

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885



# Th11a

See additional correspondence received.

Filed: 09/24/2012  
180<sup>th</sup> Day: 03/23/2013  
Staff: K.Geisler - SC  
Staff Report: 10/25/2012  
Hearing Date: 11/15/2012

## STAFF REPORT: REGULAR CALENDAR

**Application No.:** 2-12-019

**Applicant:** City of Pacifica

**Location:** Two public City parking lots accessed from Highway 1 and fronting Pacifica State Beach (also known as Linda Mar Beach) in the City of Pacifica, San Mateo County.

**Project Description:** Install three parking meter ticket machines and implement a parking fee program between 8am and 8pm daily at the north and south parking lots of Pacifica State Beach.

**Staff Recommendation:** Approval with conditions.

---

## SUMMARY OF STAFF RECOMMENDATION

The City of Pacifica proposes to install three parking meter ticket machines at the Pacifica State Beach public parking lots, and to implement a parking fee program between 8am and 8pm daily. The parking fee program would be applied at the two currently free (no charge) heavily-used public City parking lots, known as the north and south parking lots, that currently provide 189 free public parking spaces immediately adjacent to Pacifica State Beach (also known as Linda Mar Beach) and accessed directly from Highway 1 in the City of Pacifica. The City has an agreement with State Parks to manage the beach and related facilities (including the parking lots), and is proposing the parking fee program as a means to support the management and maintenance of the beach and related facilities, including the parking lots. The City proposes to apply the revenues generated by the program toward this purpose, primarily to employ two new beach rangers to manage and watch over the beach area and to perform other duties, including to communicate with the public on beach and parking regulations; to help actively maintain the

beach area, parking lots, restrooms and showers; to enforce beach regulations, such as those related to littering and keeping dogs on leash; as well as to protect the coastal sand dunes and snowy plover habitat. The proposed fees would be \$3 for a period of less than 4 hours, \$6 for a period of more than 4 hours (or all day), or \$50 for an annual pass, and the City estimates that annual net fee revenues would be in the range of about \$300,000. According to the City, Pacifica State Beach is the most highly used beach in all of San Mateo County,<sup>1</sup> and it is a particularly popular surfing destination on the peninsula.

The City's proposal raises issues in terms of Coastal Act access and recreation policies that require public recreational access opportunities to be maximized, and that require lower cost visitor and recreational facilities, such as the beach and the parking lots in this case, to be protected. The proposed operation of a parking fee program at Pacifica State Beach would reduce lower cost visitor opportunities at a very popular destination, particularly for surfers, during most daylight hours (i.e., between 8am and 8pm). Although users could still pay the fee to park during this time, the free public parking supply at Pacifica State Beach would be reduced by 189 spaces (i.e., the number of spaces available in the two lots) during the day, and users who require or are looking for a free parking alternative will be forced inland, where it is more difficult to reach the beach (including requiring crossing Highway 1). The parking fee requirement at the beach lots would also disproportionately displace/affect beach users with lower incomes. In addition, the parking fee program would be expected to lead to spillover impacts along inland streets and parking areas by putting more pressure on nearby parking lots and on-street parking spaces that are currently free but that also already serve a public access parking function, as well as supporting local businesses, the community center, and surrounding residential neighborhoods.

In addition to these public access parking issues, the proposed project raises certain habitat concerns. Pacifica State Beach is a sandy beach with a back-beach coastal sand dune area that supports sensitive habitat in places. In particular, the northern end of the beach (i.e., upcoast of the parking lot locations) provides habitat for Western snowy plover, considered to be a Species of Concern in California and a Federally-listed Threatened Species. Those visitors who require or prefer free parking will need to find parking spaces inland, including inland of the more northern reaches of the beach, and there is a risk that such beach users could create and/or exacerbate existing 'volunteer' pathways through the sand dunes in order to access the beach more directly, bypassing the parking area and established access trails. Such increased presence in the dunes has the potential to adversely impact the snowy plover habitat.

In addition to the potential for the types of impacts identified above, the proposed project also includes positive coastal resource aspects. Specifically, the project includes additional beach management and maintenance provisions, including primarily funding two new beach ranger positions to help provide better overall beach management. Ideally, this could lead to a better recreational beach experience and improve overall habitat management. Thus, the proposed program has the potential to result in both beneficial and adverse impacts to protected coastal resources.

---

<sup>1</sup> City of Pacifica Police Department memorandum dated March 16, 2011 from Captain D. Bertini, to City of Pacifica City Manager Steve Rhodes, dated March 16, 2011.

Staff is sensitive to the City's identified need for revenue augmentation in order to better manage and maintain Pacifica State Beach facilities, and can understand why the City identified such a program to support such management activities, particularly in this time of limited public funding for such activities. However, Staff believes that the program as proposed does not adequately conform to the requirements of the Coastal Act, and cannot be approved as submitted. Fortunately, the proposed project provides a framework for considering this application that can be used to allow approval of the City's proposal in a manner that can still address the Coastal Act requirements to maximize and protect public recreational access, including parking facilities with adequate low cost options, as well as protect and preserve sensitive coastal habitat and species, and minimize degradation of coastal resources. Staff has worked closely with the City in order to address these requirements in this respect and City staff and Commission staff are in agreement on the recommended special conditions.

Specifically, the project can be conditioned to provide for a limited number (9 spaces, or about 5% of available parking lot supply) of free short-term parking spaces (time limit of 30 minutes); to monitor parking lot use as well as any spill-over parking impacts on more inland parking areas; to monitor and protect against snowy plover/dune impacts; to ensure that all generated funds are used exclusively for the purpose of Pacifica State Beach management and maintenance activities; to ensure that the beach and parking lot remain open 24 hours a day (even if the fee program only runs 8am to 8pm); and to limit the length of development authorization to a period of 5 years so that the program can be re-evaluated and adjusted as necessary at that time, should the City choose to pursue it past the initial 5-year time frame. Staff believes that a conditioned approval of this sort provides overall benefits to the beach recreational access experience and beach habitats through augmented management that appropriately offsets and limits potential impacts and allows for re-evaluation of the program before it is again authorized.

Staff recommends **approval** of coastal development permit application 2-12-019 as conditioned. The motion is found on page 5 below.

## **TABLE OF CONTENTS**

<b>I. MOTION AND RESOLUTION .....</b>	<b>5</b>
<b>II. STANDARD CONDITIONS.....</b>	<b>6</b>
<b>III. SPECIAL CONDITIONS.....</b>	<b>6</b>
<b>IV. FINDINGS AND DECLARATIONS .....</b>	<b>8</b>
<b>A. PROJECT LOCATION.....</b>	<b>8</b>
<b>B. PROJECT DESCRIPTION.....</b>	<b>9</b>
<b>C. COASTAL DEVELOPMENT PERMIT DETERMINATION .....</b>	<b>10</b>
<b>D. PUBLIC ACCESS AND RECREATION.....</b>	<b>10</b>
<b>E. SENSITIVE HABITATS .....</b>	<b>16</b>
<b>F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).....</b>	<b>18</b>

## **APPENDIX A**

Substantive File Documents

## **EXHIBITS**

Exhibit 1 – Project Location

Exhibit 2 – Site Photos

Exhibit 3 – Site Plans

Exhibit 4 – City Revenue and Expenditure Analysis

Exhibit 5 – State Parks Approval

Exhibit 6 – Operating Agreement between State Parks and City of Pacifica

Exhibit 7 – Correspondence

Exhibit 8 – Western Snowy Plover Habitat Area

## **I. MOTION AND RESOLUTION**

### **Motion:**

*I move that the Commission **approve** Coastal Development Permit Application No. 2-12-019 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **Resolution:**

