The project, as conditioned, will not have a significant adverse effect on the environment, within the meaning of CEQA.

ATTACHMENT A

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 of 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 development during construction, 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.

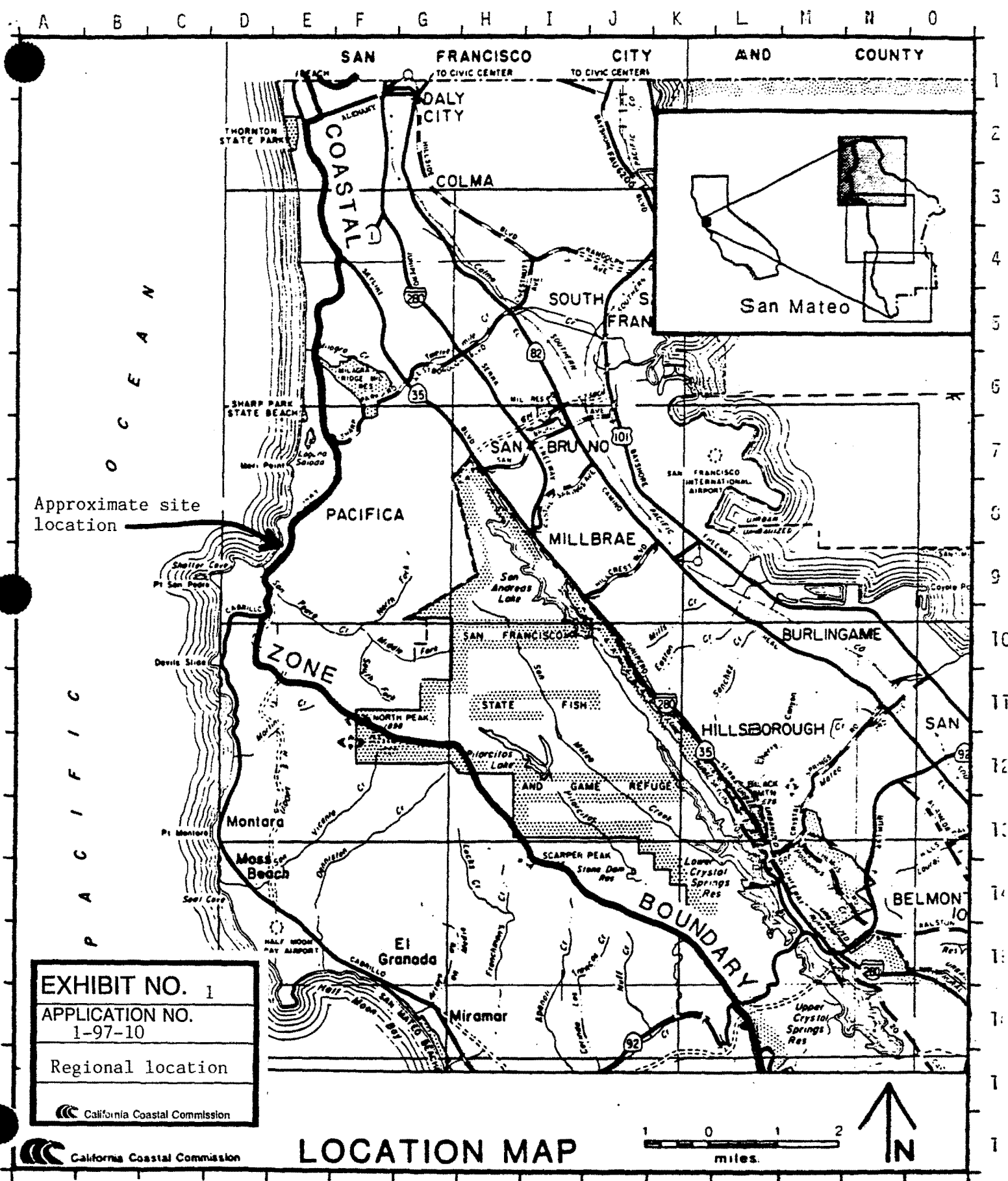


EXHIBIT NO. 1  
APPLICATION NO.  
1-97-10  
Regional location  
California Coastal Commission

