

CALIFORNIA COASTAL COMMISSION

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Staff: K. Colin
Staff Report: 6/22/00
Hearing Date: 7/12/00

TO: Commissioners and Interested Persons

FROM: Tami Grove, District Director
Charles Lester, District Manager
Kevin Colin, Coastal Program Analyst

SUBJECT: **PWP 7-97-A1 GRAY WHALE PUBLIC WORKS PLAN AMENDMENT and PWP 7-97-2 GRAY WHALE RANCH PUBLIC WORKS PROJECT.** For public hearing and Commission action at its meeting of July, 11-14, 2000, to be held at the Marin County Board of Supervisors Chambers, San Rafael.

SUMMARY OF STAFF REPORT**DESCRIPTION OF THE PUBLIC WORKS PLAN AMENDMENT and PROJECT REQUESTS**

The California Department of Parks and Recreation (DPR) has submitted an application for amendment to the *Gray Whale Ranch Public Works Plan*, and also requested approval of the public works project referenced in the proposed amendment. The Commission approved the *Gray Whale Ranch Public Works Plan* in November of 1997 (PWP 7-97), and concurrent with that action, also approved a number of public works projects (PWP 7-97-1). One of these projects included the construction of an approximate forty five (45) space parking lot and associated facilities. Subsequent to the Commission's approval, however, a population of the state endangered San Francisco Popcorn Flower (*Plagiobothrys diffusus*) was discovered to have migrated to the parking lot site. In addition, the presence of wetlands has also since been discovered. In light of this, the public works plan amendment and project proposes to relocate this parking lot and associated facilities to an alternative site approximately one-half mile to the northwest. No environmentally sensitive habitats and/or species have been identified at the proposed alternative site.

The proposed public works plan amendment and project would utilize an alternative site for the parking lot and associated facilities approved by the Commission through PWP 7-97 and PWP 7-97-1, and would consist of:

- Parking lot approximately 100 feet by 100 feet, intended for 45 vehicles;
- Entrance road approximately 100 feet long by 20 feet wide;



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- Surfacing of parking lot and entrance road with a six inch layer of gravel;
- Installation of low-profile log barricades installed around parking area;
- No grading will be performed for road or parking lot construction;
- Installation of a locking entrance gate road setback approximately 20 feet from Empire Grade;
- An asphalt apron for the first 20 feet on entrance road;
- Two above-ground chemical toilets placed in the parking lot;
- Two animal-proof garbage cans placed in the parking lot upon a 3 foot by 6 foot concrete slab;
- Installation of various informational signs; and
- An existing trail, approximately 500 feet in length, would provide access from the parking lot to the existing "Woodcutter's Trail."

The standard of review for the amendment to the *Gray Whale Ranch Public Works Plan* is consistency with the Certified Santa Cruz County Local Coastal Program (LCP) (CCR Title 14, Section 13357 (a)(4)). The standard of review for a project submitted concurrently with the public works plan amendment is the Coastal Act (CCR Title 14, Section 13558 (a)). In this case, the proposed amendment is directly related to the proposed parking lot and thus the standard of review for the parking lot is the Coastal Act.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **approve with conditions** the proposed Public Works Plan amendment as submitted by the California Department of Parks and Recreation for the reasons given in this report. Staff also recommends that the Commission **approve with conditions**, the specific project request.

SUMMARY OF ISSUES AND COMMENTS

While the existing public works plan contains adequate measures to address environmentally sensitive habitats and/or species concerns, the proposed amendment would serve to supplement these measures by avoiding a direct impact to an identified environmentally sensitive habitat and species. Other issues raised through the original approval of the *Gray Whale Ranch Public Works Plan* primarily centered upon user group conflicts and the adequacy of resource management and monitoring efforts. Previous conditions imposed by the Commission to address these issues will not be affected or altered in any way by the proposed amendment. Thus, the provisions of the *Gray Whale Public Works Plan*, County of Santa Cruz LCP, and Coastal Act requiring the protection of environmentally sensitive habitats and species will be honored.

However, there appear to be a few new Coastal Act issues raised by the proposed public works plan amendment and project. These issues concern the clarification of existing public works plan language to require the maintenance of an unobstructed non-automobile access point at an existing easement through the University of California at Santa Cruz (UCSC), as well as four other previously approved access



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points. Also, there is an issue raised concerning the provision of safe vehicular access from Empire Grade to the proposed parking lot. Notwithstanding these issues, the County has found the proposed amendment consistent with its certified LCP, pending incorporation of provisions of the *Gray Whale Ranch Public Works Plan* that address traffic considerations at Empire Grade into the alternative parking lot site design.

ADDITIONAL INFORMATION

For further information about this report or the public works plan process, please contact Kevin Colin, Coastal Program Analyst, at 725 Front Street, Suite 300, Santa Cruz, CA 95060; Telephone (831) 427-4863.

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E. June 16, 2000 Letter from George Gray, DPR Staff Ecologist

F. January 1, 2000 Letter from Grey Hayes, California Native Plant Society Past President

G. Aerial Photograph of Previously Approved Site & Proposed Alternative Site



1. Staff Recommendation: Motions and Resolutions

A. Approval of Public Works Plan Amendment

Staff recommends that the Commission, after public hearing, **approve** the proposed public works plan amendment subject to the modifications below. Staff recommends a **YES** vote on the following motion:

***Motion.** I move that the Commission approve Gray Whale Ranch Public Works Plan Amendment PWP 7-97-A1 submitted by the California Department of Parks and Recreation, as conditioned.*

***Resolution.** The Commission finds that proposed Gray Whale Ranch Public Works Plan Amendment PWP 7-97-A1, as modified, is in conformity with Santa Cruz County's certified local coastal program; and that there are no feasible alternatives, or feasible mitigation measures available, as provided in the California Environmental Quality Act, which would lessen any significant adverse impact that the development as finally proposed and conditioned may have on the environment.*

B. Approval of Public Works Project

Staff recommends that the Commission, after public hearing, **approve** the proposed public works project subject to the conditions below. Staff recommends a **YES** vote on the motion that would result in approval of the project, as conditioned. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

***Motion.** I move that the Commission approve proposed public works project PWP -7-97-2 contained in the Gray Whale Public Works Plan Amendment (PWP 7-97-A1) as submitted by the Department of Parks and Recreation, and as conditioned.*

***Resolution.** The Commission hereby **approves** the specific project proposed to be undertaken at the Gray Whale Ranch, on the grounds that the developments, as conditioned, will be in conformity with the provisions of Chapter 3 of the Coastal Act, as conditioned, and that there are no feasible alternatives, or feasible mitigation measures available, as provided in the California Environmental Quality Act, which would lessen any significant adverse impact that the development as finally proposed and conditioned would lessen any significant adverse impact that the development as finally proposed and conditioned may have on the environment.*

2. Recommended Conditions

Recommended Conditions for Gray Whale Ranch Public Works Plan Amendment (PWP-7-97-A1)

1. Entrance Road/Parking Lot. Add a notation to Figure 1 "Project Details" of the *Gray Whale Ranch*



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Public Works Plan to the effect: "Illustrative Only. Final Plans to Be Developed Pursuant to Specific Project Requirements."

2. **Continued Non-automotive Access through University of California at Santa Cruz Easement.** Modify page thirteen (Authorized Entrances), paragraph three, to read (underline to add; strikethrough to delete): "~~As mapped in Figure 1,~~ The four authorized entrances to the property are (1) the Empire Grade parking area approved through PWP 7-97-2, (2) the Smith Grade gate, (3) Wilder Ranch State Park northern connection, (4) Wilder Ranch State Park Engelsman Loop Trail connection, and (5) the existing California Department of Parks and Recreation easement, in the vicinity of Twin Gates, through University of California at Santa Cruz property. The above access points shall at all times provide unobstructed non-automotive access to Gray Whale Ranch.

Recommended Gray Whale Ranch Public Works Project Conditions (PWP-7-97-A1)

Special Conditions

1. **Entrance Roads: County Approval. PRIOR TO COMMENCEMENT OF ANY WORK WITHIN THE COUNTY RIGHT-OF-WAY,** the California Department of Parks and Recreation shall provide evidence of approval from Santa Cruz County.
2. **Parking Lot: Temporary Facilities.** As a temporary facility, the parking lot and toilets must be removed within one year of approval of the General Plan covering Gray Whale Ranch, unless specifically provided for in a subsequent Coastal Commission approval of a General Plan, or a public works plan amendment (or its equivalent).
3. **Turnout Lane/Increases to Road Width: County Approval.** Nothing presented in this approval authorizes the expansion of the road width to construct a turnout lane in the vicinity of the proposed access road. Were the County or other agency to require any such work to increase the road width in order to allow safe vehicular access to the proposed parking lot, then the California Department of Parks and Recreation shall submit an application for a separate amendment to the *Gray Whale Public Works Plan* (PWP 7-97).
4. **Final Project Plans. PRIOR TO COMMENCEMENT OF CONSTRUCTION OF THE PARKING LOT,** the California Department of Parks and Recreation shall submit final revised plans. These plans shall show:
 - A modified gate or access way at the entrance of the proposed alternative parking lot site that does not prohibit non-automobile access;
 - Revised project plans illustrating a final parking lot configuration that maintains, to the maximum extent feasible, sufficient screening of the parking lot and associated facilities from public view along Empire Grade. These plans shall clearly identify the location vegetation proposed for removal.



3. Recommended Findings

The Commissions finds and declares as follows:

A. Public Works Plan and Project Background

The California Department of Parks and Recreation (DPR) has submitted an application for amendment to the *Gray Whale Ranch Public Works Plan*, and also requested approval of the public works project referenced in the proposed amendment. The Commission approved the *Gray Whale Ranch Public Works Plan* in November of 1997 (PWP 7-97), and concurrent with that action, also approved a number of public works projects (PWP 7-97-1). One of these projects included the construction of an approximate forty five (45) space parking lot and associated facilities. Subsequent to the Commission's approval, however, a population of the endangered San Francisco Popcorn Flower (*Plagiobothrys diffusus*) was discovered to have migrated to the parking lot site. In addition, the presence of wetlands has also since been discovered. In light of this, the public works plan amendment and project proposes to relocate this parking lot and associated facilities to an alternative site approximately one-half mile to the northwest.

The existing Commission-approved *Gray Whale Ranch Public Works Plan* is designed to allow the park to be open to some public use until the DPR prepares a General Plan. State law allows some use of existing and temporary facilities prior to completion of a General Plan. In this case the proposed amendment would only facilitate the relocation of a previously approved temporary facility. (See Exhibit A for full text of *Gray Whale Ranch Public Works Plan* & Exhibit D for Commission Findings for PWP 7-97 and PWP 7-97-1)

B. Project Location and Description

Gray Whale Ranch totals approximately 2,300 acres in size and is located in Santa Cruz County, just outside the northwestern border of the City of Santa Cruz. The southern and western boundaries of the property adjoin Wilder Ranch State Park, while a portion of its eastern boundary adjoins lands of the UCSC. Other outlying wildlands adjoining Wilder Ranch State Park and UCSC lands include Henry Cowell Redwoods State Park and the Bonnie Doon Ecological Preserve. The contiguous nature of these lands has resulted in the ability of Gray Whale Ranch to directly connect 13,000 acres of publicly owned wildlands, as well as an additional 30,000 acres of private lands supporting significant biological resources.

Gray Whale Ranch contains coastal marine terraces ranging in elevation from 300 to 1,200 feet above sea level that are characterized by plant communities of mixed conifer and evergreen forest intermixed with coastal prairie grasslands. Other communities of interest within Gray Whale Ranch include the northern maritime chaparral, northern interior cypress forest, knobcone pine forest, and mima mounds. Existing facilities within Gray Whale Ranch include over twelve miles of roads, seven miles of trails, a caretaker/office modular structure, and seven miles of fencing with gates. These trails and roads make it extremely accessible to a variety of active recreational user groups including, but not limited to,



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bicyclist, hikers, and equestrians. The primary purpose of the proposed parking lot is to facilitate these user groups ability to access Gray Whale Ranch.

The proposed alternative parking lot site is located approximately one mile northwest of the City of Santa Cruz, and approximately one-half mile to the northwest of the original site approved through PWP 7-97-1. Access to the site would be gained by an approximate 100-foot long access road from Empire Grade. The topography of the proposed access road and parking lot site is relatively flat, and the parking lot was logged and utilized as a log landing pad sometime in 1995. A mixed evergreen and conifer forest surrounds the site and consists of an overstory of coast redwood (*Sequoia sempervirens*), Douglas Fir (*Pseudotsuga menziesii*), coast live oak (*Quercus agrifolia*), and madrone (*Arbutus sp.*), while an understory of hazel nut (*Corylus cornuta*), California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), and yerba buena (*Satureja douglasii*) blankets the forest floor. The parking lot would measure approximately 100 feet by 100 feet, contain approximately 45 parking spaces and associated facilities, and would utilize an existing trail to connect with the "Woodcutter's Trail." (See Exhibit G for Aerial Photograph of Previously Approved Site & Proposed Alternative Site)

C. Proposed Amendment Consistency with the Santa Cruz County Local Coastal Program

Under the Coastal Act agencies undertaking public works have the option of submitting public works plans to the Commission, as opposed to receiving coastal permits from local governments with certified local coastal programs. The standard of review of this public works plan amendment is that it must be consistent with Santa Cruz County's certified LCP (Coastal Act § 30605).

The Santa Cruz County local coastal program consists of a land use plan (*1994 General Plan and Local Coastal Program for the County of Santa Cruz*) and implementation plan (selected sections of the County Code). Under the Coastal Act, the Commission must consult with and receive input from the local government to make a determination of public works plan consistency. The County Planning Director has submitted a letter dated June 19, 2000 indicating that the proposed public works plan amendment conforms to relevant County land use plan and implementation policies. However, the County has requested that the provisions of the *Gray Whale Ranch Public Works Plan* addressing safe vehicular access from Empire Grade be honored at the alternative parking lot site. The Commission concurs with this evaluation and incorporates by reference the June 19, 2000 letter into these findings of approval. See Exhibit C for County letter.