*The Commission hereby approves a coastal development permit 2-12-019 and adopts the findings set forth below on grounds that the development, as conditioned, will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*

## II. STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **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.

## III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Final Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit for Executive Director review and approval two sets of final plans in substantial conformance with project description package submitted with the application (dated April 28, 2011 and dated received in the Coastal Commission's North Central Coast District Office on May 3, 2011). Such plans shall clearly identify the location, dimension, and materials of the three parking ticket machines, all signage associated with the pay parking program and the project, and all other related development. Such plans shall include designation of at least nine free, short-term (up to 30 minutes) parking spaces (at least six in the north lot and at least three in the south lot) sited to maximize their utility for short-term parking needs (i.e., for surf check, picture taking, sunset viewing, etc.). All approved development shall be limited in scale and scope as much as possible to allow program implementation and clarity while at the same time protecting the public viewshed. The final plans shall provide a mechanism for the Executive Director to review and approve minor project changes, where such approval may only be granted if such changes will not adversely impact, and/or will enhance coastal resources, including coastal access (e.g. modifying program signage to make the program clearer to the public and/or more aesthetically pleasing). The Permittee shall undertake development in accordance with the approved Final Plans.
2. **Parking Monitoring Program.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit for Executive Director review and

approval two sets of a parking monitoring program that shall, at a minimum, incorporate the following:

- a) Monitoring shall be conducted throughout the period that the pay parking program and all related development remains authorized by this CDP.
  - b) Monitoring shall occur at all parking lot and on-street parking areas within a 1,500 foot radius of the two Pacifica State Beach parking lots (north and south), including at the Pedro Point, Linda Mar, Pacifica Community Center, and Crespi Shopping Centers, and including along San Pedro Avenue, Desolo Drive, Crespi Drive, Roberts Road, and Linda Mar Boulevard.
  - c) Monitoring shall occur on the first Saturday of each month as well as the Monday of Memorial Day and Labor Day weekends, for a total of 14 days per calendar year.
  - d) Monitoring shall consist of:
    - Parking counts (for the parking lots) and digital video with written estimates (for other monitored parking areas) taken at the approximate hours of 9:00 a.m. and 3:00 p.m. for each area.
    - Identification of temperature, weather and surf conditions at the time of each parking count.
    - Digital video documentation of parking in the parking lots, and digital video and/or photos (both hard copy and jpg formats) of other monitored parking areas, at the time of each parking count.
    - Assessment of changes in parking usage in monitored areas.
    - Documentation of observed turnover rates for the parking lots.
    - Continuous parking data, if available, for the parking lots.
- 3. Dune Protection.** Pacifica State Beach rangers shall monitor the multi-use coastal trail area adjacent to Pacifica State Beach (east of the sandy beach) and shall take action to help prevent dune/plover habitat impacts, including to direct users to developed trails and away from informal trails through the dunes (including through public outreach, enforcement of dog-leash laws and regulations, trash clean-up, exclosures/symbolic fencing, educational signage, etc.).
- 4. Annual Project Reports.** The Permittee shall annually submit, by December 31st of each year that the pay parking program and all related development remains authorized by this CDP, for Executive Director review and approval, two sets of an annual project report.. The annual project report shall, at a minimum, include:
- a) All materials and information associated with the approved parking monitoring program (see **Special Condition 2** above). All such monitoring data shall include both narrative and illustrative (e.g., videos, photos (both hard copy and jpg formats), tables, graphs, etc.) explanations, including details related to at least monthly and yearly trends with

supportive documentation.

- b) An accounting of all revenues and expenditures associated with the pay parking program, including at a minimum an accounting broken down by at least month and year of the amount of fees collected, including by fee categories (i.e., less than four hours, over four hours, annual pass, etc.); and the amount of expenditures from the fees collected, including broken down by expenditure categories (e.g., beach ranger salaries, parking lot maintenance, beach maintenance, etc.).
  - c) An assessment of the overall effect of the pay parking program and its related expenditures on beach access, parking (in the parking lots and the other parking monitoring areas), dune/plover habitat (including a description of actions taken pursuant to **Special Condition 3**), and overall beach management and public recreational utility at Pacifica State Beach.
  - d) Recommendations on minor project modifications to make the program operate more effectively and efficiently, and to better protect coastal resources. Such measures shall be implemented pursuant to the time frame approved by the Executive Director.
- 5. Five-year Authorization.** The development authorized by this CDP shall be authorized through November 15, 2017, and shall not be authorized after that date by this CDP. The three ticket machines and all related signage/development shall be removed and the pay parking program discontinued by November 15, 2017, unless there is a CDP application that has been submitted for Coastal Commission approval to reauthorize such development and the pay parking program by that time, in which case it may remain and continue until either: 1) the application has been deemed withdrawn by the Executive Director for lack of due diligence in completing the application and/or for lack of application activity; or 2) the Commission acts on the CDP application request. Any such CDP application shall include all monitoring and related results of the parking monitoring and dune protection programs (see **Special Conditions 2 and 3**) and the annual reports (see **Special Condition 4** above).
- 6. Beach and Parking Hours.** Absent evidence of a CDP authorizing reduced hours, the beach and parking area shall remain open 24 hours per day.

## IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

### A. PROJECT LOCATION

The proposed project is located at Pacifica State Beach in the City of Pacifica in San Mateo County (see **Exhibits 1 and 2**). Pacifica State Beach, also known as Linda Mar Beach, is the southernmost beach area in the City of Pacifica. It is an approximately three-quarter mile long crescent-shaped beach that is located at the mouth of the San Pedro Valley fronting downtown Pacifica. The beach area is generally bounded by the Pacific Ocean to the west, rocky headlands to the north and south, and Highway 1 to the east (see **Exhibits 1 and 2**). East of Highway 1 is the City's Linda Mar residential subdivision and downtown commercial development. Public beach recreational facilities have been present at Pacifica State Beach for almost 40 years. These



facilities were originally installed by the State when the beach was being managed directly by State Parks, include two parking lots, restrooms, outdoor showers, and a segment of a coastal multi-use public access trail, which is Americans with Disabilities Act (ADA) compliant, that extends through Pacifica State Beach from the Rockaway headlands to the north and along the beach southward past Linda Mar Boulevard. The State transferred management of Pacifica State Beach to the City in 1990, at which point the City assumed primary responsibility for operational management and maintenance subject to the terms of the 1991 agreement between State Parks and the City (see **Exhibit 6**).

Pacifica State Beach is the one of the first and most popular beach recreational areas south of San Francisco, particularly for recreational activities such as ocean swimming and surfing. The beach and its offshore waves are particularly popular with surfers, with some saying that it may be the most used beach for surfing located north of Santa Cruz.<sup>2</sup> The beach is also known to provide habitat for the western snowy plover as both a wintering and nesting location.