LOCATION MAP

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY

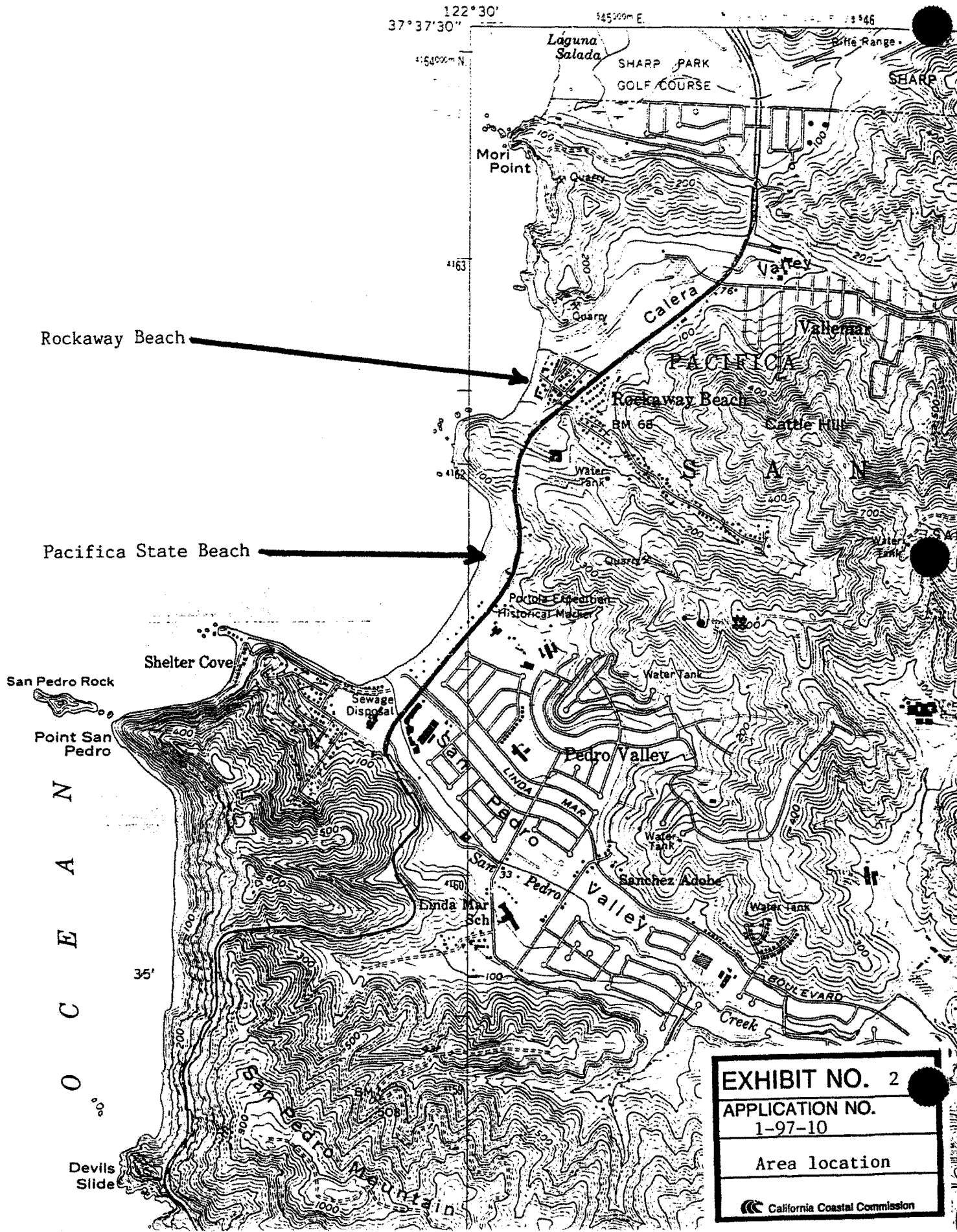


EXHIBIT NO. 2
APPLICATION NO. 1-97-10
Area location
California Coastal Commission