The proposed amendment project area is located within the Timber Production "TP" zoning district. According to Section 13.10.372 (b) of the County's LCP, State Parks is an allowable use in the "TP" zoning district subject to Section 13.10.350 et seq. "PR" and a level five coastal permit. LCP Section 13.10.351 (c) (State and Federal Parks, Preserves, and Biotic Research) describes the purpose of the State Park use in this case and states in full,

To provide for the state federal park lands, preserves and biotic research facilities in the County; to provide density and development standards for such uses consistent with the



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availability of adequate access and services, land development capacities, agricultural protection, and the preservation of open space.

Furthermore, pursuant to LCP Section 13.10.352 (b) (Parks, Recreation, and Open Space Uses), parking lots are an allowable use within the "TP" zone district. While the relocated parking lot is an allowable use at its proposed site, the relocation of this facility raises an issue in terms of the non-automotive access point remaining at the originally approved parking lot site.

The DPR currently owns an approximately fourteen (14) foot wide easement that was previously intended for access to the original parking lot site approved by the Commission in 1997. While a gate obstructing vehicular access is currently erected, the fence adjacent to this gate is designed to allow access by pedestrians and bicyclists. This access point is an important feature primarily because of its ability to directly connect the UCSC and Gray Whale Ranch properties to a much larger regional trail network. These trails traverse for miles through the Pogonip, UCSC, and Wilder Ranch properties. As mentioned, these properties function as links in a contiguous chain of over 10,000 acres of publicly owned wild lands providing multiple use trail access. The effect of closing access at this location would mean that those traveling by bike, foot, or horse from UCSC would have to travel an additional one half mile up Empire Grade to connect with the Gray Whale Ranch trail network at the proposed alternative parking lot site. The Commission notes that Empire Grade does not currently contain a trail or pathway for public access, but rather only a narrow road shoulder. In addition to presenting an issue of interrupted public access, the potential closure of this access point also raises an issue of public safety for those that might be forced to travel along the narrow road shoulder to gain access to Gray Whale Ranch.

After review of the proposed public works plan text as amended, and the previous project approval, it is evident that the language of the plan and project do not explicitly and separately address keeping the access point at the DPR easement through UCSC property open to the public. LCP policy 7.7.A sets forth the goal for maximizing access and recreation opportunities in the County by paraphrasing Coastal Act § 30210, and states in full,

To maximize public use and enjoyment of coastal recreation resources for all people, including those with disabilities, while protecting resources from the adverse impacts of overuse.

In addition LCP policy 7.7.6 calls for the establishment of a system of hiking and bicycle trails and states in part,

Subject to policy 7.6.2, establish a system of hiking and bicycle trails and bridges which provide access to and connects the various parks, recreation areas, beaches, and urban areas [..].

Were the access point in question to be closed at some future date, for reasons not foreseeable at this time, it is clear that the proposed public works plan amendment would be inconsistent with the aforementioned LCP policies. **Therefore, in order to ensure the maximum provision of continuous safe public access, unencumbered by gates or fencing, to an existing regional trail network, the Commission finds that, only as modified by special condition 2, can the amendment be found**



consistent with the public access and recreation policies of the County of Santa Cruz certified LCP.

D. Proposed Project Consistency with the Coastal Act

Under CCR § 13358, the Commission may concurrently consider a public works plan amendment and project(s). The standard of review for public works projects, when submitted concurrently with an amendment, is that they must be consistent with the Coastal Act (CCR § 13358).

As discussed, the DPR is requesting authorization to proceed with the construction of a previously approved parking lot and associated facilities (PWP 7-97 & PWP 7-97-1) at an alternative site. This development would be a temporary feature until such time as the DPR completes a General Plan for the Gray Whale Ranch property. The proposed approximately 10,000 square foot parking lot would be surfaced with a six inch layer of gravel and surrounded by log barricades. Within the parking lot area two above-ground toilets and two trash receptacles are proposed, along with the installation of various informational signs. The parking lot would be connected to Empire Grade by a 20-foot wide access road, for a distance of 100 feet, and would include an asphalt apron for the first twenty feet of entrance road. No grading would occur through the construction of the parking lot or entrance road.

As mentioned, there appears to be only one new Coastal Act issues raised by the proposed project. While the proposed amendment remains consistent with the Santa Cruz County LCP, if modified by the above special conditions, the proposed project likewise appears consistent with all applicable Coastal Act policies after the incorporation of four special conditions. Pertinent policies of the Coastal Act in this case can be separated into the following issue areas: (1) environmentally sensitive habitat areas, (2) public access and recreation, and (3) public views.

Environmentally Sensitive Habitat Areas

The parking lot is proposed for location on an alternative site in order to avoid impacts to the state endangered San Francisco Popcorn Flower (*Plagiobothrys diffusus*) and wetlands. Coastal Act § 30240 addresses sensitive species and/or habitats and states in full,

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

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Initial biotic surveys of the alternative site were conducted by DPR staff ecologist George Gray in 1997.¹

¹ June 16, 2000 memorandum from George Gray, DPR staff ecologist (See Exhibit E),



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Mr. Gray and botanist Tim Hyland completed a more detailed survey of the site in November of 1999. Follow up investigations were conducted during February, March, April, and May of 2000 to determine if any late-winter or spring species changes had occurred. The results of these biotic surveys do not indicate the presence of sensitive species at the new site. In addition, the Santa Cruz chapter of the California Native Plant Society has endorsed the alternative site and believe it to be a superior site due to its: (1) location on the highest ground possible in the area, (2) absence of wetlands, (3) distance from the coastal prairie plant community, (4) absence of sensitive plant species, and (5) increased visibility for turnout to the proposed access road.²

Relocation of the project seeks to an alternative site avoids impacts to an endangered species and wetlands because no sensitive species or wetlands have identified at the new site. **Therefore, the Commission finds that the proposed public works project is consistent with Coastal Act § 30240.**

Public Access and Recreation

The proposed public works project facilitates public access and recreation for a variety of user groups including, but not limited to, hikers, equestrians, and bicyclists. These groups would gain access to not only the trail system throughout Gray Whale Ranch, but also a larger regional trail and road network traversing through the Pogonip, UCSC, and Wilder Ranch properties. Coastal Act § 30210 addresses the provision of public access and recreation and states in full,

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.

The bulk of public testimony that took place prior to the public works plan approval in 1997 centered upon the potential impacts that various recreational uses could have on the users themselves and on the resources. However, both the County and Commission previously found that the allowance of multiple uses is consistent with the LCP at this location. In light of these concerns, the Commission once again recognizes the State Department of Parks and Recreation's authority and expertise to manage for both public use and resource protection, pursuant to Coastal Act § 30401. Furthermore, the Commission notes that the conditions imposed upon PWP 7-97 and PWP 7-97-1 remain in effect, are adequate to address multiple uses, and will not be changed under the current proposal. However, while the issue of multiple use may be adequately addressed, the relocation of this facility raises an issue in terms of the vehicular access to the proposed alternative parking lot site.

Vehicular access to the alternative parking lot will occur from Empire Grade, which is a rural two-lane road at this location. The County has requested the existing provisions of the *Gray Whale Public Works Plan* addressing safe vehicular access be incorporated into the alternative parking lot project. This section of the *Gray Whale Ranch Public Works Plan* states in full,

² Letter from Grey Hayes, past president of Santa Cruz chapter of the California Native Plant Society, dated January 1, 2000 (See Exhibit F).



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(Traffic Considerations for Empire Grade) The intersection of Empire Grade and the parking lot entrance road will be posted with "No Parking" signs to provide for good visibility for those making left and right turns. County Public Works will install a double yellow center line (no passing) on Empire Grade, on either side of the intersection with the parking lot entrance road, to provide safety for vehicles making left and right turns. The 1991 Traffic Impact Analysis of Empire Grade indicated a low volume of traffic that would not require a left hand turn lane. Consultations will continue with the County of Santa Cruz Public Works and further analysis can be done if conditions require it.

Parking at unauthorized points along Smith Grade and Empire Grade will be monitored by patrol personnel and posted "No Parking" if necessary, in cooperation with County of Santa Cruz Public Works Department, UCSC, and CHP.

While the proposed access road to the alternative parking lot site appears to have an adequate line of sight to ensure safe turnouts, the County retains qualified experts to address the adequacy of visibility, and the *Gray Whale Ranch Public Works Plan* contains language which reflects the recommendations of these experts. As such, the Commission finds that in order to ensure that safe public access is provided, consistent with the requirements of Coastal Act § 30210, the proposed public works project must be conditioned for evidence of approval from the County of Santa Cruz in this regard.

In addition to ensuring safe vehicular access to the alternative site, it also remains important to maintain an unobstructed non-automotive access point to and from this site as well. As discussed above, though this site lies approximately one half mile to the northwest of the main trail connector, lost hikers or bikers may venture to this location and reorient themselves by finding Empire Grade. Even as it would appear that public access along Empire Grade's narrow shoulder is not preferable, the ability for users to exit the parking lot on some occasions remains a necessity. Therefore the Commission finds that, only by requiring the submission of revised project plans illustrating unobstructed public access to the site, can the proposed public works project be found consistent with the public access and recreation policies of the Coastal Act in this regard.

In summary, the proposed alternative parking lot site indirectly raises two new public access or recreation issues. These issues can be addressed by the provision of safe automotive and non-automotive public access to the proposed alternative parking lot site. **Therefore the Commission finds that, only as modified by Special Conditions 1, 2, and 3, requiring evidence of approval from the County of Santa Cruz for the turn-out design and construction, clarifying that widening of Empire Grade is not approved by this approval, and requiring the submission of revised final plans to allow for non-automotive access, can the proposed public works project be consistent with the public access and recreation policies of the Coastal Act.**

Public Views

The project site is located approximately 100 feet west of Empire Grade. The Santa Cruz County LCP designates Empire Grade as a scenic road, and by doing so affords some protection of the public viewshed. Coastal Act § 30251 provides the standard of review in this case and states in full,



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

As discussed, the project site is located at an area that was logged, but is surrounded by a mature mixed evergreen and conifer forest. Commission staff's site visit of June 20, 2000 confirmed that vegetation of this plant community currently limits the visibility of the parking lot site from Empire Grade. However, the project proposes the removal of at least five mature trees. Also, it is likely that various immature trees and shrubs may be removed through construction as well. The exact location of trees and/or shrubs proposed for removal is not identified on plans submitted to date.

Thus, in the absence of plans indicating otherwise, the Commission is unable to determine, with a sufficient degree of certainty, that the removal of vegetation will not impact public views. Therefore, the Commission finds that, only by requiring the submission of revised plans illustrating trees and/or shrubs that are proposed for removal, can the proposed public works project be found consistent with Coastal Act § 30251. **Therefore, the Commission finds that, only as modified by Special Condition 4, requiring the submission of revised plans which show sufficient screening of the parking lot and associated facilities from public view, can the proposed public works project be consistent with Coastal Act § 30251.**

E. California Environmental Quality Act

The California Department of Parks and Recreation issued a Negative Declaration for the proposed plan amendment. Public comments were received. The Commission notes that most facilities to be utilized already exist and the proposed new ones are of a temporary nature. There are no feasible alternatives, or feasible mitigation measures available, as provided in the California Environmental Quality Act, which would lessen any significant adverse impact that the Public Works Plan amendment and proposed project, as conditioned, may have on the environment.



CALIFORNIA STATE PARKS



GRAY WHALE RANCH

PUBLIC WORKS PLAN

GRAY WHALE RANCH

EXHIBIT NO. A:1
APPLICATION NO.
PWP 7-97-A1
PWP 7-97-2

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION
GRAY WHALE ACQUISITION PUBLIC WORKS PLAN

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SUMMARY

The 2300-acre Gray Whale Ranch property was acquired by the California Department of Parks and Recreation (DPR) in May 1997. It will be operated as an extension of Wilder Ranch State Park.

Issues addressed in the Public Works Plan to open the Gray Whale property to public use include: park staffing, patrol, hours of operation, education and research, natural resource management, cave management, fire protection, closed areas, search and rescue, elimination of unauthorized trails and visitor trespass on private land, parking area operation, maintenance of perimeter fence, maintenance of roads, authorized entrances, and traffic considerations for Empire Grade. This Public Works Plan supersedes the previously issued Interim Use Plan.

Types of Activity

Following Coastal Commission review of the Public Works Project authorized by this Public Works Plan, DPR will open a temporary gravel parking area and eight miles of existing dirt road to hiking, equestrian and bicycle use. Management of cultural and natural resources will include maintenance and enhancement of special interest species and special interest habitats, removal of nonnative plants, and protection of a historic lime kiln. Research and education projects will be coordinated by special permit, as will access to limestone caves. Staff patrol for public safety and resource protection will involve both perimeter and interior patrol on foot, bicycle, horseback and by enforcement vehicle. Maintenance of erosion controls, signs and fencing will be accomplished by park staff and volunteers.

There are no other activities or uses permitted under this Public Works Plan.

Intensity of Activity

Visitation is not expected to exceed 50 persons on weekdays and 500 persons on the busiest weekends. Traffic using the parking area off Empire Grade will not coincide with the current busiest traffic hours of 7:30A.M.-8:30A.M. or 5:00P.M.-6:00P.M.. Trail access will be from the above parking area, two existing trails in Wilder Ranch and the existing trailhead on Smith Grade.

Maximum Size of Facilities

Until the *General Plan* process is completed only existing facilities will be utilized, with the exception of the 45-vehicle temporary gravel parking area, two portable toilets, and signs or other public safety features.

Service Area

The service area for Gray Whale will be Wilder Ranch State Park.

INTRODUCTION

Purpose of Plan

This Public Works Plan is submitted to comply with California Code of Regulations (CCR) Title 14 Section 13353 and also addresses other law and policy related to opening the recent Gray Whale Acquisition to public use.

This Public Works Plan provides for the operation and management of the Gray Whale Acquisition until a General Plan for the property is prepared and approved. This is authorized under Public Resources Code (PRC) Section 5002.2(e):

Public Resources Code (Div. 5, Chapter 1, Article 1) 5002.2.(e)
Consistent with good planning and sound resource management, the department shall, in discharging its responsibilities under this section, attempt to make units of the state park system accessible and usable by the general public at the earliest opportunity.