The two existing Pacifica State Beach parking lots are popular and convenient parking locations for the public, including being used by general beach users, surfers, joggers, fisherman, dog-walkers, and others who enjoy the natural ocean setting and overall coastal experience. The City indicates that the beach and the parking lots are currently open 24 hours a day without curfew or restriction. The parking lots are located immediately west of Highway 1 between Linda Mar Boulevard and Crespi Drive, where they provide a combined total of 189 free parking spaces, including nine spaces that are ADA compliant. Nearby parking areas that are also used for beach parking consist of private parking lots at Pedro Point, Linda Mar, and Crespi Shopping Centers, and public parking lots at the Linda Mar Park-n-Ride Lot (located at Highway 1 and Linda Mar Boulevard) and the Pacifica Community Center (located at 540 Crespi Drive). Free on-street parking open to the public in the vicinity of the proposed project site can also be found on San Pedro Avenue, Desolo Drive, Crespi Drive, Roberts Road, and Linda Mar Boulevard.

See **Exhibit 1** for the project site location map, **Exhibit 2** for site photographs and **Exhibit 3** for site plans.

## **B. PROJECT DESCRIPTION**

The City proposes to install three parking meter ticket machines at the north and south parking lots at Pacifica State Beach (see **Exhibits 2 and 3**), and to implement a parking fee program. One machine would be installed at the south parking lot and two at the north parking lot (see **Exhibits 2 and 3**). The parking meter machines are roughly 15 inches by 10.5 inches at the base, and 79 inches tall. The proposed parking fees would be \$3.00 per vehicle for less than 4 hours use, and \$6.00 for 4 hours or more (or all day). Parking lot users could also purchase an annual parking permit for \$50.00 per year.

The proposed parking fees would apply to vehicular parking only. Members of the public who walk or ride bicycles into the lots would not be required to pay a fee. Parking fees collected via the proposed parking program would be used to cover costs associated with managing and maintaining the beach and related facilities, including primarily to employ two new beach

---

<sup>2</sup> Personal communications from Greg Cochran, President of the Pedro Point Surf Club, to Renee Ananda, Coastal Commission Coastal Planner (November 8, 2011 and November 9, 2011).

rangers to manage and watch over the beach area; to communicate with the public on beach and parking regulations; to help actively maintain the beach area, parking lots, restrooms and showers; to enforce beach regulations (such as those related to littering and keeping dogs on leash); as well as to protect the coastal sand dunes and snowy plover habitat.

The beach and parking lots would remain open 24 hours per day, with the parking fee program operating daily from 8 am to 8 pm.

See **Exhibit 3** for proposed project site plans, **Exhibit 4** for a description of estimated revenues and expenditures, and **Exhibit 5** for State Parks approval of the program (which is subject to approval of this CDP application).<sup>3</sup>

### **C. COASTAL DEVELOPMENT PERMIT DETERMINATION**

The proposed project is located within the Commission's retained CDP jurisdiction area. As a result, although the City of Pacifica's certified LCP can provide non-binding guidance (and applicable LCP policies are detailed below), the standard of review for this application is the Coastal Act.

### **D. PUBLIC ACCESS AND RECREATION**

#### **APPLICABLE POLICIES**

Public recreational access, including parking access.

***Section 30210:** In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

***Section 30211:** Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

***Section 30212:** (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby...*

***Section 30212.5:** Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

***Section 30213:** Lower cost visitor and recreational facilities shall be protected,*

---

<sup>3</sup> Note that the City of Pacifica originally proposed a similar version of this proposed project in 2007 (CDP application number 2-07-042). Portions of that project (i.e., information kiosks and interpretive signs) were ultimately pursued and approved separately (through CDP waiver number 2-08-019-W). The City ultimately withdrew CDP application number 2-07-042, and instead decided to pursue the current application before the Commission.

*encouraged,, and, where feasible, provided. Developments providing public recreational opportunities are preferred. ...*

***Section 30220:*** *Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.*

***Section 30221:*** *Oceanfront land suitable for recreational use shall be protected for recreational use and development ...*

***Section 30223:*** *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

Other Coastal Act policies also are relevant to the public recreational access issues presented by the proposed project, including:

***Section 30240 (b):*** *Development in areas adjacent to...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...recreation areas.*

***Section 30252:*** *The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation,....*

The City of Pacifica's LCP also protects public recreational access and coastal resources, including as follows:

***C-5 4:*** *Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.*

***C-107:*** *Waterfront sites should be developed in visitor-serving uses with a priority placed on those uses serving families and individuals with low and moderate incomes.*

***C-63 4:*** *Pacifica recognizes the importance of coastal access and is committed to work actively to achieve this vital key to its coastal image. The City will seek funding assistance for its acquisition and development of as many public access points as possible; and will regulate developments that the access provided will be consistent with the Coastal Act. Maintenance of publicly owned access is an item of major concern. Currently, State and Federal agencies do not fund maintenance for facilities they develop...Every effort will be made to seek new and creative alternatives to provide funding for the ongoing expense of publicly owned beach accesses and support facilities.*

## **ANALYSIS**

Among the most important goals and requirements of the Coastal Act is the mandate to protect, provide, enhance, and maximize public recreational access opportunities to and along the coast

consistent with strong resource conservation principles. Within this guiding framework, the protection of and priority for lower cost visitor and recreational facilities is explicitly identified.

Pacifica State Beach is owned by State Parks and managed and operated by the City under the 1991 Operating Agreement (see **Exhibits 5 and 6**). The City is required to operate the State Beach consistent with the purposes of the State Park System, and may establish rules and regulations for the use and enjoyment thereof by the public. The Agreement requires that the City care for, maintain, operate, and control State beach property, including the parking lots. Per the Agreement, any charges, fees, or collections made by the City for services, benefits, or accommodations to the general public are limited to actual needs for the care, maintenance, and control of the property. The City is not allowed to otherwise profit from any such fees, and such fees cannot be diverted away from the sole use for Pacifica State Beach.

The City indicates that the intent of the proposed development is to provide sufficient revenue to enable the City to better maintain and operate the State Beach and its associated facilities for the benefit of the public. The parking lots are currently open 24 hours a day and provide a total of 189 parking spaces that are currently available free of charge. The City also operates two public restroom buildings and outdoor shower facilities at the site. Currently, the City estimates that annual maintenance and upkeep costs for the State Beach are \$160,000 (see City's estimated revenue and expenditure analysis in **Exhibit 4**). The City hopes to use the revenue from the proposed project to help allow for \$224,000 in new City expenditures (for a total of \$384,000 in expenditures annually) for beach rangers; annual parking lot maintenance; police services (1/3 PY of an officer); and annual expenses related to the parking ticket machines. The City estimates that the total annual revenue from the proposed parking fee program would be \$302,067. While this estimated revenue amount is less than the estimated total expenditures, the City indicates it will help to offset the City's costs to hire two new beach rangers; maintain the parking lots, bathrooms, and showers; and provide the associated parking ticket machine annual costs; and police services. The actual breakdown of the estimated costs and revenues is provided in **Exhibit 4**. The parking lots would continue to remain open 24 hours a day, with no fees from 8pm to 8am, but with fees being charged during the day from 8am to 8pm.

Currently, the safest points of access to the beach for pedestrians are at the signalized intersections of Linda Mar Boulevard and Highway 1, and Crespi Drive and Highway 1. There is direct connection at these intersections to the coastal public access multi-use trail that extends along the shoreline at the inland edge of Pacifica State Beach. Pedestrians can then access the sandy beach itself at multiple points along this coastal trail (see **Exhibit 2** pages 5-7). The parking lots also provide direct access to the trail and the beach itself. The proposed parking fee program would apply to motorized vehicles only, and as stated above, pedestrians and bicyclists would not be required to pay a fee.