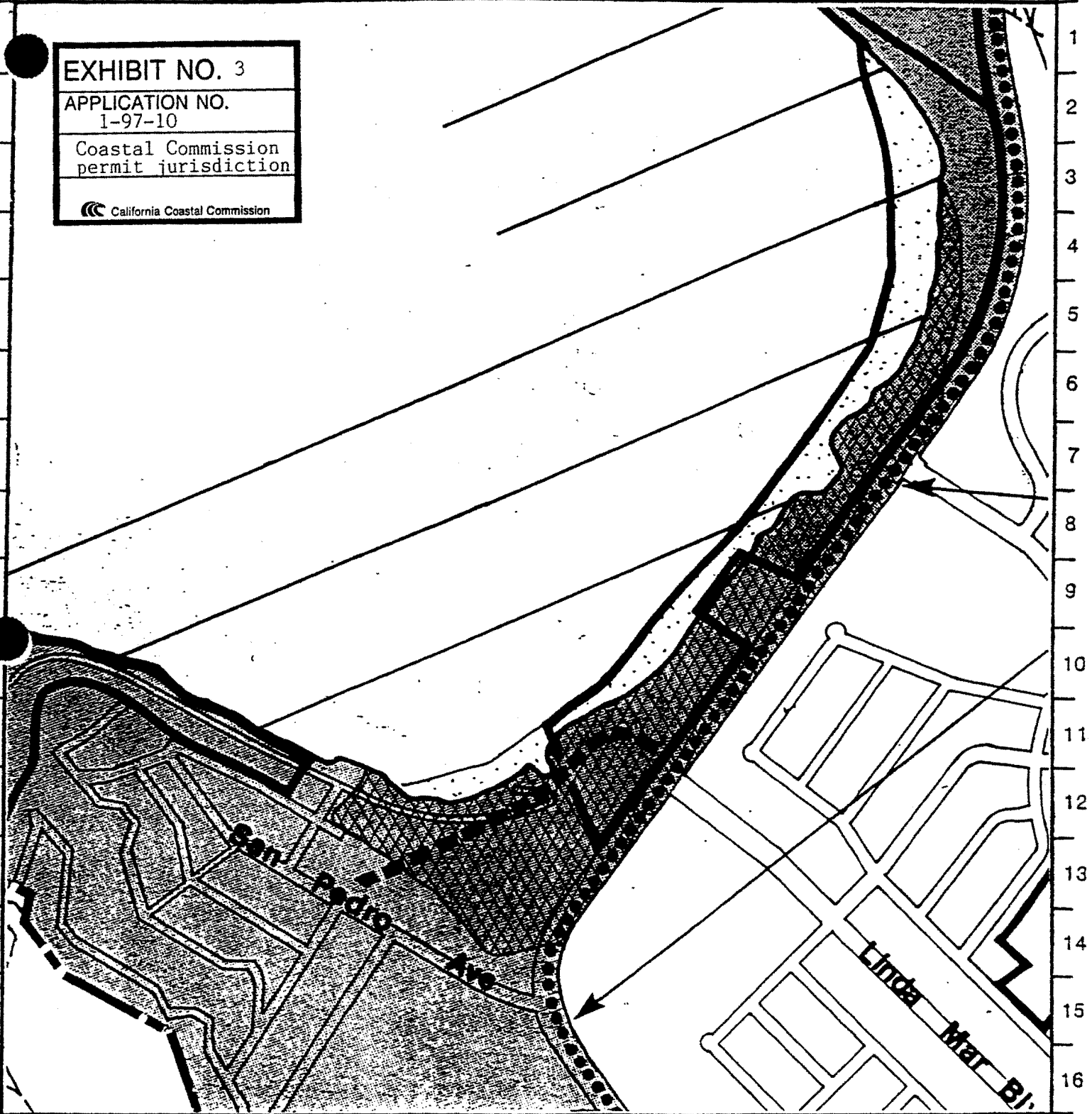
A B C D E F G H I J K L M N O

EXHIBIT NO. 3

APPLICATION NO.  
1-97-10

Coastal Commission  
permit jurisdiction

 California Coastal Commission



Additional Permit Jurisdiction



California Coastal Commission