Utilization of the property by the general public prior to the preparation of a General Plan is authorized if there is no permanent commitment of the unit's resources as provided in Public Resource Code Section 5002.2(c):

Public Resources Code (Div. 5, Chapter 1, Article 1) 5002.2. (c)
Notwithstanding the requirements of subdivision (a), the department is not required to prepare a general plan for a unit that has no general plan or to revise an existing plan, as the case may be, if the only development contemplated by the department consists of the repair, replacement, or rehabilitation of an existing facility; the construction of a temporary facility, so long as such construction does not result in the permanent commitment of a resource of the unit; any undertaking necessary for the protection of public health or safety; or any emergency measure necessary for the immediate protection of natural or cultural resources; or any combination thereof at a single unit. Any such development shall be subject to requirements of the California Environmental Quality Act (Division 13) (commencing with Section 21000)).

PRC Section 5002.2(c) permits the Department to construct a temporary facility without the completion of a General Plan where such construction does not result in a permanent commitment of a resource of the unit or is necessary for the protection of public health and safety. DPR will comply with PRC Section 5002.2 (c) and (e), by activities described in this project; placing gravel over an existing disturbed area for use as a parking area, installation of signing, installation of fencing, protection of the resource and safety of the public, etc.

In the future a *General Plan* will be completed for the Gray Whale Acquisition which will amend the existing Wilder Ranch State Park General Plan and Public Works Plan. Consistent with Public Resources Code Section 5002.2, any permanent development of new facilities will take place on the Gray Whale Acquisition only after final approval of a General Plan by the State Park and Recreation Commission and acceptance, subject to PRC 30605, of an amended Public Works Plan and Public Works Project by the Coastal Commission. Any proposed use of *existing* facilities not detailed in this Public Works Project will require the approval of an additional Public Works Project, with public comment prior to permit approval by the California Coastal Commission.

RESOURCE ELEMENT

Resource Summary

The Gray Whale Acquisition encompasses approximately 2,300 acres in Santa Cruz County, located northwest of the City of Santa Cruz. The southern and western boundaries of the property adjoin Wilder Ranch State Park. A portion of its eastern boundary borders the lands of the University of California, Santa Cruz.

The southern end of the acquisition is located on coastal marine terraces characterized by deep, stream-cut canyons that contain second growth stands of coastal redwood and Douglas-fir. Several of these streams have surface water flowing all year. Limestone caves are located in Cave Gulch, a tributary of Wilder Creek which drains the southern end of the property. Long open meadows located on the upland portions of the marine terraces offer sweeping panoramic vistas of Monterey Bay and the Pacific Ocean. During the past 100 years, the area has been used for a variety of purposes including farming, timber harvesting, mining, and cattle grazing. The last active timber harvest and cattle grazing was concluded in the summer of 1996. In recent years, four timber harvests were conducted which removed trees on approximately 557 acres. CDF has completed the regulatory process and is requiring no further mitigation or monitoring for two of the Timber Harvests. CDF is in the process of clearing the last two; agreeing that the erosion controls are in place, and DPR standards will satisfy CDF monitoring requirements. There are no buildings on the property, though there are remnants of lime kilns and other buildings related to the old farming and mining operations. These are located near the southern property line adjacent to Wilder Ranch State Park. Existing facilities include over twelve miles of roads, seven miles of trails, a caretaker/office modular structure and several miles of fencing with gates.

Resource Policy

General Resource Management Directives and Policy for the California Department of Parks and Recreation can be found in a variety of documents available at DPR District Offices. Policies specific to this project follow.

Cultural and Natural Resource Protection

The California Department of Parks and Recreation recognizes that good planning and sound resource management require that a more thorough cultural and natural resource inventory be conducted before opening more extensive areas of the park to the public. Immediate public use is restricted to areas where the limited time frame allowed for adequate resource inventories.

POLICY: On the Gray Whale Acquisition, additional existing roads and trails will be opened for public use only after thorough cultural and natural resource inventories of the proposed use area have been completed, and appropriate resource protection mitigations have been implemented.

Areas within 25 feet of all areas proposed to be open to the public (eight miles of road and the parking area) have been surveyed for sensitive resources. Roads with known conflicts (such as creek crossings) will not be open to the public under this Public Works Project.

California Red-legged Frog

California red-legged frogs are found in many of the watercourses and moist areas of the property. They are federally listed as "Threatened". Increased visitor use, particularly by bicyclists and equestrians, has the potential to reduce California red-legged frog populations and degrade their habitat.

POLICY: No roads, trails, or other public use routes will be opened for use until red-legged frog habitat on the route has been protected. Existing red-legged frog barricades near the mima mound area will be maintained.

DPR has consulted with the United State Fish and Wildlife Service regarding red-legged frogs. For the interim use plan, they recommend that existing barricades near the mima mound area be maintained, and the roads be frequently monitored for new populations.

POLICY: The lime kiln and immediate area will be managed to maximize its value in researching and interpreting the lime industry. Under this Public Works Plan, the lime kiln and immediate area will be posted closed to the public and patrolled. If trespass or deterioration in the area becomes a concern, a DPR Historian and/or Archeologist will develop stabilization devices, protective fencing plans, and interpretive material to protect the area.

Ohlone Tiger Beetle

The Ohlone tiger beetle is found on the coastal terrace prairie of the mima mound area and adjacent grasslands. The species is not presently listed but a request is pending. A previous request for listing by the U.S. Fish and Wildlife Service was denied, due to lack of information on habitat needs of - and threats to - the species. Little is known about the size and other characteristics of the population on the Gray Whale Acquisition. A January 23, 1997 letter from Grey (UCSC Natural Reserve Steward) to the U.S. Fish and Wildlife Service reported a population of Ohlone tiger beetle across Empire Grade from the Gray Whale Acquisition, but did not report a population on the Acquisition. In this letter, Grey did state that habitat is present on the Gray Whale Acquisition.

Impacts to the Ohlone tiger beetle could result from (1) road grading in the spring when the beetles are active, (2) dust from vehicles on roads, (3) removal of disturbances from grazing animals and other sources, (4) loss of open areas needed for stalking prey, and (5) running over individuals with bicycles and motor vehicles. All impacts will be monitored to determine appropriate mitigation, if necessary.

POLICY: Surveys will be conducted to further determine the characteristics of the Ohlone tiger beetle population. Road maintenance or other activities will be scheduled to minimize impact on burrows, larval habitat, foraging activity, or other aspects of the population. The area will be posted warning visitors to watch for Ohlone tiger beetles in the road.

San Francisco Popcorn Flower

The San Francisco popcorn flower, Plagiobothrys diffusus, is found in the coastal prairie of the mima mounds and adjacent areas. It is listed by the State as Endangered. Populations of this species may be enhanced by mechanical and fire disturbances.

POLICY: Surveys will be conducted to identify the extent of the population of San Francisco popcorn flower. Facilities will not be located where they will negatively impact the population. Management actions to enhance populations will be developed.

Education and Research - The many natural and cultural resources that exist in the Gray Whale Acquisition will provide opportunities to educate students and the public. Interpretive and educational activities will be coordinated by the State Park staff at Wilder Ranch. Research activities will be conducted by DPR staff, educational institutions and by private sponsorship. All research activities will be coordinated by DPR staff at the Santa Cruz District Office.

Natural Resource Management - Management of natural resources will be guided by 'Departmental Directives for Resource Management for the California State Park System' (Reference VI). The first and most important action will be to inventory natural resources (soil, geology, plants, animals, hydrologic features, climate) and threats to these natural resources (abandoned roads and trails, exotic plants). The second action will be to institute monitoring systems to document changes in these natural resources. Other management activities will include:

Nonnative Plant Management - Nonnative plants in the acquisition have the potential to rapidly invade unique resources. Nonnative plants, with an emphasis on French broom, pampas grass, German ivy, velvet grass, tall fescue, and acacia, will be removed from the area. An existing restoration group, which uses local volunteers, is available to do this work.

Special Interest Species and Special Interest Habitat Management - A 1991 discussion of special interest species is found in the Reference section. Some additional information is also included in this document. Information and classification of special interest species is constantly changing. The areas within 25 feet of the areas to be open for public use have been surveyed for sensitive species. Surveys for the remainder of the property will be completed and appropriate management actions taken.

Enhancement and Maintenance of Natural Ecosystems - Ecological management planning is necessary to determine what management actions will take place under this Public Works Plan. Resource management activities will include research, inventory, removal of abandoned roads and trails, prescribed fire, and others. These activities will occur in a manner to not harm sensitive species.

Cave Management - The limestone caves will be closed to public use except with a permit and guided tour. Permits will be available from the DPR District Office in Santa Cruz. The caves will be monitored for public safety concerns and resource protection. The permit and guided tour system will be discontinued and the caves will be entirely closed to public access if conditions warrant this action.

Maintenance of Perimeter Fence - Much of the property is surrounded by a perimeter fence which helps prevent visitor trespass, discourages unauthorized trails, and prevents trespass of cattle. When appropriate, DPR will cooperate with neighboring landowners to maintain this fence. Fences that are replaced or repaired will be designed to have minimal impacts on the movement of wildlife.

Maintenance of Roads - The dirt road system on the property will be maintained by DPR. The Empire Grade entrance road will be maintained in compliance with the existing University of California, Santa Cruz easement. Gravel will be maintained to mitigate any dust impact on mima mounds. If either dust or vehicular byproducts impact the mima mounds permanent improvements (such as paving and drainage) will be included in the *General Plan*. Interior roads to be utilized (Figure 1) will be maintained as necessary with water bars or rolling dips.

Authorized Entrances - As mapped in Figure 1, the four authorized entrances to the property are (1) the Empire Grade parking area, (2) the Smith Grade gate, (3) Wilder Ranch State Park northern connection, and (4) Wilder Ranch State Park Engelsman Loop Trail connection.

Traffic Considerations for Empire Grade - The intersection of Empire Grade and the parking lot entrance road will be posted with "No Parking" signs to provide for good visibility for those making left and right turns. County Public Works will install a double yellow center line (no passing) on Empire Grade, on either side of the intersection with the parking lot entrance road, to provide safety for vehicles making left and right turns. The 1991 Traffic Impact Analysis of Empire Grade indicated a low volume of traffic that would not require a left hand turn lane. Consultations will continue with the County of Santa Cruz Public Works and further analysis can be done if conditions require it.

Parking at unauthorized access points along Smith Grade and Empire Grade will be monitored by patrol personnel and posted "NO PARKING" if necessary, in cooperation with County of Santa Cruz Public Works Department, UCSC, and CHP.

**GRAY WHALE RANCH
PUBLIC WORKS PLAN
ADDENDUM**

The California Department of Parks and Recreation (CDPR) conducted a public hearing on the Public Works Plan for Gray Whale Ranch (per CCR 13353.5) on 9/12/97 in the city of Santa Cruz. As a result of this hearing CDPR has reviewed the plan, consulted with appropriate agencies, accepted written comments and prepared this response. The purpose of this addendum is to provide CDPR's response to the public hearing and written comments received subsequent to this meeting. Additionally, the department has responded to public comments through the CEQA process.

Considerable public testimony centered on the potential conflict resulting from the proposed use of the eight miles of ranch road by equestrians, hikers and mountain bikers. CDPR recognizes that there is a potential for conflicts when a variety of user groups are restricted to the same trail system. As CDPR is able to open more areas of Gray Whale Ranch to the public, it will be possible to explore ways that are environmentally appropriate to resolve this issue. The emphasis of this Public Works Plan is to make the unit accessible and usable by the general public at the earliest opportunity (PRC 5002.2e). More study and research on the natural and cultural values of the unit is necessary before CDPR is prepared to open more of the park.

As the plan develops, there will be opportunities to take a more comprehensive look at how the trail/road systems of Gray Whale Ranch and Wilder Ranch State Park can be integrated to maximize the benefits to all potential user groups. In the meantime, CDPR is committed to reexamining trail/road use in the adjacent Wilder Ranch. It may be possible to provide for the passive use of some trails within Wilder Ranch. CDPR recognizes that parks can provide for inspiration and quiet reflection. It is important that users seeking this experience have a place to go without interference from more active forms of recreation. CDPR will assess possible ways to accommodate this need within Wilder Ranch immediately and look for similar opportunities in Gray Whale Ranch when more of the park is opened to public use. However, it is not appropriate to restrict any user group within Gray Whale Ranch at present when such limited access is being proposed. The eight miles of existing road were selected specifically due to their ability to handle multiple use without causing significant resource damage.

CDPR will consider and implement appropriate strategies to resolve user conflicts. Once the park is opened and use levels established, park staff will assess the types and frequency of conflicts. District staff plans to use several methods to reduce these potential conflicts. Public information will be a key component. Each user group will need to understand how to use the park responsibly and how to minimize their impact on other users. Some signage and literature is already available in this regard. Active enforcement of the park regulations will be another critical component. State Park Rangers will patrol the park, particularly during peak times, and enforce regulations on non-compliant users. If these methods are not effective in reducing conflicts the District Superintendent can exercise his/her operational authority and either restrict use or, if

necessary, close portions of the park entirely. The Superintendent can also, if warranted, explore the option of alternate use days or times. Finally, the various user groups will be expected to "police" themselves. Gaining compliance of park regulations is often more successful when peers explain the necessity for them and encourage responsible use so that the image of that particular user group is not compromised. All of these options will be explored to reduce the potential for user conflict

Of particular concern to a number of people providing testimony is the speed of mountain bikes in relation to other forms of recreation. The District will assess the ranch roads according to the determination criteria in the department's "Mountain Bike Use Policy" (see appendices), and establish and enforce a maximum speed limit. A suggestion for speed bumps will not be implemented. Speed bumps could be hazardous to cyclists and would require constant maintenance. The underlying principle for use of mountain bikes in state parks is that they are a means of accessing and enjoying the resources of the park. CDPR does not encourage the use of mountain bikes to test limits of speed and endurance; these activities are more appropriate in units classified as State Recreation Areas.