As discussed, Pacifica's main beach is very popular and heavily used. The parking lot is often filled to capacity, especially during peak usage times (i.e., generally early mornings and late afternoons, particularly on weekends), and is particularly popular with surfers. The proposed fee system for use of these lots raises a threshold question of whether this new parking fee program represents an adverse impact to public recreational access that cannot be reconciled with the Coastal Act. Coastal beach areas provide an important public recreational function, and free parking access, such as that provided at Pacifica State Beach, is often in high demand. Pacifica State Beach also exemplifies the interface between human recreational use of a coastal area and a

natural habitat that is also used by a sensitive species, in this case the snowy plover in the northern back beach area. Thus, any imposition of a new cost for parking access to this area that is currently free, and the way such fee collection affects site resources, must be thoroughly reviewed.

The City reports that currently there is only one beach ranger for Pacifica State Beach. Over the years, the City indicates that beach users have expressed frustration over what they perceive as a lack of State and/or City presence to ensure that beach users are informed of and follow beach regulations, particularly with respect to the protective measures required for western snowy plover and the requirement to keep dogs on a leash (**Exhibit 7**). The City sees the parking fee program as a revenue tool to help better address such management challenges.

Many areas of urbanized California coastline have some form of parking fee or program, and these are generally driven by public safety, public access regulation, and revenue generation objectives, all of which are among the stated purposes of the City in this application. The cited Coastal Act policies make clear that maximum recreational access must be provided for all segments of society. Those policies also require that lower cost visitor and recreational facilities be protected, and require that adjacent park and recreation areas, like the beach, be protected from the effects of adjacent development.

As indicated, this location is a popular parking area for visitors to Pacifica State Beach, including its offshore waters. The new proposed fees would negatively impact public access during the day by making it more costly to park and access the beach and its facilities. It would also require visitors to the area who are not willing, or unable, to pay for parking to seek free parking further away from the beach, thus leading to less low/no-cost parking availability overall in the area. The parking fee program could also have unintended impacts to public access, including traffic circulation. There is the potential for a “spill-over” effect that may occur whereby parking patterns are changed and result in increased beach visitor parking in adjacent commercial and residential areas that are currently free of charge, or where fees are lower. In short, the fees would decrease existing daytime public recreational opportunities at Pacifica State Beach.

Furthermore, recent trends in parking regulations raise concerns about the cumulative impacts of individual projects like this on the ability of the public to readily park and access the shoreline more broadly. Over time, the establishment of parking regulations can lead to a diminishing number of free and low cost, unrestricted parking spaces for prime visitor destinations, including such as is present at Pacifica State Beach. The cumulative impact of the proposed program thus must also be considered, especially for those in need of lower cost facilities in order to access the coast at all. Where the Commission has acted to approve parking programs that restrict the general public from free parking, the local government has generally been required to relocate or provide free parking elsewhere.<sup>4</sup> Even in cases where the proposed parking restrictions were limited to timing restrictions (and not fees), the Commission has required offsetting mitigation in the form of ensuring the continuation of free unrestricted parking nearby.<sup>5</sup>

---

<sup>4</sup> See, for example, previous Commission actions on the following applications: 3-04-027 as amended (City of Pacific Grove), 5-84-236 (City of Hermosa Beach), 5-98-42 (City of Long Beach), 5-02-380 (City of Santa Monica), and 5-02-422 (City of Seal Beach).

<sup>5</sup> See, for example, A-3-STC-07-057 (City of Santa Cruz).

The proposed project in this case would displace some visitors from existing free parking at the beach during the day, leaving only pay for parking as an alternative at the beach parking lots. Although the City is proposing to impose fees between 8am and 8pm on the 189 spaces that were previously free of charge, the City is not proposing to offset this existing free daytime parking and replace it elsewhere (e.g., a more inland lot served by a shuttle).

For these reasons, the proposed parking fee program does not maximize and protect public recreational access or protect and provide lower cost facilities as required by the Coastal Act. At the same time, the City proposes use of the funds for beach area maintenance and includes the parking lots, restrooms, showers, etc.). This is not generally typical of the types of pay-for-parking proposals that the Commission often sees that are for the purpose of increasing general fund revenues, and where the connection of the revenues collected to their use in the affected area is less direct and tangible. In this case, the funds would be put to use exclusively where they are generated, and explicitly for beach recreational access and management. As such, the proposed project also has the potential to enhance public recreational access opportunities, including low/no-cost access, associated with beach and (non-parking) facility use in general at the site.

Regarding the Coastal Act requirement to protect lower cost public access facilities, one option (short of no fees) would be to look to lower cost fee models. For example, State Parks provides day-use fees for various parks, beaches, historic parks and monuments, vehicular recreation areas, recreation areas, and museums. The average fee for parking at State Parks beaches that require a parking fee is a flat rate of approximately \$10.00 per day. Other State Parks beaches in San Mateo County that include parking facilities that charge for parking include State Parks parking lots at Pescadero, Pomponio, and San Gregorio State Beaches. These State beaches are located between 24 and 30 miles south of Pacifica. All have developed parking facilities and charge a day-use parking fee of \$8.00 per day.<sup>6</sup> Montara State Beach, located approximately 5 miles to the south of Pacifica State Beach, has no parking fee. Within that framework, and absent a no-cost option (which would also mean the benefits from the fees would not accrue), the proposed fees of \$3 for a period of less than 4 hours, \$6 for a period of more than 4 hours (or all day), and \$50 for an annual pass, are within the parking fee range applied in other nearby cases.

Thus, if a fee is to be charged in order to provide the type of non-parking public recreational access enhancement, the City's proposed project provides a framework for considering this application that can be used to allow the City's proposal while providing modifications that can still address the Coastal Act requirements to maximize public recreational access, including through the provision of parking facilities, and including those necessary to ensure adequate low cost options.

Specifically, the beach and parking lot hours can be clarified, free short-term spaces can be allocated, the effect of the program on parking access can be monitored and measured, and the project can be discontinued or modified following its initial 5-year length of authorization..

Accordingly, **Special Condition 6** explicitly requires the beach and parking lots to remain open 24 hours per day. Thus, parking will remain free between the hours of 8pm at night and 8am in

---

<sup>6</sup> Parking fees at Poplar State Beach, a municipal beach located approximately 13 miles south of Pacifica operated by the City of Half Moon Bay charges vehicles less than 20 feet in length \$2.00 per hour and \$10.00 per day; and for vehicles longer than 20 feet \$3.00 per hour and \$15.00 per day. Half Moon Bay Residents can pay \$50.00 for an annual parking pass.

the morning every day. In order to address short-term parking needs, including to provide for short-term “surf checks”, **Special Condition 1** ensures that visitors who may only want to use the site for a short time frame have reasonable access (e.g., for drivers taking a short break from the highway, surfers checking surf conditions, sunset viewing, etc.). Specifically, the City is required to designate six parking spaces in the north lot and three in the south lot for free short-term (up to 30 minutes) parking in the portion of the lot that will maximize their utility for short-term parking needs. The 9 short-term spaces account for approximately 5% of the overall parking lot spaces, and represent an appropriate number to address such short-term needs at this location.