Portion of Adopted  
Post-LCP Certification Map

0 1000  
feet



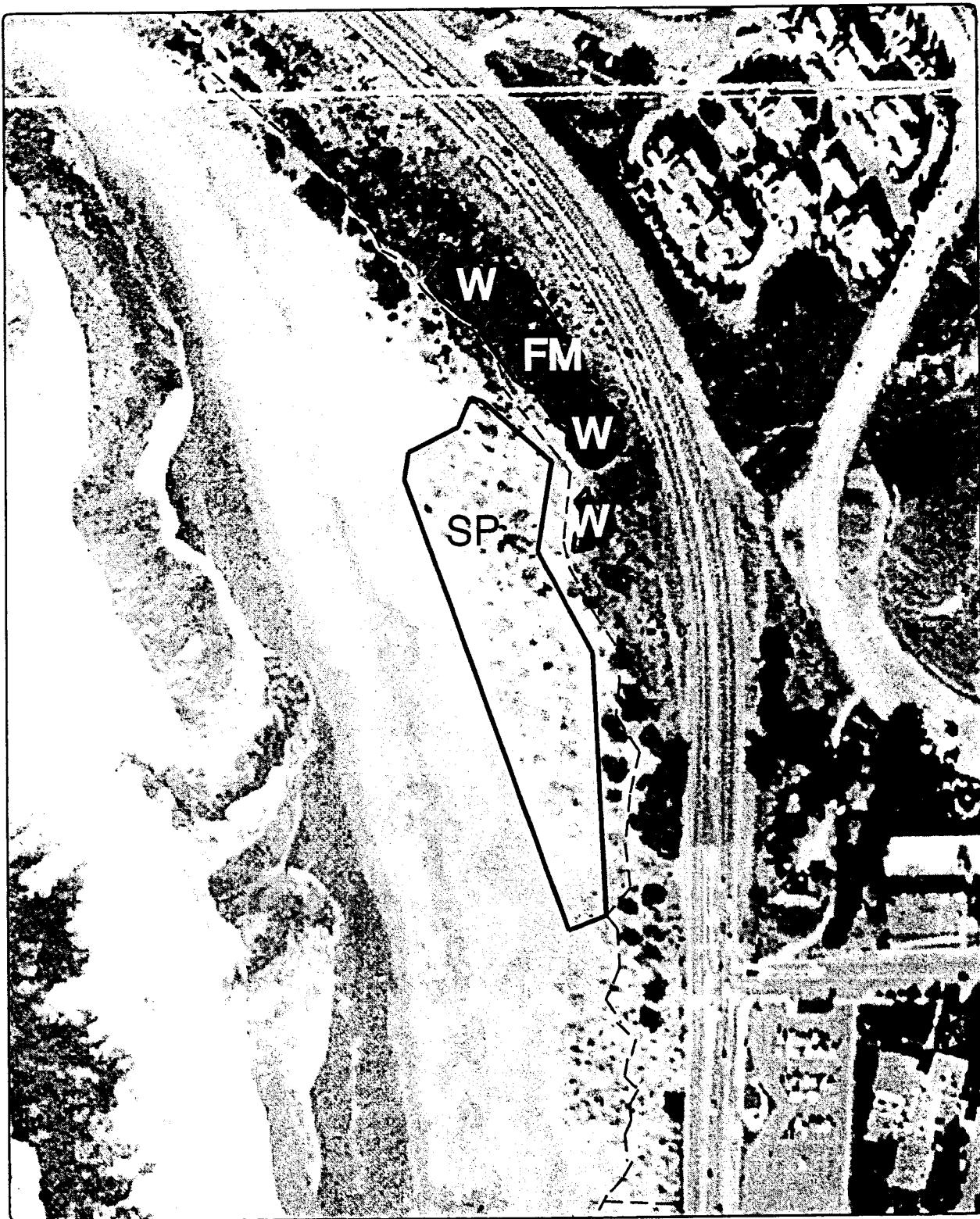
City of Pacifica

FIGURE 2 -- PEDESTRIAN TRAIL/WALKWAY



Note: Alternate routes not applicable  
 City of Pacifica

October 1996



STPLE-5350-002  
(PROJECT 2)