Another concern raised during the meeting was the impact of various users and park staff during certain times of the year. It is well documented that impacts to trails/roads are much greater immediately following significant rainfall. The District Superintendent will, when warranted, post closure orders to Gray Whale Ranch due to the potential damage to the ranch roads during inclement weather. Similarly, the District may restrict use of these roads if there is a significant resource concern, such as the impact on a certain species of concern (flora and/or fauna), during certain seasons. Park patrol and maintenance work will similarly be restricted during these times. Road maintenance is of particular concern. The District will restrict road maintenance to only that which is necessary.

CDPR recognizes that there are resource sensitivities associated with the proposed parking lot near Twin Gates. This area was used as a lay down yard for many years during timber harvests. Due to the proximity of the caretaker's home, the mima mound area was used for parking heavy equipment and storage. The San Francisco popcorn flower, Gairdner's yampah, the Ohlone tiger beetle and the mima mounds themselves are of concern in this area. This issue is addressed in the Public Works Plan under the "Resource Element" as a result of on-site visits with both the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). District staff will request formal consultations as necessary and continue to work with these regulatory agencies, as new information becomes available. In terms of resource management in general, District staff will monitor various sensitive resources and, if protection is inadequate, implement a variety of programs to address the particular situation. Resource

Gray Whale Ranch – Public Works Plan
Attachment

management alternatives include revegetation/restoration, the development and distribution of informational brochures, the posting of informational signs, the posting of law enforcement signs, and the construction of barriers such as log barriers, fences and stobbers. As mentioned above, closure of access routes leading to sensitive areas, either seasonally or year-around may occur as warranted.

Another concern regarding the Twin Gates parking lot centers on circulation issues off of Empire Grade. District staff has met with the County's Public Works Department, the University of California Santa Cruz (UCSC) and the California Highway Patrol regarding this matter. Due to the relatively light traffic on Empire Grade, the fact that use will be at non-peak times, and the anticipated low use of the temporary lot, there was consensus that our proposed plan as submitted adequately addresses this issue. CDPR recognizes that UCSC has concerns with the potential for dust generation and possible drainage issues as a result of the parking lot. District staff will work closely with UCSC reserve managers to monitor potential impacts to the university land bordering the parking lot entry road and will take the necessary measures to mitigate for these potential concerns.

Several individuals commented on the safety of the proposed trail connection with Smith Grade. This location is not intended to be a major entrance into the property, and there is parking at the site for relatively few vehicles. CDPR re-investigated this location and concluded that there is adequate visibility along the road for vehicles to make turns to and from the parking spots. This location will be monitored. If parking at the site exceeds capacity, possible mitigation includes eliminating all parking at the site, or closing the connection of the trail with the road.

The issue of the classification of the unit was raised during public testimony. The District will submit a letter to the department's General Plan Policy Committee requesting that this unit classification issue be addressed. In addition, the District will request that the establishment of natural and cultural preserves be considered where appropriate. At this point however, it is assumed that Gray Whale Ranch is an extension of Wilder Ranch State Park. Since access is limited to eight miles of existing dirt road, there should be no unacceptable resource impacts regardless of classification. Consequently, classification is not necessary for the opening of the park as proposed in the Public Works Plan.

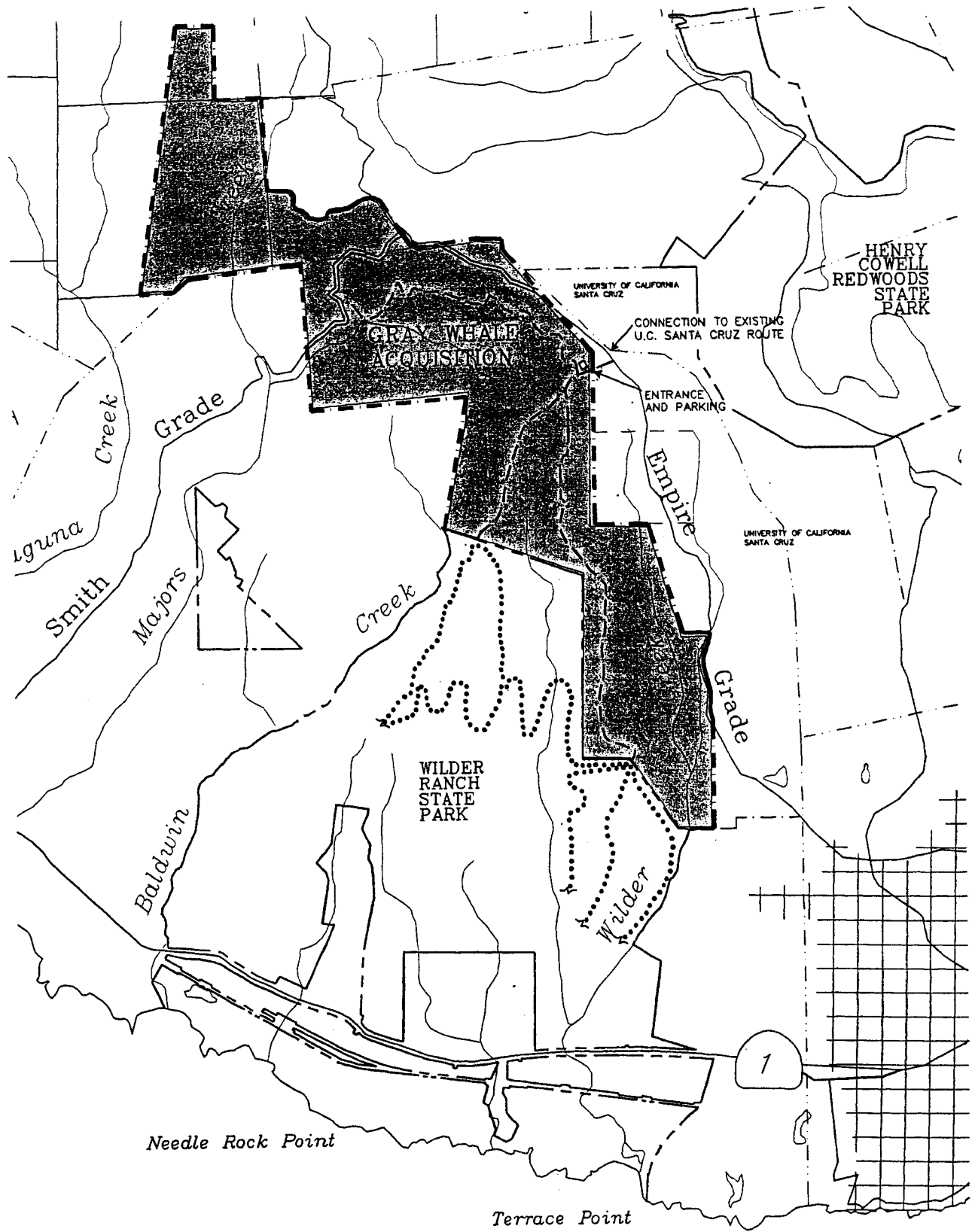


FIGURE 1 - PROJECT DETAILS

LEGEND


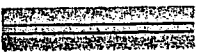

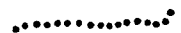
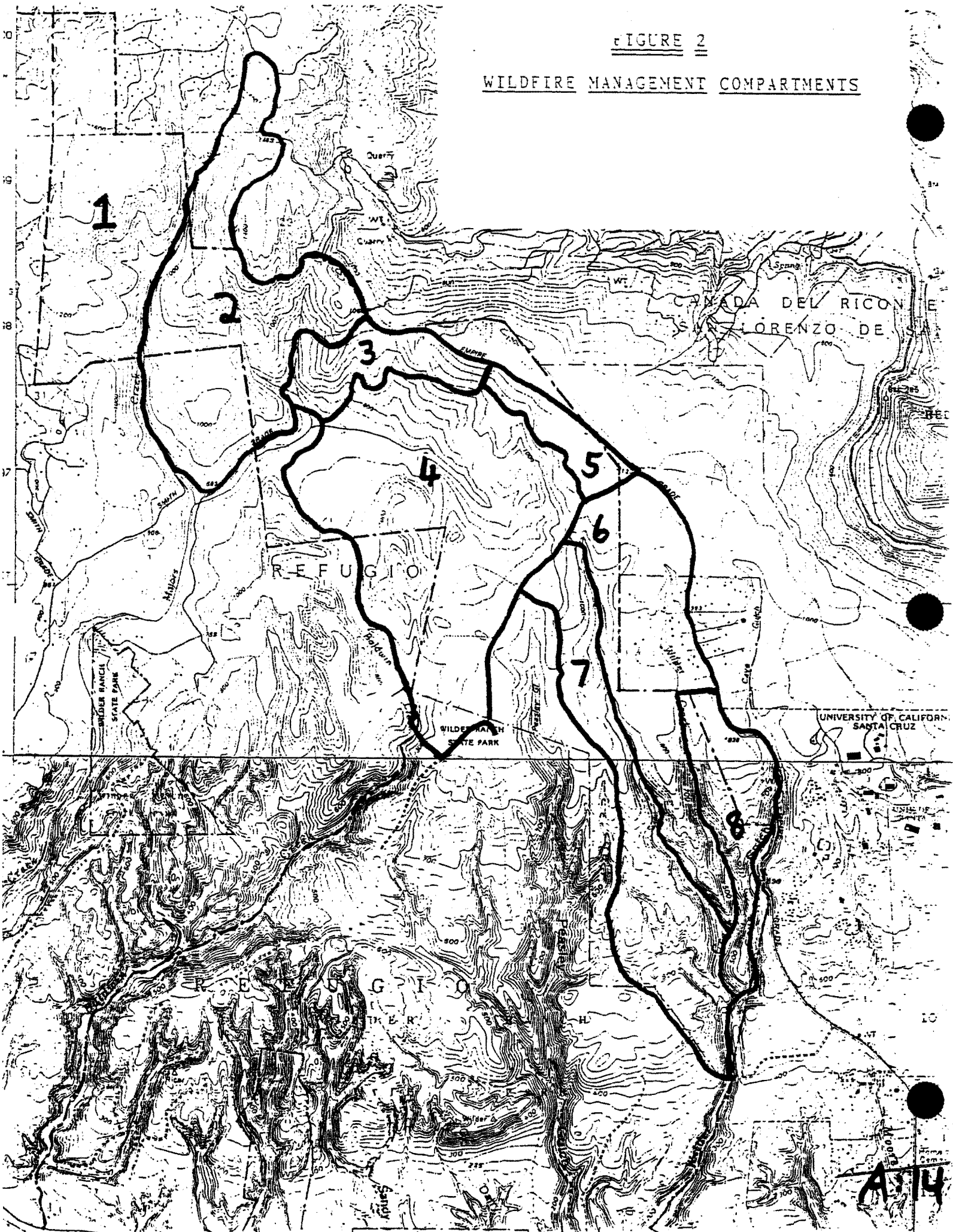
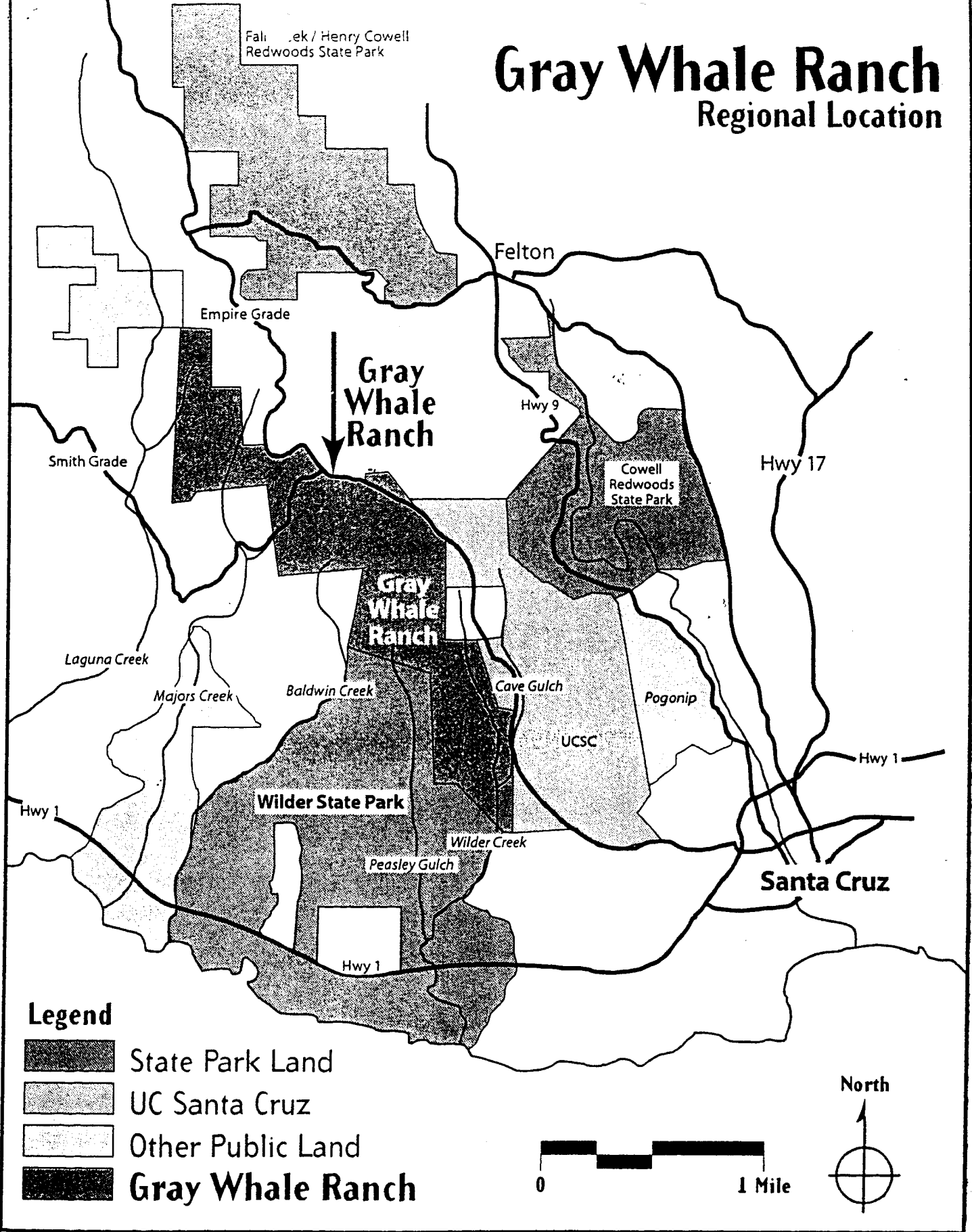
- | | | | |
|--|---|--|---|
| PROPERTY BOUNDARY |  | EXISTING PUBLIC ROADS THROUGH PROPERTY |  |
| ROADS OPEN FOR USE BY HIKERS, BICYCLES AND EQUESTRIANS |  | EXISTING WILDER RANCH ROADS/TRAILS |  |