With regards to the effect of the program on parking access locally, **Special Condition 2** requires monitoring and annual reporting as per **Special Condition 4**, with a subsequent final monitoring report to be submitted at the end of the 5 years. **Special Condition 2** requires parking monitoring designed to document the use of the two parking lots, adjacent free private and public lots, and on-street parking. The monitoring required under **Special Condition 2** will assist with determining if the parking fee is resulting in significantly less use of the parking lots and Pacifica State Beach facilities, and the degree to which it is impacting surrounding areas and coastal resources, including with respect to public access. Under **Special Condition 2**, the City will closely monitor the nearby neighborhoods and parking lots (**Exhibit 2** page 8), such as at the Linda Mar Shopping Center and other commercial establishments, to identify the ways in which parking demand may have shifted (including shifting to other forms of transportation, like public transit<sup>7</sup>), and to ensure that the proposed parking fee program is not negatively affecting these areas via increased use<sup>8</sup>. The City will also ensure dune protection as per **Special Condition 3** by monitoring the trail area to help prevent dune/plover impacts (see also Sensitive Habitat findings below). Minor project modifications to make the program operate more effectively and efficiently, and to better protect coastal resources, may be approved by the Executive Director during the initial 5 year period, including in response to monitoring data.

In order to ensure that the revenues are used as proposed, **Special Condition 4** requires an accounting of all revenues and expenditures associated with the pay parking program.

To ensure that the program is appropriately defined, including in terms of signs and user information, **Special Condition 1** requires that final plans be submitted that provide all details on the parking meter machines, all program signage, and all related development, with the intent being to avoid impacting the overall ambiance of the site with excess signage and development, at the same time as providing adequate direction and clarity to site users. Any modifications to the approved development, including but not limited to a change in hours of operation, fees charged, number/quantity of parking meter ticket machines, and the locations for the installed machines (other than minor changes that will reduce coastal resource impacts), will require additional review and approval by the Commission.

---

<sup>7</sup> There are five bus lines operated by SamTrans that run through the City of Pacifica, these include the 14, 16, 110, 112, and 118 lines. There are bus stops at the Crespi and Highway 1 intersection in both the northern and southern directions. There are five stops in the Linda Mar neighborhood located just east of the project site and additional stops along Linda Mar Boulevard, Crespi Drive, and other travel routes in the area. Thus, SamTrans provides beach users with an alternative means of accessing the beach should they choose and/or be able to not drive to the site.

<sup>8</sup> The City indicates that it already has digital video baseline data for the parking lots and the more inland parking areas to compare against.

And finally, **Special Condition 5** limits the length of development authorization to five years.

## CONCLUSION

Although the proposed project has the potential to adversely affect public parking access, including low cost parking access, it would also lead to some enhancement of the beach recreational experience via enhanced management and maintenance measures. After five years, if the Applicant wishes to continue the fee program, a new CDP application will be required and the results of the monitoring will be used to ensure that any development authorized under a subsequent permit will not result in significant adverse impacts to coastal resources, including public access.

Therefore, provided the project is conditioned so that it is limited in scope and duration, project impacts are closely monitored and identified, and project revenues are directly earmarked to public recreational access enhancement at Pacifica State Beach, the Commission finds the proposed project, as conditioned, consistent with the Coastal Act's public recreational access requirements as cited above.

## E. SENSITIVE HABITATS

### APPLICABLE POLICIES

The Coastal Act provides protection for habitat areas, including those that are considered to be environmentally sensitive habitat areas (ESHAs), and on and offshore marine resources, including as follows:

***Section 30240:** (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.*

***Section 30230:** Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Similarly, the LCP provides as follows:

***C-7 18:** Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. 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 such areas, shall be compatible with the continuance of such habitat areas.*

***C-103:** Native vegetation shall be protected. In areas disturbed by development, revegetation shall occur promptly with native or low maintenance natural vegetation to*



*reduce erosion potential; landscaping plans should be required.*

**C-104:** *Trails and beach accesses across native coastal vegetation shall be designed to protect the vegetation from trampling and scarring.*

#### ANALYSIS

The three parking meter ticket machines themselves would be installed at the two existing parking lots within asphalt-paved areas. Thus, the installation of these machines would not result in any direct physical impacts to the adjacent natural beach area. Rather, the potential sensitive habitat impacts are related to the effects on snowy plovers of implementing the parking fee program itself.

The snowy plover habitat area is concentrated in the back dunes at the northern end of Pacifica State Beach (to the north of Crespi Drive) (**Exhibit 2** page 4) where approximately 3.5 acres of active dunes serve as foraging and potentially future nesting habitat for this shorebird species.<sup>9</sup> This area has also been identified as a breeding and wintering location for plover. Plover nesting season runs between mid-March to mid-September. The City's LCP identifies this area as an environmentally sensitive habitat area (ESHA).

Western snowy plover (*Charadrius alexandrinus nivosus*) is a California Species of Concern and a Federally-listed Threatened Species, including due to loss of nesting habitat from development, invasion of non-native plants (such as European beach grass), and predation. The Pacific coast population of the western snowy plover breeds and overwinters in coastal areas extending from Damon Point, Washington, south to Bahia Magdalena in Baja California, Mexico (including both Pacific and Gulf of California coasts). The U.S. Fish and Wildlife Service's (USFWS's) Recovery Plan (2007) for western snowy plover states that habitat destruction is the main cause for the species' decline. The Plover Recovery Plan, additionally, identifies management measures needed in order to protect it, including enforcement of rules and regulations, management of pets (e.g., keeping dogs on leash, etc.), and on-site signs to educate the public. Similarly, management recommendations for snowy plovers made by the Point Reyes Bird Observatory (PRBO) include the above measures as well as suggesting additional actions to improve habitat and provide ongoing monitoring.

Environmental organizations, such as the Pacifica Shorebird Alliance, PRBO, and others interested in western snowy plover protection, have been working with the City to ensure the protection of snowy plover at Pacifica State Beach. Plans are currently being considered by the City to formalize and enhance plover protection measures at Pacifica State Beach, some of which include public outreach, enforcement of dog-leash laws and regulations, clean-up of litter and trash from the beach area, use of fencing or symbolic fencing to act as a deterrent, and signage for education and outreach purposes. The City is currently working with USFWS to consolidate such measures into a more formal management plan. These efforts are nearing completion, and the City indicates that they will soon be submitting a CDP application in early 2013 to implement such plan at Pacifica State Beach.

As part of this project, the City would use the fees collected through its parking fee program to

---

<sup>9</sup> Final Initial Study/Mitigated Negative Declaration for the Pacifica State Beach Master Plan for Public Improvements, Prepared by Denise Duffy & Associates for the City of Pacifica, July 2002.

hire two beach rangers and to maintain the beach and the facilities, including for the protection of plover. This includes clean-up and controls to assure rules and regulations are enforced regarding littering and trash on the beach, as well as leash laws. The parking fees would also pay for part-time police personnel. The ranger positions would be field positions under supervision by the City's Parks, Beaches, and Recreation Department. The City indicates that one of the beach rangers primary responsibilities will be to ensure the protection of western snowy plover and its habitat at Pacifica State Beach. Specific duties for the beach rangers include: informing the public about beach and parking regulations, and monitoring and protecting habitat areas.

Thus, this part of the project should serve to provide appropriate and enhanced sensitive habitat protection. However, it is possible that the proposed parking fee program could dissuade the public from utilizing the pay parking lots. Those beachgoers looking for free parking options during the day are likely to park in free parking areas inland of Highway 1 (i.e., on-street and/or in the parking lots described above), where they would then cross the highway and potentially walk through the coastal dune habitat area. At a minimum, it seems likely that there will be more such park and walk visits than there are currently. There is a concern that with an increase in the use of existing informal paths to the beach in order to avoid the parking fee lot, in particular at the more northern end of the beach, the western snowy plover and dune habitats could possibly be adversely affected should such users make their way to the immediate shoreline through "volunteer" trails in the dunes. Additional informal footpaths over the dune areas could also develop if there is a significant change in the use pattern of the public access. The sand dunes located between the main beach area and the existing multi-use public access trail could be affected should the public change the points it uses to access the beach. This could not only affect plovers, but also more generally affect native vegetation and the overall condition of the back dunes.