Location of Wetland Vegetation  
in Relation to  
Location of Proposed Trail  
W = Willows  
FM = Freshwater Marsh  
SP = Snowy Plover Habitat  
----- Proposed Trail

Thomas Reid Associates 5/97



EXHIBIT NO. 5

APPLICATION NO.  
1-97-10

Location of snowy  
plover and wetland  
habitat area

California Coastal Commission

**DEPARTMENT OF PARKS AND RECREATION**

Bay Area District  
250 Executive Park Blvd. Suite 4900  
San Francisco, CA 94134  
(415) 330-6300



June 17, 1997

**RECEIVED**  
JUN 20 1997CALIFORNIA  
COASTAL COMMISSION

James J. Muth, Coastal Planner  
California Coastal Commission  
North Coast Area  
45 Fremont, Suite 2000  
San Francisco, CA 94105-2219

Re: Pedestrian Walkway at Pacifica State Beach - Application #1-97-10

Dear Mr. Muth,

The State of California Department of Parks and Recreation (California State Parks) is granting permission to the City of Pacifica to construct this Pedestrian Walkway on State owned Pacifica State Beach.

This project is consistent with the general plan for Pacifica State Beach which states; "A low-profile boardwalk will direct pedestrian circulation, parallel to the beach and through the dunes from the main parking lot to the pedestrian access at Crespi Drive. A boardwalk will also connect the Crespi drive pedestrian access to the beach....In the future, if the headlands are acquired, and there is a lot of pedestrian traffic a trail could extend north from the Crespi Drive pedestrian access."

California State Parks prefer the alignment that meanders through the dunes over the one adjacent to Highway One. This alternative is more consistent with our general plan.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call.