FIGURE 2
WILDFIRE MANAGEMENT COMPARTMENTS



Gray Whale Ranch

Regional Location



Gray Whale Public Works Plan

Proposed Parking and Northern Access

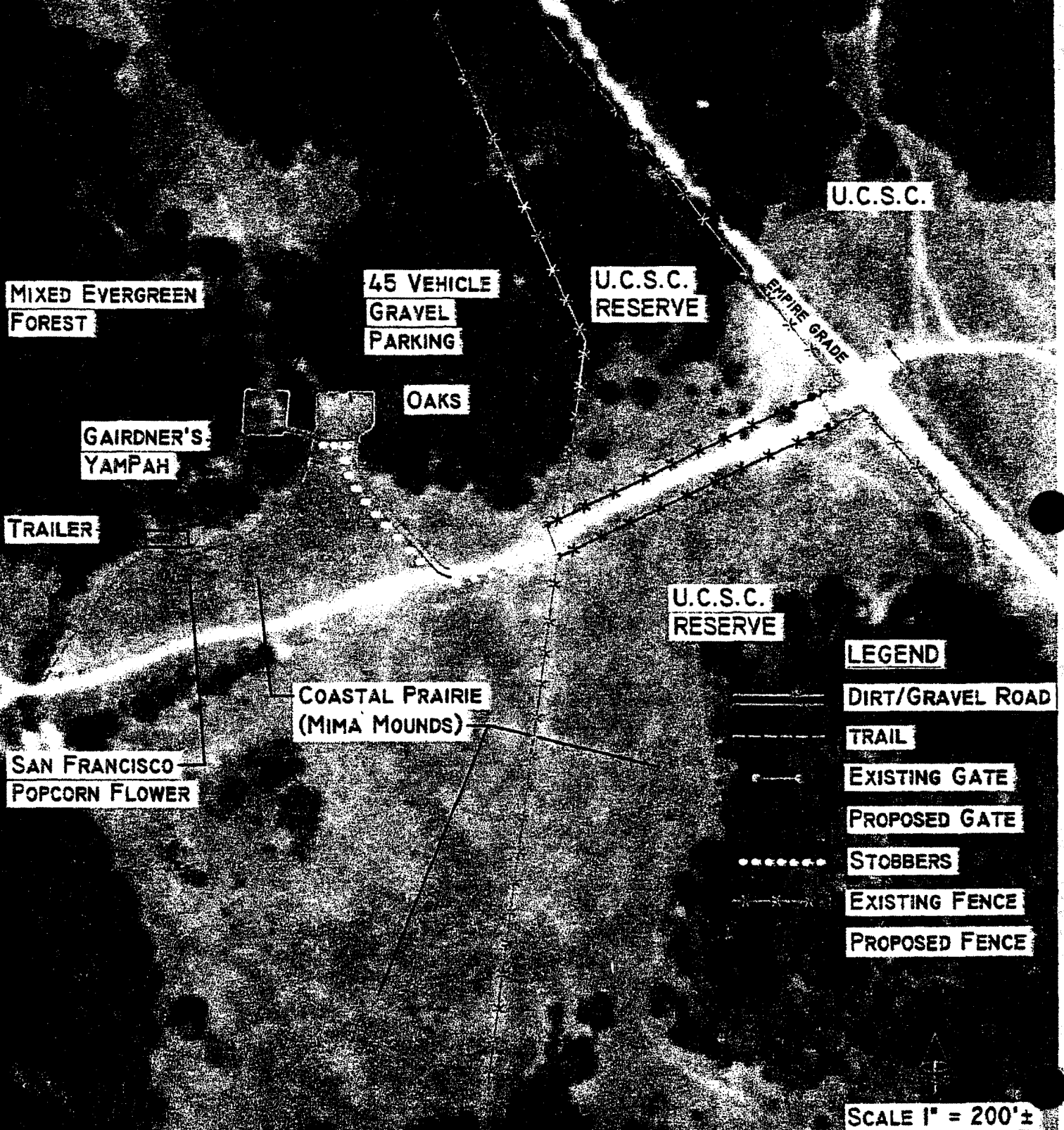


Figure 4

A:16

LAND USE AND FACILITIES ELEMENT

Proposed Land Use - Public land use allowed will be hiking, bicycling, and equestrian use of the eight miles of road shown in Figure 1. Compatible additional activities will be picnicking, photography, and nature study. The property will be closed at night.

Proposed Facilities - In compliance with Public Resource Code Section 5002.2(e) (see Introduction), only existing or temporary facilities will be utilized as follows:

A. Existing Facilities

1. A 30-foot wide road easement through University of California, Santa Cruz property which leads from Empire Grade to a parking lot. This road will be kept covered with gravel to limit dust on the adjacent coastal prairie.
2. Eight miles of dirt roads, which will be open to State Park patrol vehicles, hikers, bicycles, and equestrians. Multi-use trails will concentrate use and its attendant impacts to preserve and protect the remaining natural areas and wildlife corridors. Water bars every 50 to 100 feet and culverts are components of these roads.
3. Undetermined lengths of dirt roads with associated culverts which will not be utilized by the public but will be monitored for erosion control.
4. Perimeter Fence
5. Caretaker/office modular structure
6. Red-legged frog barricades at two locations

B. Proposed Temporary Facilities

1. One parking lot (Figure 4) 100 feet by 100 feet, intended for 45 vehicles, covered with gravel. This parking lot is located ~~on an area previously used as a parking lot, equipment storage lot, and corral by the previous landowner~~ one half mile west of the Twin Gates entrance on Empire Grade.
2. Low profile barricades around parking lot.
3. Entrance road gate with locking system.
4. Two above-ground chemical toilets at the parking lot.
5. Informational panel at the parking lot.
6. Two animal-proof garbage receptacles at the parking lot.
7. Low profile protective fencing along both sides of the UC Santa Cruz access road, with a 10' gate on each side through the fence to provide the University of California access to their property.
8. ~~Stobbers or fencing between the UC Santa Cruz access road and the parking lot to protect the mima mound area and direct vehicles away toward the parking lot.~~
9. ~~8.~~ Lime kiln stabilization devices, posting, or protective fencing.
10. ~~9.~~ Informational and regulatory signs which include, but are not limited to:
 - a. Informational panel at the parking lot

EXHIBIT NO. B:1
APPLICATION NO.
PWP 7-97-A1
PWP-7-97-2

Financing

The 1997/98 DPR Budget includes funding for staff and equipment for the Gray Whale Acquisition. It will be a permanent augmentation to the Santa Cruz District annual allocation. Additional funding will be requested as permanent development is approved. Volunteer and community support has already been received and committed for future public safety and resource projects.

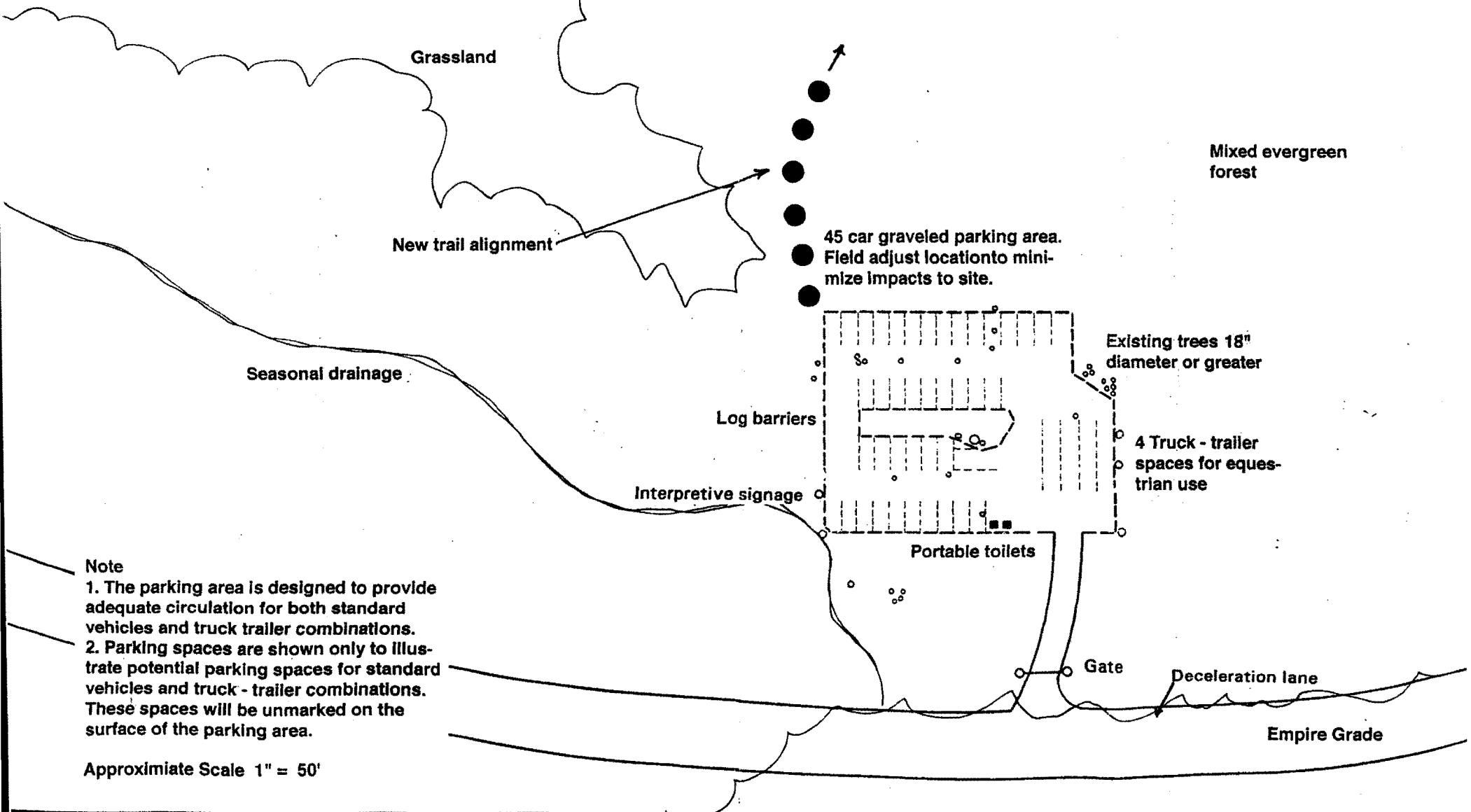
Alternative Locations

An alternative for the entrance to the Parking Area was considered (~~approximately one mile up Empire Grade from the existing "twin gates" entrance. It was rejected for three reasons. First, a new road would have to be constructed between the existing dirt road and Empire Grade. Second, the visibility for northbound traffic to observe a vehicle signaling a left turn would not be as good. Third, the existing 'twin gates' access currently links easily to an existing UCSC dirt road, avoiding visitor travel on Empire Grade for visitors using the two roads. (approximately one half mile east on Empire Grade at the Twin Gates entrance). It was rejected because an endangered plant was found in the area.~~

An alternative of no parking was considered. This was rejected because it would create unnecessary hazards by encouraging parking on Empire Grade, with a corresponding increase in pedestrian, bicycle, and equestrian traffic on Empire Grade itself. It would severely limit site accessibility, contrary to DPR's mandate for public use.

Gray Whale Public Works Plan - Parking Plan

Department of Parks and Recreation - Santa Cruz District FIGURE 4
November 22, 1999



45 car graveled parking area.
Field adjust location to minimize impacts to site.

Note

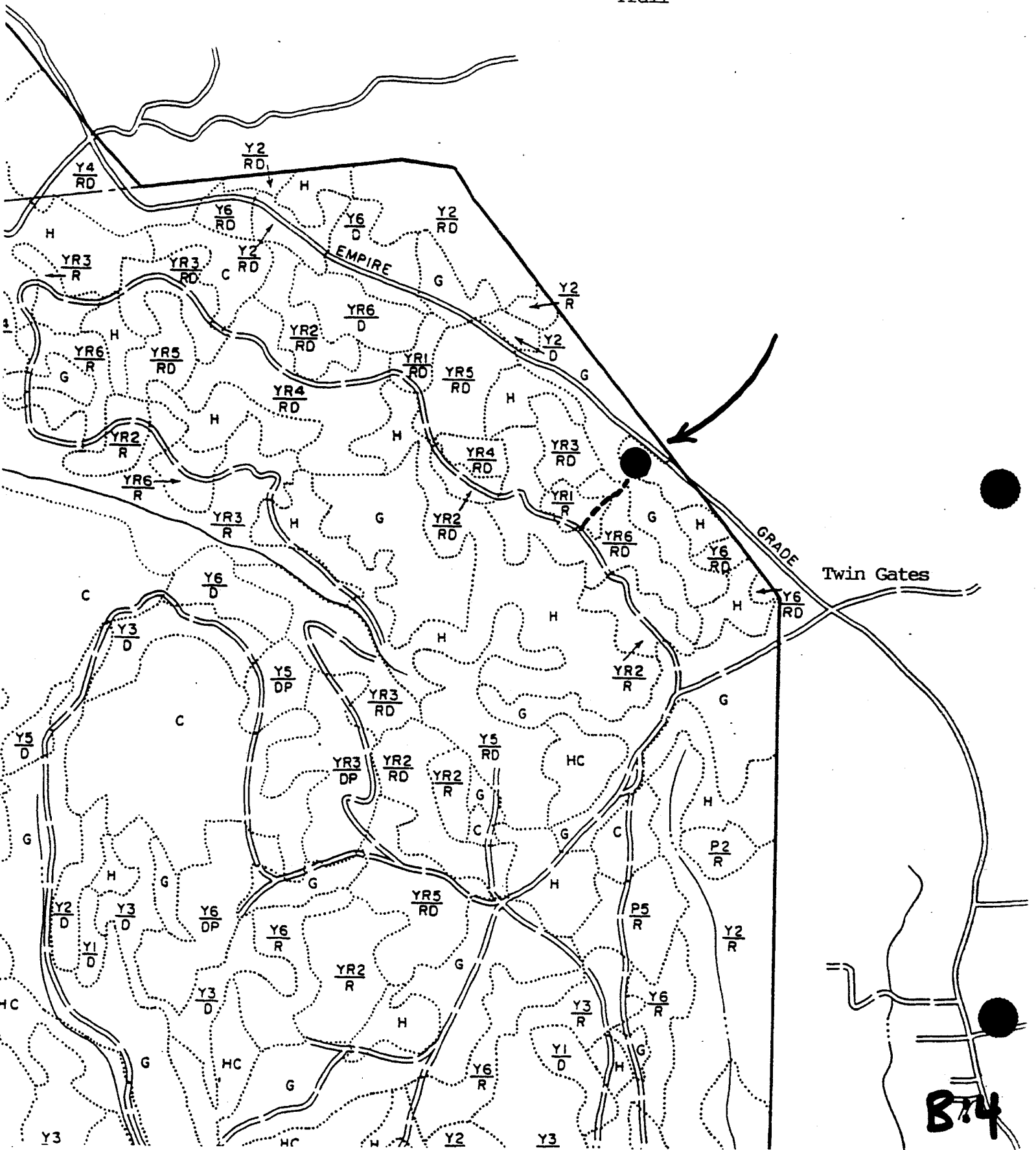
1. The parking area is designed to provide adequate circulation for both standard vehicles and truck trailer combinations.
2. Parking spaces are shown only to illustrate potential parking spaces for standard vehicles and truck - trailer combinations. These spaces will be unmarked on the surface of the parking area.