## CONCLUSION

Fortunately, such indirect impacts are likely to be tempered by the new beach ranger activities. To ensure that plover protection is explicitly a fundamental part of this approval, **Special Condition 3** requires dune protection measures to be a part of the beach rangers duties. Furthermore, **Special Condition 5** limits the length of development authorization to 5 years, thereby allowing for reevaluation of the program before it is again authorized beyond its initial 5 year period. As conditioned, and in tandem with the upcoming plover management plan, adverse plover impacts due to this project are not expected.

Therefore, provided the project is conditioned so that it is limited in scope and duration, project impacts are closely monitored and identified, and project revenues are directly earmarked to beach management enhancement at Pacifica State Beach, the Commission finds the proposed project, as conditioned, consistent with the Coastal Act's sensitive habitat requirements as cited above.

## F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or

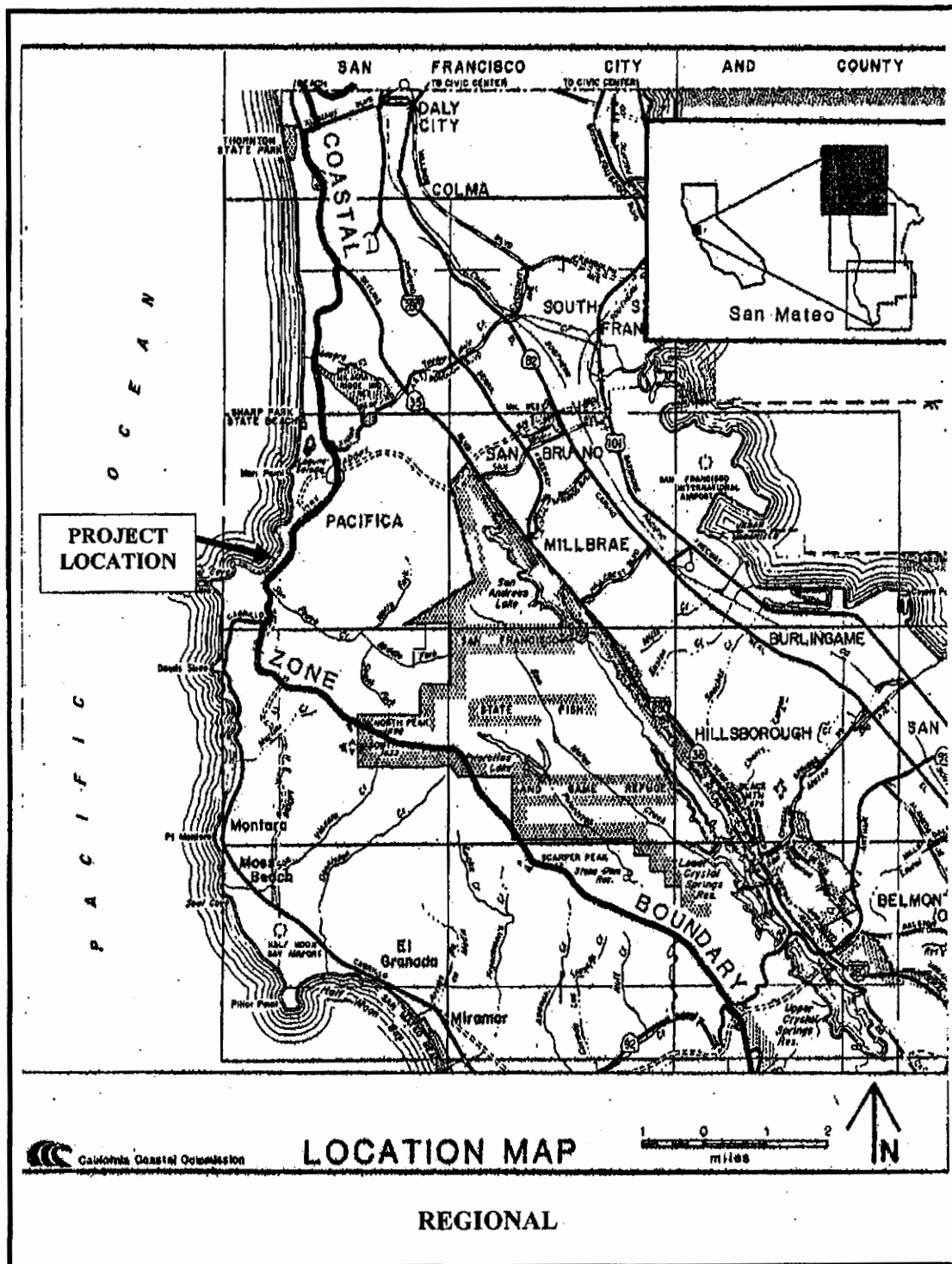
feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Pacifica, acting as lead CEQA agency, determined that the proposed project was categorically exempt from CEQA review, and thus the City did not identify any significant adverse environmental effects from the proposed project. The Coastal Commission's review and analysis of coastal development permit applications has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. This staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate suggested modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date have been addressed in the findings above. All above Coastal Act findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives nor feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

**APPENDIX A – Substantive File Documents**

1. Coastal Development Permit Application File Number 2-07-042
2. Coastal Development Permit Application File Number 2-08-019-W
3. City of Pacifica Local Coastal Program
4. U.S. Fish and Wildlife Service's Western Snowy Plover Recovery Plan (2007)



# CITY OF PACIFICA

PACIFICA STATE  
BEACH

PACIFIC  
OCEAN



## CITY OF PACIFICA

PUBLIC WORKS / ENGINEERING DIVISION

DESIGNED BY: ROD  
DRAWN BY: ROD  
CHK'D BY: VDO  
APPROVED BY:

11-8-07

REV.	DATE	DESCRIPTION	BY

REVISIONS

## PACIFICA STATE BEACH

## VICINITY MAP

SCALE:  
PLAN NO.