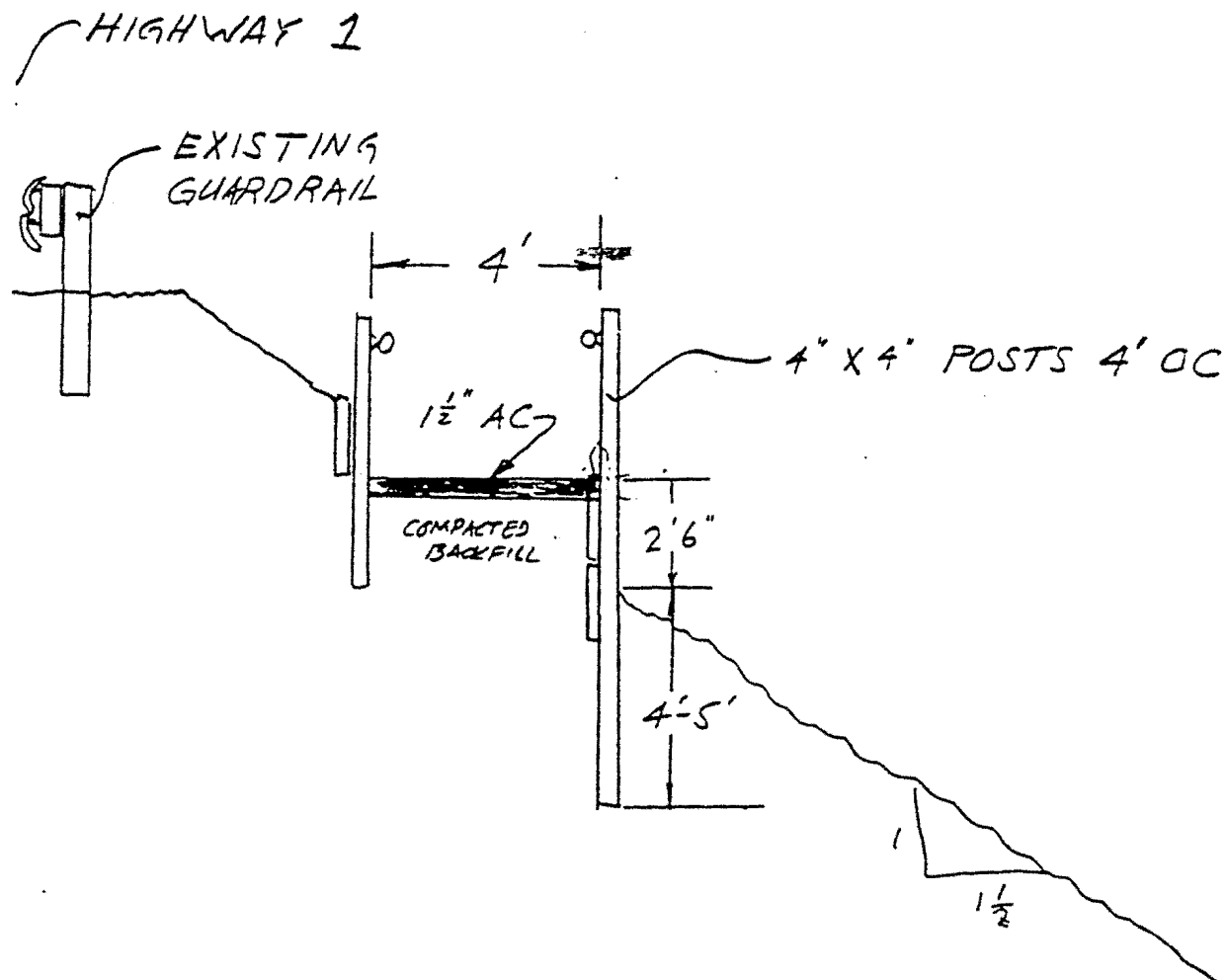
Sincerely,

Ron P. Schafer  
District Superintendent

cc: David Carmany, City Manager  
Michael Crabtree, Planner

<b>EXHIBIT NO. 7</b>
<b>APPLICATION NO.</b> 1-97-10
State Parks letter
California Coastal Commission

FIGURE 4 -- CROSS SECTION OF PAVED PEDESTRIAN WALKWAY



## PEDESTRIAN WALKWAY

CROSS SECTION ON EXISTING SLOPE

EXHIBIT NO.	6
APPLICATION NO.	1-97-10
Walkway cross-section	
California Coastal Commission	

### 3. Plant Species

Plant species listed in the CNDDDB report are included in the following table along with other plants considered rare by the California Native Plant Society.

#### RARE PLANTS KNOWN FROM THE NORTHERN SAN FRANCISCO PENINSULA

SCIENTIFIC NAME	COMMON NAME	LISTING STATUS
<i>Arctostaphylos imbricata</i>	Montara Mt. manzanita	CNPS
<i>Chorizanthe robusta robusta</i>	Robust spineflower	FE
<i>Collinsia multicolor</i>	San Francisco collinsia	CNPS
<i>Erysimum franciscanum</i>	Franciscan wallflower	CNPS
<i>Fritillaria liliacea</i>	Fragrant fritillary	CNPS
<i>Grindelia hirsutula</i> var. <i>maritima</i>	San Francisco gumplant	CNPS
<i>Helianthella castanea</i>	Diablo helianthella	CNPS
<i>Lessingia germanorum</i>	San Francisco lessingia	FP
<i>Pentachaeta bellidiflora</i>	White-rayed pentachaeta	FE, SE
<i>Potentilla hickmanii</i>	Hickman's cinquefoil	FP, SE
<i>Silene verecunda verecunda</i>	San Francisco campion	CNPS
<i>Triphysaria floribundus</i>	San Francisco owl's clover	CNPS

FE - Federal Endangered, FP - Federal Proposed, SE - State Endangered

CNPS - Identified by the California Native Plant Society to be of Special Concern

Searches were made for the plant species listed above on the project alignments during the two field visits (May 10 and June 10, 1996). None of the special plants were observed or are expected to occur in the project area.