Approximate Scale 1" = 50'

FIGURE 5

GRAY WHALE ACQUISITION

Parking area and trail
connector to Woodcutter's
Trail



B74



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

June 19, 2000

Mr. Kevin Colin, Coastal Planner
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz, California 95060

SUBJECT: GRAY WHALE RANCH PUBLIC WORKS PLAN AMENDMENT

Dear Mr. Colin:

Thank you for the opportunity to review the proposed change to the Gray Whale Ranch Public Works Plan (PWP).

The relocated parking area is acceptable, provided that the provisions of the original Operations Element (page 13 - Traffic Considerations at Empire Grade) are carried forward to the new location. These provisions are necessary to insure that adequate site distance and traffic safety measures are incorporated into the final project.

If you have any further questions regarding this matter, please contact Mark Deming at (831) 454-3183.

Sincerely,

Alvin D. James
Planning Director

EXHIBIT NO. C
APPLICATION NO.
PWP 7-97-A1
PWP 7-97-2

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
 726 FRONT STREET, SUITE 300
 SANTA CRUZ, CA 95060
 (408) 427-4863
 HEARING IMPAIRED: (415) 904-5200



ADOPTED October 14, 1997

TO: Commissioners and Interested Persons

FROM: Tami Grove, District Director
 Charles Lester, District Manager
 Rick Hyman, Coastal Program Analyst

SUBJECT: **PWP 7-97 GRAY WHALE RANCH PUBLIC WORKS PLAN and PWP 7-97-1 GRAY WHALE RANCH PUBLIC WORKS PROJECTS** For public hearing and Commission action at its meeting of November 4 -7, 1997, to be held at the Radisson Hotel, Agoura Hills.

SUMMARY OF STAFF REPORT

DESCRIPTION OF PUBLIC WORKS PLAN and PROJECT REQUESTS

The California Department of Parks and Recreation has submitted a public works plan for Gray Whale Ranch. This is a 2,300 acre addition to Wilder Ranch State Park on the north coast of Santa Cruz County. Upon approval of the plan by the Commission, the Department would commence opening this newest addition to the State Parks system. The *Gray Whale Ranch Public Works Plan* lists the following specific projects which it would undertake:

- opening of eight miles of existing dirt roads to public access;
- trail and fence maintenance;
- elimination of unauthorized roads;
- entrance road gate and "stobbers" (a row of short posts) or fencing along entrance road;
- 10,000 square foot parking lot for 45 vehicles with barricades;
- two chemical toilets and two trash receptacles;
- information panel and informational and regulatory signs;
- stabilization devices, posting, and/or protective fencing at historic lime kiln.

In addition the *Plan* lists ongoing management measures that would be undertaken. This plan was submitted on September 23, 1997. The standard of review of this public works plan is that it must be consistent with Santa Cruz County's certified Local Coastal Program (Coastal Act Section 30605). The standard of review for public works projects is that they must be consistent with the public works plan (Coastal Act Section 30605). Projects contained in an approved public works plan can be conditionally approved, but can not be denied, by the Coastal Commission (California Code of Regulations Section 13358).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission **approve with conditions** the proposed Public Works Plan as submitted by the Department of Parks and Recreation for the reasons given in this report. Staff also

EXHIBIT NO. D:
APPLICATION NO.
PWP 7-97-A1
PWP 7-97-2

recommends that the Commission **approve with conditions**, the specific project requests. The conditions require more detailed final plans and address sensitive habitat protection and recreational opportunities for various user groups.

SUMMARY OF ISSUES AND COMMENTS

There do not appear to be any unresolved Coastal Act issues associated with the *Gray Whale Ranch Public Works Plan*. The County has found the *Plan* consistent with its certified local coastal program. The *Plan* contains measures to address environmentally sensitive habitat concerns. Although the proposed projects are listed in the *Plan*, conditions are required to address specific design issues related to habitat protection and potential use conflicts.

The majority of public comments have revolved around whether the eight miles of existing dirt and gravel roads proposed for public access should be used by mountain bicycles. The *Plan* provides for access by hikers, equestrians, and bicyclists on these existing ranch roads. The *Plan* prohibits motor vehicles except at the proposed trailhead parking area, does not allow off-road/trail bicycle use, defers decisions on opening other existing trails, and does not allow any new trails to be constructed. Testimony in favor of mountain bike use noted that the roads exist, that mountain biking is a very popular and legitimate recreational use, that impacts from cycling are not severe, and that bicyclists are responsible and cooperative. Contrary testimony claimed that mountain bicyclists would be a hazard and an irritant to hikers and would create erosion damage. The *Plan* contains management measures that address these concerns, including Department of Parks and Recreation discretion to restrict uses if found necessary. Recommended conditions would require that management, monitoring, and future planning undertaken by the Department ensure that public access opportunities are maximized, consistent with resource protection.

ADDITIONAL INFORMATION

For further information about this report or the public works plan process, please contact Rick Hyman or Lee Otter, Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060; Tel. (408) 427-4863.

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ATTACHMENTS/EXHIBITS

- A. *Gray Whale Ranch Public Works Plan* (in Commissioner packets or available upon request)
- B. County Findings of LCP Consistency
- C. Selected Regulations Governing Public Works
- D. Correspondence

I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS**A. APPROVAL OF PUBLIC WORKS PLAN****MOTION:**

"I move that the Commission approve the Gray Whale Ranch Public Works Plan as submitted by the Department of Parks and Recreation and as conditioned."

Staff recommends a "yes" vote which would result in approval of this plan as conditioned. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

RESOLUTION:

The Commission finds that the proposed *Gray Whale Ranch Public Works Plan*, as conditioned, is in conformity with Santa Cruz County's certified local coastal program; and that there are no feasible alternatives, or feasible mitigation measures available, as provided in the California Environmental Quality Act, which would lessen any significant adverse impact that the development as finally proposed and conditioned may have on the environment.

B. APPROVAL OF PUBLIC WORKS PROJECTS**MOTION:**

"I move that the Commission approve the projects contained in the Gray Whale Ranch Public Works Plan as submitted by the Department of Parks and Recreation, and as conditioned."

Staff recommends a "yes" vote which would result in approval of the projects, as conditioned. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

RESOLUTION:

The Commission hereby approves the specific projects proposed to be undertaken at Gray Whale Ranch, on the grounds that the developments, as conditioned, will be in conformity with the provisions of the certified public works plan, as conditioned, and that there are no feasible alternatives, or feasible mitigation measures available, as provided in the California Environmental Quality Act, which would lessen any significant adverse impact that the development as finally proposed and conditioned may have on the environment.

II. RECOMMENDED CONDITIONS**A. RECOMMENDED CONDITIONS FOR GRAY WHALE RANCH PUBLIC WORKS PLAN PWP-7-97****1. Natural Resource Management**

As part of the preparation of the General Plan update to incorporate Gray Whale Ranch (or comparable planning process), the Department of Parks and Recreation shall more fully develop the natural resource management provisions contained in the *Gray Whale Ranch Public Works Plan*. The planned inventory shall include an identification of the type, extent, and baseline condition of

each significant habitat type (e.g., redwood forest, grasslands, sand parkland) and all other sensitive habitats identified in Santa Cruz County's *General Plan and Local Coastal Program* policy 5.1.2 and Appendix B.

Management measures shall be enumerated for each special habitat and species and for each planned activity and include those contained in the Santa Cruz County *General Plan*. The objective of the *General Plan and Local Coastal Program* to maximize public use and enjoyment of coastal recreational resources shall be addressed by including specific access management strategies necessary to address particular resource constraints, rather than blanket closures, wherever possible.

Specifically with regard to grasslands, the Department shall undertake (or participate in) a study of the desirability of restoring agricultural/grazing use of Gray Whale Ranch's grasslands. Such a study shall examine the benefits and drawbacks of re-establishing grazing from a resource and recreational perspective and shall include information about: historic conditions, alternatives for maintaining native grasslands and their special status plants, compatibility with planned recreational uses, potential resource impacts, State Park's policies and experiences elsewhere, and prospects for coordinated efforts with adjacent and nearby lands. The study results shall be factored into future submittals to the Coastal Commission (e.g., a future public works plan or amendment) concerning Gray Whale Ranch.

2. Trail Use Monitoring

In order to determine whether the management and monitoring measures included in the *Gray Whale Ranch Public Works Plan* are effective, the Department of Parks and Recreation shall develop a formal trail use monitoring program. This program shall include periodic counts and observations of trail use; a publicized, designated contact for reporting complaints; and documentation of responses. The documentation shall be included in, and the results factored into, future submittals to the Coastal Commission (e.g., a future public works plan or amendment) concerning Gray Whale Ranch.

3. Additional Trail Opening Consideration

If the Department of Parks and Recreation has not completed and submitted a General Plan covering Gray Whale Ranch (or equivalent comprehensive planning document) within three years, then the Department shall submit to the Coastal Commission by November 7, 2000 the following items:

- the results of the required monitoring (Condition #2);
- a public works project request to open additional roads or trails that provide: vista points; opportunities to resolve any use conflicts, pursuant to *Public Works Plan* provisions (page 16); and connecting links, to further Santa Cruz County *General Plan* objective # 7.7.a;
- evidence of consultation with park user groups;
- any necessary environmental documentation;
- management measures to address use conflicts and resource protection;
- a timetable for completion of the planning process to provide for public recreational use throughout Gray Whale Ranch; and
- based on the above analysis, a determination of whether or not it would be desirable to separate uses on any of the trails or prospective entrances by time, place, or other means.

(The deadline of this condition may be extended by the Executive Director if requested by the Department's Director for reasons of budgetary constraints).

4. Entrance Road/Parking Lot

Add a notation to Figure 4 "Proposed Parking and Northern Access" of the *Gray Whale Ranch Public Works Plan* to the effect: "Illustrative Only, Final Plans to Be Developed Pursuant to Specific Project Requirements."

B. RECOMMENDED PROJECT CONDITIONS; PWP 7-97-1

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. This public works project approval is not valid and development shall not commence until a copy of the project authorization, signed by the applicant or authorized agent, acknowledging receipt of the project authorization and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the public works project approval will expire two years from the date this project is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the public works project approval 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 *Gray Whale Ranch Public Works Plan*, subject to special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The public works project approval may be assigned to any agency qualified to undertake public works projects, provided assignee files with the Commission an affidavit accepting all terms and conditions of the public works project approval.
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.

SPECIAL CONDITIONS:

1. Opening Roads for Public Use: Approval to Open
 - a. Immediately upon this Coastal Commission action, the two roads leading from Empire Grade to Wilder Ranch State Park may be opened for public use, as proposed. If public use of a connecting trail in Wilder Ranch is restricted in the future in order to protect resources, corresponding measures shall be taken on the Gray Whale connection (e.g., signing at the Empire Grade trailhead that there is no through use into Wilder).
 - b. Prior to opening the road from Smith Grade to the parking area to equestrians and bicyclists, the Department of Parks and Recreation shall prepare and implement a short-term repair and maintenance plan to repair and stabilize eroded areas (e.g., with water bars, outsloping) and to remove hazardous debris.

2. Trail Maintenance: Plans

Any road/trail maintenance that requires the use of mechanized equipment to excavate for a culvert or to operate in riparian corridors or environmentally sensitive habitat areas shall be performed in accordance with an approved plan. Prior to first conducting this activity, the Department shall submit for Executive Director review and approval a maintenance plan or plans showing methods and limits of work along with any necessary California Department of Fish and Game approval or consultation. In areas that contain federally protected species, evidence of consultation with the U. S. Fish and Wildlife Service shall be provided where applicable.

3. Elimination of Unauthorized Roads: Plans

Prior to commencement of any road or trail removal or rehabilitation, the Department shall submit a plan identifying the segment to be eliminated, proposed techniques for closure and restoration, reasons for the closure, and any necessary California Department of Fish and Game approval or consultation. In areas that contain federally protected species, evidence of consultation with the U. S. Fish and Wildlife Service shall be provided where applicable. Appropriate reasons for closure shall be limited to lack of recreational value, potential for unmitigatable resource damage, or unavoidable administrative reasons (e.g., inability to provide ranger patrols).