# Pacifica State Beach

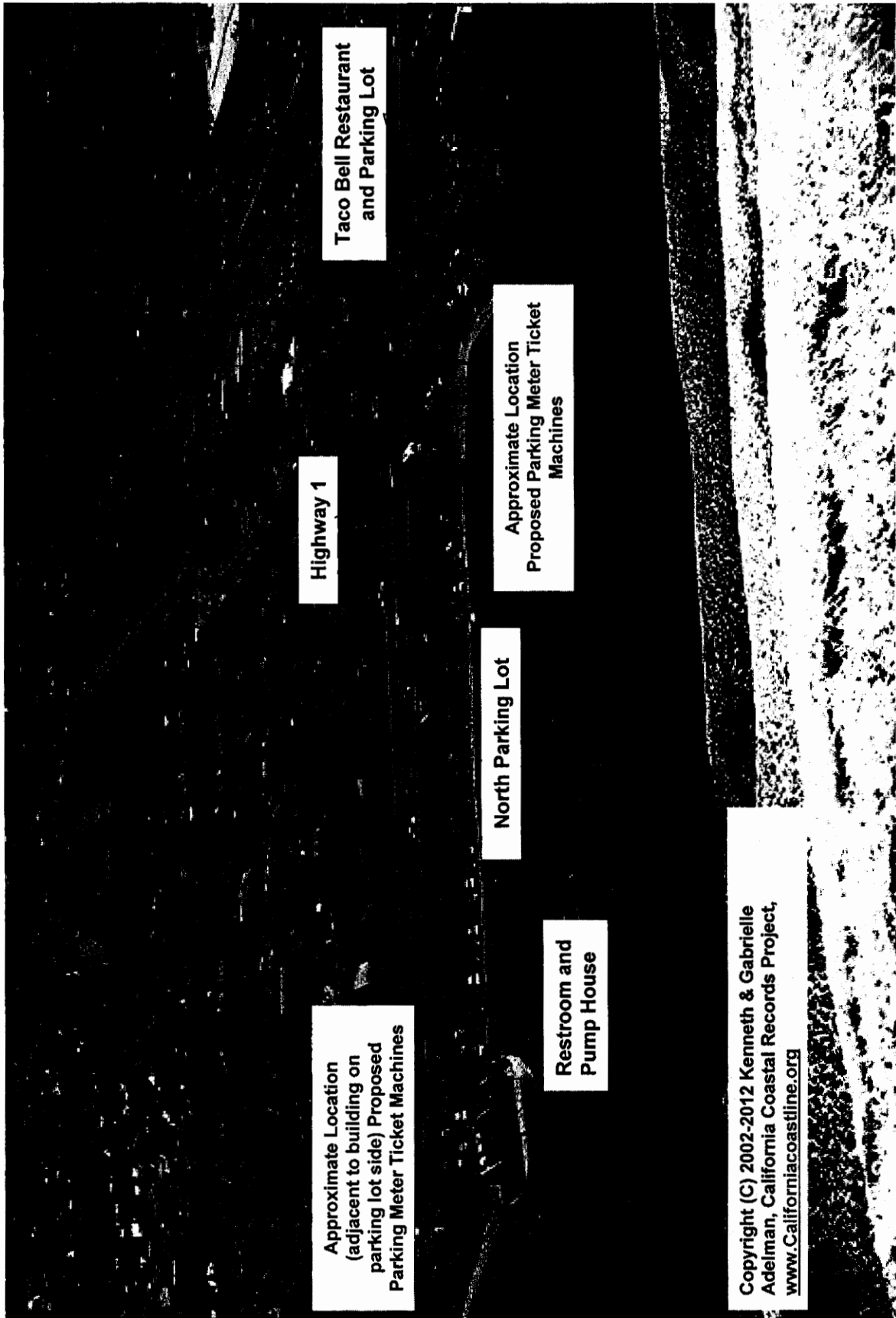
## Proposed Project Site



Copyright © 2002-2012  
Kenneth & Gabrielle Adelman,  
California Coastal Records Project  
[www.californiacoastline.org](http://www.californiacoastline.org)  
Photo number 201007915 (2010)