4. Entrance Road from Empire Grade and Parking Lot: Final Plans

Prior to commencement of construction of the parking lot, the Department of Parks and Recreation shall submit final, revised plans. These plans shall show:

- location of toilets outside of Empire Grade viewshed;
- log curbings (or similar measures) along the entire edge of the parking lot and road open to motor vehicles;
- new fencing, only pursuant to approval of UCSC's Natural Reserve manager;
- method of construction and temporary materials used;
- evidence of Department Fish and Game consultation for the San Francisco popcorn flower and of U. S. Fish and Wildlife Service consultation for Gairdner's yampa, if necessary, and incorporation of the agencies' recommendations into the final plans.

These plans may also show:

- proposed "stobbers," if consistent with resource agencies' consultations;
- an opening at the fork in the roads to allow non-motorized access to bypass the parking lot area;
- signing indicating narrow or one lane road and a pullout area at the fork.

5. Entrance Roads: County Approval

Prior to commencement of any work within the County right-of-way, the Department shall provide evidence of approval from Santa Cruz County.

6. Parking Lot: Temporary Facilities

As temporary facilities, the parking lot and toilets must be removed within one year of approval of the General Plan covering Gray Whale Ranch, unless specifically provided for in a subsequent Coastal Commission public works plan (amendment, or equivalent) approval.

7. Lime Kilns: Plan for Protection

Prior to commencement of any protective work constituting development at the lime kilns, the Department shall submit plans for such work for Executive Director review and approval to ensure consistency with the resource policies of the *Gray Whale Ranch Public Works Plan*.

8. All Projects: Rare and Endangered Species Consultations

Prior to commencement of any work or activity that may impact a listed species, the Department shall provide evidence of its consultations with the State Department of Fish and Game and the U.S. Fish and Wildlife Service and incorporation of their recommendations into the project.

IV. RECOMMENDED FINDINGS

The Commission finds and declares as follows:

A. BACKGROUND AND DESCRIPTION

The California Department of Parks and Recreation has submitted a public works plan for the Gray Whale Ranch (including an entrance road area under easement from the University of California). This 2,319 acre site was acquired by the State in May 1997 from the Save-the-Redwoods League, who purchased it from a private landowner. The property is located just north of the Santa Cruz City, adjacent to Wilder Ranch State Park. The subject property includes diverse natural features: streams, forests, meadows, chaparral, mima mounds, and limestone caves (see *Gray Whale Ranch Public Works Plan* page 5). It is habitat to some thirty plants and animal species of special concern. Existing developments include several miles of unpaved roads and trails, perimeter fencing, caretaker mobile home, and lime kiln remnants. Historic uses of the park have included recreation, mining, crop cultivation, grazing, and logging. Four recent timber harvests have occurred, which were exempt from coastal permit review (Coastal Act Section 30106). There was a recent development proposal submitted to the County for a 73 lot residential subdivision on an 811 acre portion of the site, which galvanized interest in public acquisition.

The *Gray Whale Ranch Public Works Plan* is designed to allow the park to be open to some public use until the Department prepares a General Plan. The *Public Works Plan* foresees the Department revising the existing *Wilder Ranch State Park General Plan* (and *Public Works Plan*) as the comprehensive planning mechanism for Gray Whale Ranch, but no timetable is advanced (page 5).

State law, as quoted in the *Gray Whale Ranch Public Works Plan* (page 3), allows some use of existing and temporary facilities prior to completion of a General Plan. The proposed plan includes the following projects:

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- opening of eight miles of existing dirt roads to public access;
- road/trail and fence maintenance;
- elimination of unauthorized roads;
- entrance road gate and "stobbers" (a row of short posts or bollards) or fencing along entrance road;
- 10,000 square foot parking lot for 45 vehicles with barricades;
- two chemical toilets and two trash receptacles;
- information panel and informational and regulatory signs;
- stabilization devices, posting, and/or protective fencing at historic lime kiln.

The *Plan* contains eight Resource policies addressing special species and features. Associated with these policies are proposed management measures. These include research and education projects (under special permit), staff patrols for safety and resource protection, maintenance, further surveys and monitoring.

Under the Coastal Act agencies undertaking public works have the option of submitting public works plans to the Commission, as opposed to receiving coastal permits from local governments with certified local coastal programs (See Attachment C). The standard of review of this public works plan is that it must be consistent with Santa Cruz County's certified local coastal program (Coastal Act Section 30605). The standard of review for the public works projects is that they must be consistent with the Public Works Plan. Projects contained in an approved public works plan can be conditioned, but can not be denied, by the Coastal Commission (California Code of Regulations Section 13359b).

B. GENERAL CONSISTENCY WITH THE SANTA CRUZ COUNTY LOCAL COASTAL PROGRAM

The Santa Cruz County local coastal program consists of a land use plan (*1994 General Plan and Local Coastal Program for the County of Santa Cruz*) and implementation plan (selected sections of the County Code). Under the Coastal Act, the Commission must consult with and receive input from the local government to make a determination of public works plan consistency. The County Planning Director has submitted a letter dated September 29, 1997 indicating that the *Gray Whale Ranch Public Works Plan* conforms to relevant County land use plan and implementation plan policies. The Commission concurs in this evaluation and incorporates by reference the September 29, 1997 letter (Attachment B) into these findings of approval.

C. NATURAL RESOURCE MANAGEMENT

The *Gray Whale Ranch Public Works Plan* provides for natural resource management, including inventorying, monitoring, removing exotics, protecting special interest species, and maintaining ecosystems (page 11). The *Plan* lists and references some already documented habitats and species. In order to be consistent with the Local Coastal Program, it will be necessary for the Department to follow the County's definitions and lists of sensitive habitats (which are more inclusive than the State and Federal endangered species lists) in completing its resource inventory. The *Plan* also lists some preliminary management measures (e.g., removal of exotics, prescribed burning) and notes that ecological management planning is necessary. While there are different ways to present such management provisions (e.g., by species, by habitat, by activity, by watershed), it is important that all sensitive habitat types and all potential activities be covered. Where possible, specific access management strategies should be implemented with regard to particular resource constraints, as opposed to blanket closures (e.g., temporal, numerical, or specific user group restrictions; interpretation; facility design). This approach would carry out various provisions in the Santa Cruz

County *General Plan*, including Objective 7.7a "to maximize public use and enjoyment of coastal recreational resources... while protecting those resources from the adverse impacts of overuse." Resource management policies and programs from Chapter 5 of the County *General Plan* should be incorporated into the Department's plan.

With specific regard to grasslands, County findings indicate that the *Gray Whale Ranch Public Works Plan's* proposed limited public access use and associated facilities are consistent with the local coastal program. The Santa Cruz County *General Plan* has policies (#7.7.27 and 7.7.28) governing trails in and adjacent to agricultural areas. The land is currently not in any kind of agricultural use and the proposed use of existing trails will not harm the agricultural resource.

Nevertheless, with regard to long-term planning, parts of the property are mapped as grasslands and portions are designated for "Agriculture" in the County *General Plan*. Policy 5.15.18 states in part:

- (a) retain the maximum amount of commercial agricultural land in agricultural production within each state park unit;
- (b) require a site-specific justification demonstrating the overriding public access or recreational need, for removing agricultural lands from production or for not offering lands capable of farm production for lease.

At adjacent Wilder Ranch, the Commission in 1982 conditioned approval of the public works plan on the continuation of grazing leases. Under State Parks policy II.6, "generally, grazing or agricultural leasing is considered incompatible in units of the State Park System. However,... the Director may, with the concurrence of the [State Parks] Commission, permit grazing or agriculture where it is for the benefit of the unit" after careful consideration of the environmental consequences. Given the existence of mapped agricultural lands and grasslands on Gray Whale, the potential resource benefits of grazing, the presence of grasslands on adjacent properties (i.e., Wilder Ranch, University of California, and Younger), the cited *General Plan* policies, and State Parks' policy, the issue of reestablishing some grazing use deserves consideration in the Department's forthcoming planning process. What is needed is a study examining the benefits and drawbacks of re-establishing grazing from a resource and recreational perspective. Such a study would gather information about: historic conditions; alternatives for maintaining native grasslands and their special status plants; compatibility with planned recreational uses; potential resource impacts; State Park's policies and experiences elsewhere; and prospects for coordinated efforts with adjacent and nearby lands. The results of the study results would then be factored into the natural resource management decisions that the Department will be making in conjunction with preparing a Wilder Ranch State Park General Plan update incorporating Gray Whale Ranch.

In conclusion, as conditioned for future elaboration of natural resource management that accounts for County *General Plan* definitions and provisions and public access objectives, the *Gray Whale Ranch Public Works Plan* is consistent with the Santa Cruz County Local Coastal Program's Conservation provisions.

D. PUBLIC USE ISSUES

Two public comment opportunities have been available: one, on the environmental document (see Finding F) and one, on the *Gray Whale Ranch Public Works Plan*. As required by California Code of Regulations Section 13353.5 (see Attachment C), a public hearing was held on September 12, 1997. The Department provided a summary of the testimony and its responses to the points raised (see *Plan* addendum pp. 16-18)

1. User Conflicts

The majority of public comments have revolved around whether the eight miles of existing dirt roads proposed for public access should be used by mountain bicycles. The *Plan* provides for road access by hikers, equestrians, and bicyclists. Testimony in favor of mountain bike use noted that the roads exist, that mountain biking is a very popular and legitimate recreational use, that impacts from cycling are not severe, and that bicyclists are responsible and cooperative. Contrary testimony claimed that mountain bicyclists would be a hazard and an irritant to hikers and would create erosion damage. Suggested solutions included designating some trails and/or some days for hikers only, speed limits, closure periods, enforcement, and bicycle prohibitions on (single-track) trails.

With regard to conflicts among user groups, the Santa Cruz County local coastal program is supportive of public access, as noted in the September 29, 1997 letter (Attachment 3). *General Plan* Objective 7.7a paraphrases Coastal Act Section 30210: "To maximize public use and enjoyment of coastal recreation resources for all people, including those with disabilities, while protecting those resources from the adverse impacts of overuse." Objective 7.6 is "to establish a countywide system of hiking, bicycling and equestrian trails..." Policy 7.7.6 calls for the establishment of a system of hiking and bicycle trails. Policy 7.78 calls for the establishment of equestrian trails "where use conflicts can be resolved." As noted, the County has indicated that the State's proposal to allow multiple uses is consistent with these policies. The *Gray Whale Ranch Public Works Plan* references State Parks Department policy that paved and unpaved roads (fire, dirt, and service) over 5 feet wide can be open to multiple user groups. In this case, the roads proposed to be open already exist, are wide (generally at least eight feet), have good sight distance, have been used by logging trucks and other motor vehicles, and have been maintained. Thus, they have been judged suitable for equestrian and bicycle use, as well as pedestrian use, by State Parks personnel.

It is possible that if mountain bike use is reckless or is so perceived, then hiking use will be effectively curtailed and, hence, the policy objective no longer achieved. The *Gray Whale Ranch Public Works Plan* has several provisions to address possible problems: daily staff patrolling for public safety and active enforcement, user group self-policing, establishment of a maximum speed limit, dissemination of public information including signs and literature, and, if necessary, instituting closures or alternative use days or times. The *Plan* also commits the Department to reexamining the multiple trail use on adjacent Wilder Ranch State Park for the possibility of restricting some trails to passive use. The *Plan* further states that there will be more opportunities to address use conflicts as more roads and trails in Gray Whale Ranch are opened.

These measures could be bolstered in two ways, to ensure long-term consistency with local coastal program objectives. One is to institute a formal monitoring procedure for assessing use conflicts. Aspects could include a publicized, designated contact for reporting complaints and periodic counts and observations of trail use.

A second measure could be to accelerate opening of additional accessways, which could either disperse use or potentially could be limited to certain user groups (e.g., narrower trail reserved for exclusive pedestrian use). As noted, the local coastal program's objective is to maximize public use. There are several miles of trails and roads on Wilder Ranch not proposed to be open at this time. Some provide links to the roads to be opened, scenic vistas of the coastline, or parallel routes to the roads to be opened. The *Plan* provides that additional trails can be opened after environmental review is undertaken. As noted, the Department will be preparing a General Plan for the Gray Whale Acquisition which will amend the existing *Wilder Ranch State Park General Plan* and Public Works Plan. If this General Plan planning process is prolonged, it would be desirable for the Department to consider opening additional existing roads or trails in the interim. The Commission urges the Department to pursue this approach in a timely manner.

2. User Impacts

Some testimony suggested that resource damage might result from public use, especially by mountain bicyclists. These included running over Ohlone tiger beetles on the trails, causing erosion (especially at wet times), and harming resources from riding elsewhere than the designated roads. All of the possibilities are addressed by management measures contained in the *Gray Whale Ranch Public Works Plan*, including the ones mentioned above. Other measures offered include road maintenance with water bars or rolling dips, maintenance of the erosion control measures, opening of existing roads and trails only after thorough natural resource inventories have been completed and appropriate resource protection mitigations have been implemented, surveying areas within 25 feet of all areas proposed for public use for sensitive resources, posting warning to watch for Ohlone tiger beetles, and elimination of unauthorized trails. Again, these measures can be augmented by monitoring and possibly shifting trail or formalized use, as described above.

3. Conclusion

In conclusion, the proposed *Gray Whale Ranch Public Works Plan* provides for the use of some existing facilities and minimal temporary new facilities to enable the public to gain immediate access to Gray Whale Ranch. The bulk of concerned public testimony was directed at the potential impacts this recreational use could have on the users themselves and on the resources. Thus, the issue in this case is generally not the facility design, but management of the use of the facilities. The Commission recognizes the State Department of Parks and Recreation's authority and expertise to manage for both public use and resource protection, pursuant to Section 30401 of the *Coastal Act*. The Commission finds that the *Gray Whale Ranch Public Works Plan* includes several management procedures to address any use conflicts and resource problems that develop and that the *Plan* has been revised based on public testimony. As further conditioned for monitoring and timely consideration of opening additional trails, the *Plan* is consistent with Santa Cruz County's Local Coastal Program's public access policies.

E. PROPOSED PROJECTS' CONSISTENCY WITH THE PLAN

The Department is requesting authorization to proceed with all of the proposed projects listed in the *Gray Whale Ranch Public Works Plan* (see bulleted items above). Under Section 13358 of the California Code of Regulations, the Commission may concurrently consider a plan and the project(s) associated with it (see Attachment C).

Since the projects are listed in the *Plan*, they are obviously consistent, at least conceptually, with the *Plan*. However, some details are lacking to ensure that the projects are executed in a manner consistent with all the *Plan* policies. More detail is necessary to ensure that sensitive resources are identified and protected when undertaking the proposed projects.

1. Trail Opening, Maintenance, and Elimination

The *Plan* provides that roads will be maintained, including adding water bars or rolling dips. The Commission notes that only certain maintenance activities are projects under the California Code of Regulations (Section 13252). These include culvert repair with mechanized equipment within 20 feet of a stream and other repairs in or within 50 feet of a sensitive habitat area involving mechanized equipment or rip rap. Staff field review indicates that some maintenance and repair will fall under the Commission's purview. Therefore, it will be necessary to have more detail about these proposed activities, such as methods and limits of work and any necessary California Department of Fish and Game or U. S. Fish and Wildlife Service approval or consultation in order to ensure consistency with the *Plan's* resource protection policies.

The *Plan* provides that eight miles of existing roads will be open to public recreational use. This activity can be considered as a change in the intensity of use of land, defined as "development" that the Commission (or local government) must permit under Section 30106 of the Coastal Act. As noted, the roads proposed to be opened exist and have been maintained. However, one road, leading from Smith Grade, shows evidence of some recent neglect (e.g., eroded areas, debris) and, hence the need for some immediate maintenance. While it is passable for hikers, its condition should be improved before allowing cyclists and equestrians on it, both for their safety and to prevent further deterioration.

The *Plan* also provides for the elimination of unauthorized trails by various measures, including ripping, which may also fall under the Commission's purview under the circumstances noted above. The *Plan* provides that resource review will occur before any soil modifications. Again, plans detailing the proposed work will need to be prepared. Additionally, given that this *Plan* is only an interim blueprint prior to preparation of a General Plan and, hopefully, the opening of more existing trails (see above finding), it is important that access opportunities not be precluded by eliminating desirable recreational trails.

As conditioned for maintenance of the Smith Grade trail before it is opened to cyclists and equestrians, final plan review, and necessary resource agency consultation, the proposed trail opening, maintenance and elimination projects are consistent with the *Gray Whale Ranch Public Works Plan*, as conditioned.

2. Entrance Road and New Parking Lot

The only significant new facility proposed is a temporary parking lot for approximately 45 cars (see *Plan* Figure 4). The proposed site is located adjacent to an oak grove off an existing road. The immediate area served as a horse corral, and the general vicinity had been used for logging operations. Nevertheless, sensitive resources are present, but not yet documented in an official printed survey. The access road is approximately 14 feet wide through University of California Natural Reserve property on a 30 foot easement purchased by the Department. Directly adjacent to the road within the easement area is sensitive mima mound and grassland habitat. Wetlands may be present, as well, depending, for example, on whether or not depressions such as those between mima mounds

meet "wetland" definition criteria. The *Plan* proposes to fence the easement area. Once within the park boundary, this main road continues straight, but the Department proposes to close it to motor vehicles. Instead traffic will be directed toward the proposed parking lot, located on a short branch of the road. This segment of the road borders disturbed grassland/ mima mounds and contains rare plants. These include San Francisco popcorn flower and Gairdner's yampa. The *Plan* proposes "stobbers" (a row of short posts) or fencing to be installed along one side of the road to prevent vehicles from entering this sensitive grassland. The parking lot is proposed in two sections. Detailed parking lot plans are not available, but minimal work is outlined including clearing vegetation, gravelling the lots, and placing low profile barricades at the perimeter. From the parking lot users would be on a trail at the edge of the grasslands connecting back to the main road. Two chemical toilets and trash receptacles are also proposed, but their location has not been pinpointed.

There are several potential issues with this proposal. Fencing the easement area over the mima mounds could conflict with *Plan* policy to protect the mima mounds. Where the fence is beyond the existing roadway or where fencing or stobbers are not proposed, passing vehicles could intrude on adjacent sensitive lands. Channeling users who enter the Park by non-motoring means to the parking lot on a fairly narrow road, may unnecessarily create user conflicts. Placing the fence at the easement line, installing stobbers, and other potential improvements may conflict with the *Plan's* provision that the new parking lot is only temporary, pending completion of a General Plan. Although the *Plan* examined and rejected two parking lot alternatives, further evaluation of parking is necessary as part of a comprehensive planning process for the entire park, given the sensitive adjacent resources and the potential for restoration at the proposed location.

In order to prevent resource damage and to not commit to permanent improvements, the entire area proposed to be open to motor vehicles should be demarcated with log curbing or similar materials, located along the current edge of the entrance road and the parking lot. This would allow pedestrians and large emergency vehicles (e.g., a fire truck) to leave the roadway if necessary. Installation of the proposed fence should not damage the mima mounds, if done carefully pursuant to the University's Natural Reserve Manager's concurrence. Final plans should show toilet locations tucked into the trees out of view of Empire Grade, a designated scenic road under the County LCP. With regard to state or federal protected plants in the adjacent grasslands, the Department can either prepare a survey or assume presence and incorporate any mitigation. Thus, final project plans should reflect the results of consultations with the California Department of Fish and Game and the U. S. Fish and Wildlife Service. Based on these parameters, the Department may wish to include in the final plans an opening in any fence installed at the fork in the roads to allow non-motorized access to bypass the parking lot area, signing indicating a narrow and/or one lane road, and a pullout area at the fork. As conditioned for final plans which incorporate the changes enumerated in this finding, the proposed parking lot and use of the entrance road are consistent with the *Gray Whale Ranch Public Works Plan*, as conditioned.

3. Other Projects

The *Plan* mentions that "No Parking" signs may be posted on Empire Grade, but the Department will need permission from Santa Cruz County before undertaking this work (as well as any work within the right of way of Smith Grade). The *Plan* notes that DPR may develop stabilization plans for the lime kilns, but details are not yet provided. The *Plan* notes that DPR will consult with the State Department of Fish and Game and the U.S. Fish and Wildlife Service regarding special status species. Informal discussions have occurred, but no formal consultations to date have been completed. As conditioned for approvals from Santa Cruz County where necessary, lime kiln stabilization plans, and resource

agency consultations where necessary, the other project proposals are consistent with the *Gray Whale Ranch Public Works Plan*, as conditioned.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Department of Parks and Recreation issued a Negative Declaration for the proposed plan. Public comments were responded to and commensurate revisions to the Plan were made. Additional revisions were made in response to public hearing comments, as noted. By this action the Commission has imposed conditions to ensure that *Plan* policies are implemented in both the on-going park management and in the execution of the specific projects. The Commission notes that most facilities to be utilized already exist and the proposed new ones are of a temporary nature. There are no feasible alternatives, or feasible mitigation measures available, as provided in the California Environmental Quality Act, which would lessen any significant adverse impact that the *Plan* and its projects, as conditioned, may have on the environment.

D:14

Memorandum

Date : June 16, 2000
To : Greg Sherr, Park and Recreation Specialist
Santa Cruz District

RECEIVED
JUN 16 2000
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

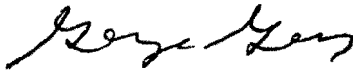
From : Department of Parks and Recreation

Subject: Biological surveys of Gray Whale Acquisition Parking area

Initial surveys occurred in 1997 by District Ecologist George Gray, and general information was included in the 1997 Gray Whale Public Works Plan.

More detailed surveys of the 100' by 100' site and vicinity were completed in November, 1999 by botanist Tim Hyland, and George Gray. The information from that survey was included in the January 18, 2000 Amendment to the Gray Whale Public Works Plan and Environmental Checklist for the California Environmental Quality Act review.

Monthly surveys of the site occurred in February, March, April, and May, 2000 by George Gray and Tim Hyland to determine if any late-winter or spring changes occurred to biological components. No significant changes were identified.



George Gray
District Ecologist

EXHIBIT NO. E
APPLICATION NO.
fwp 7-97-A1
fwp 7-97-2

California Native Plant Society

Intro - Letter of support.

George Gray
Resource Ecologist
California Dept. of Parks and Recreation
600 Ocean St.
Santa Cruz, CA 95061

January 1, 2000

Dear George,

I write to you on behalf of the over 300 members of the Santa Cruz County Chapter of the California Native Plant Society in support of the alternate location for the parking lot for Gray Whale Ranch access off Empire Grade. This location has been flagged by your staff and is to the north of the Twin Gates entrance along Empire Grade.

In our initial communications to your office concerning the proposed parking lot at Twin Gates, we indicated our preference for the parking facility to be placed in the location which your department has now indicated as its preference. Several biologists with our chapter have toured the site at various times and are in agreement that this is a superior location to the "Twin Gates" location for several reasons.

First, the new site is on the highest ground possible in the area; it is not apparently a jurisdictional wetland and does not support a wetland plant community. Second, the site is removed from the coastal prairie plant community, a threatened ecosystem. Third, the site does not contain sensitive plant species. Fourth, the site has better visibility- two tenths of a mile at least in each direction along Empire Grade.

Finally, we would like to help with locating the connector trail for this parking site to the Chinquapin trail. Ideally, this trail would parallel Empire Grade a few meters from the road, within the woodland for as long as possible on State Park land. Thereafter, the trail could veer through the woodland to the back of the former parking lot location. The alternative, a trail that passes through coastal prairie, is inundated with vernal pools in several locations. These pools have organisms that would be disrupted by traffic in the winter, and the prairie itself would be severely degraded by such traffic. It would be best to keep the access trail "high and dry"- closer to Empire Grade.

We applaud your department's decision to locate parking at this alternative location to protect sensitive mima mound wetlands natural resources. Please feel free to contact me if you would like further clarification or support on these matters.

Very Sincerely Yours,

Grey Hayes
CNPS Santa Cruz Past President

Cc: Fred Keeley, Assemblyman
Deb Hillyard, CDFG
Don Croll, Sierra Club

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EXHIBIT NO. <u>1</u>
APPLICATION NO.
Pw 8 7-97-A1
Pw P 7-97-2

Aerial Photograph Depicting Parking Lot Locations

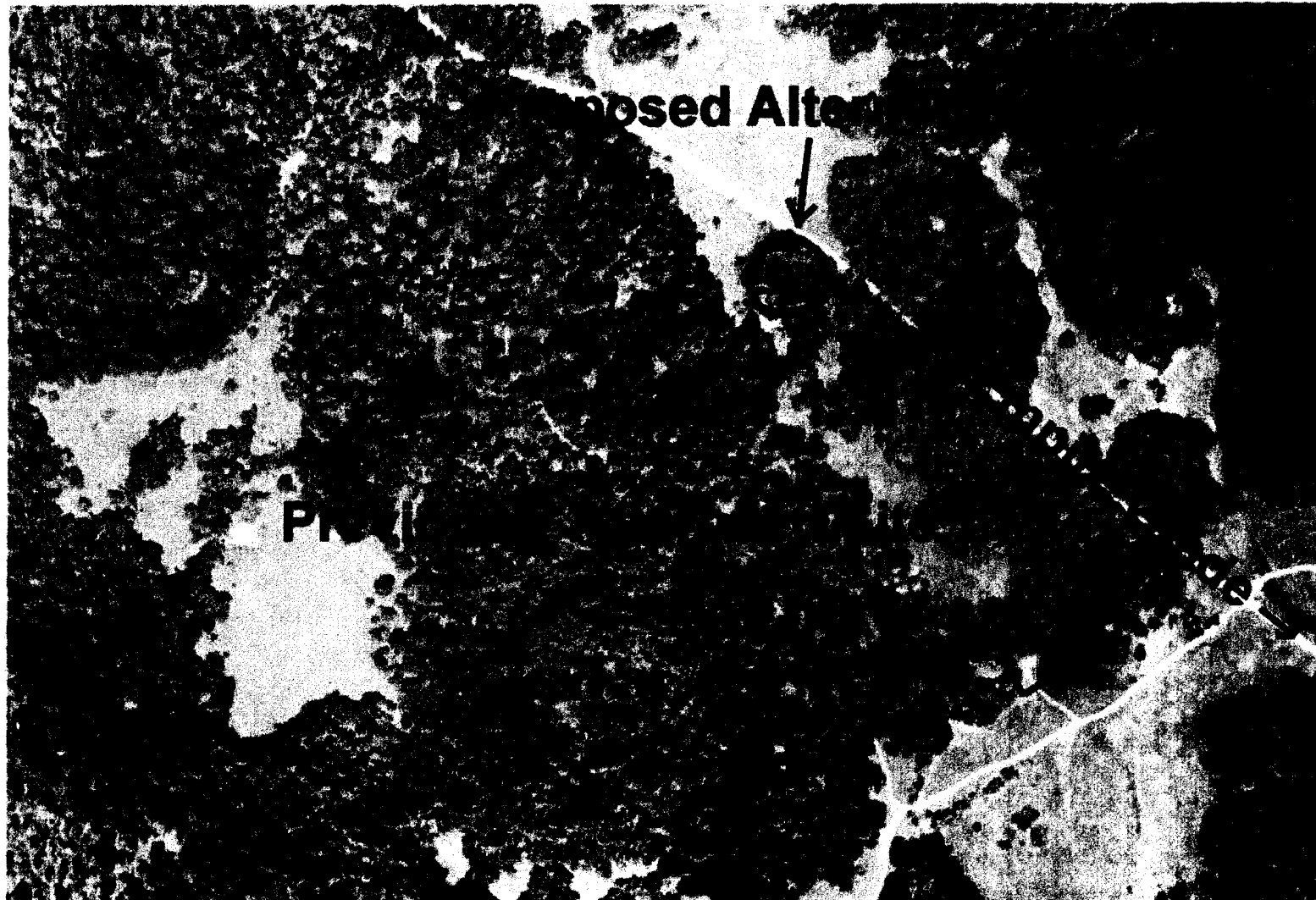


Exhibit G
Gray Whale Public Works Plan Amendment and Public Works Project
(PWP 7-97-A1 and PWP 7-97-2)