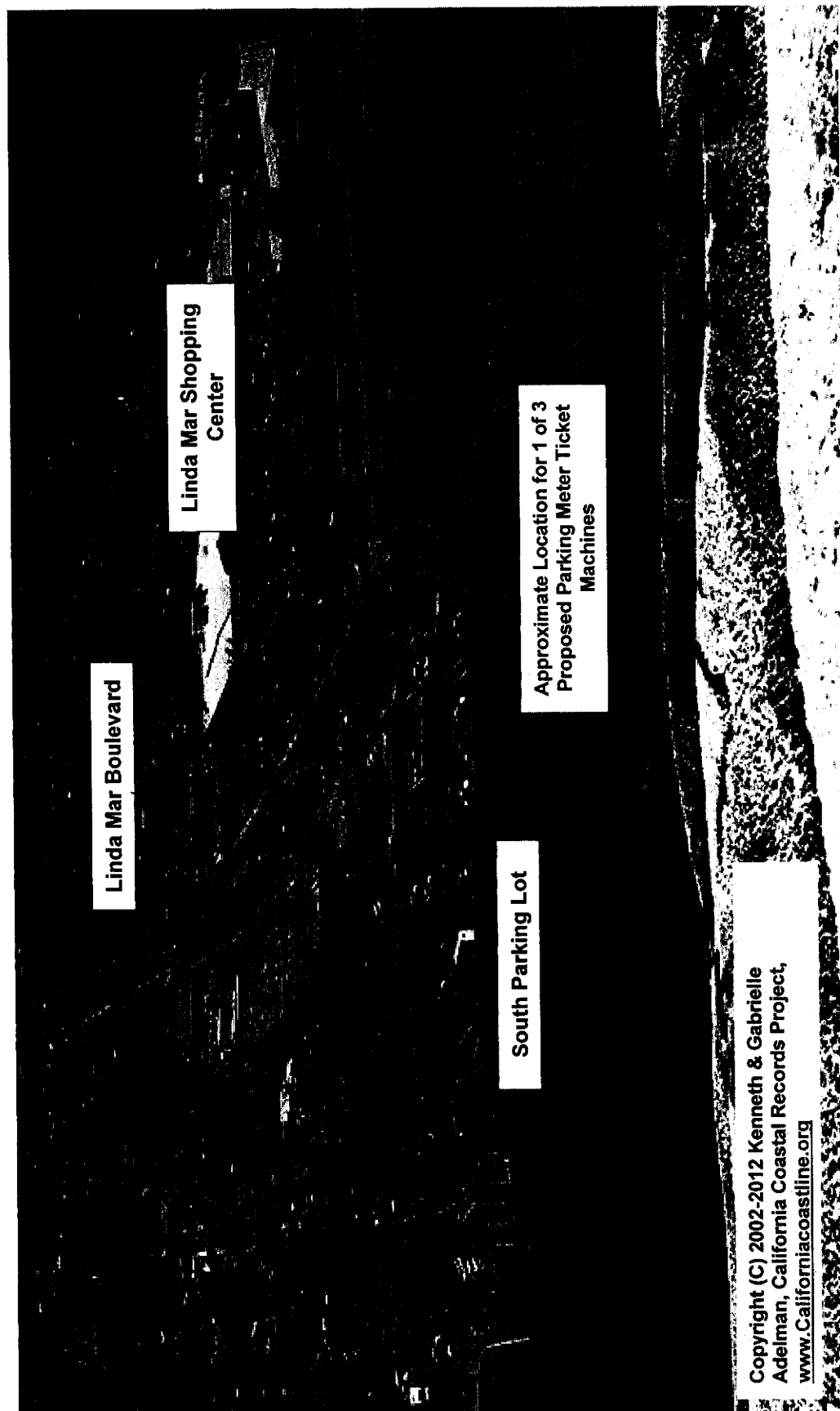
CCC Exhibit

# NORTH PARKING LOT



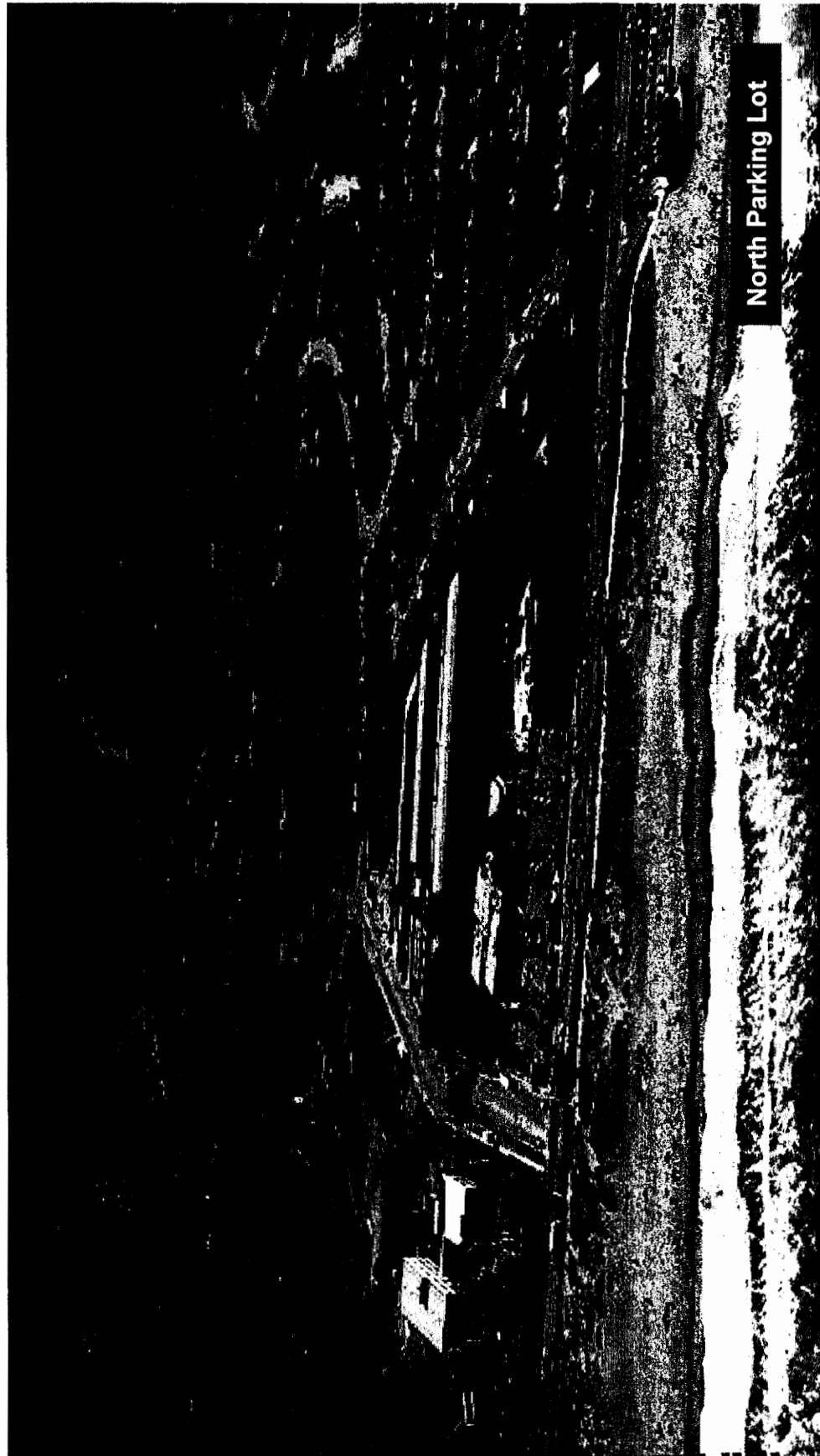


# SOUTH PARKING LOT



# Pacifica State Beach

## North of Proposed Project Site, Snowy Plover Habitat



North Parking Lot

Copyright © 2002 -2012  
Kenneth & Gabrielle Adelman,  
California Coastal Records Project  
[www.californiacoastline.org](http://www.californiacoastline.org)  
Photo number 201007913 (2010)

CCC Exhibit

## PUBLIC ACCESS



Multi-use Public Access Path at  
Highway 1 Crespi Drive Intersection




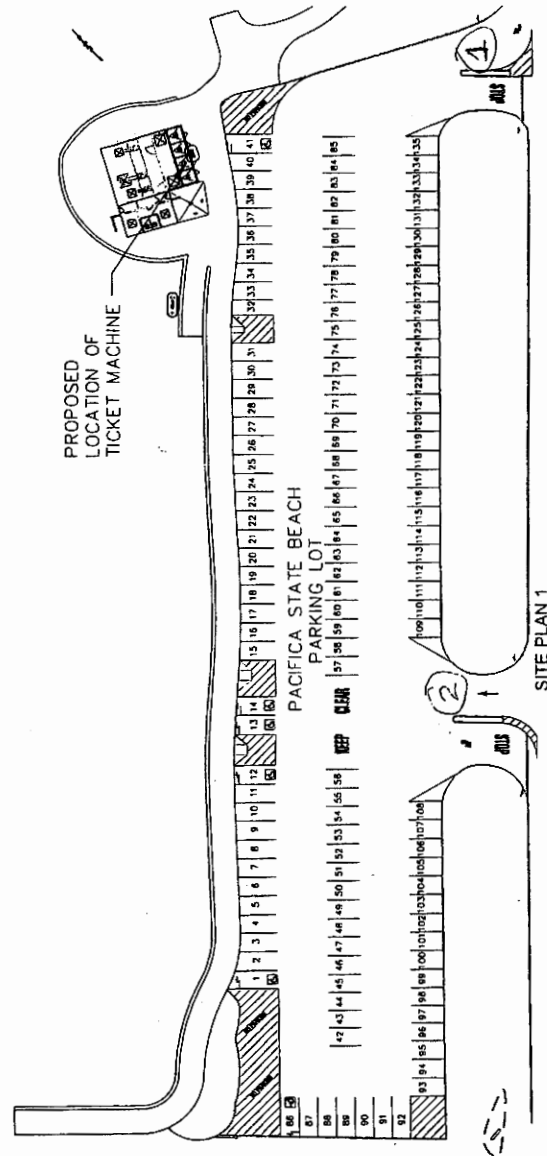
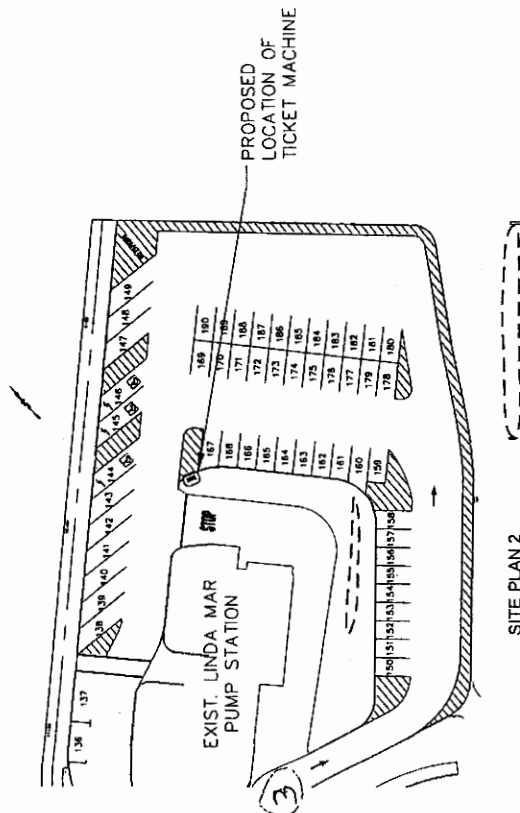
Multi-use Public Access Path Looking  
North from Highway 1 Crespi Drive  
Intersection

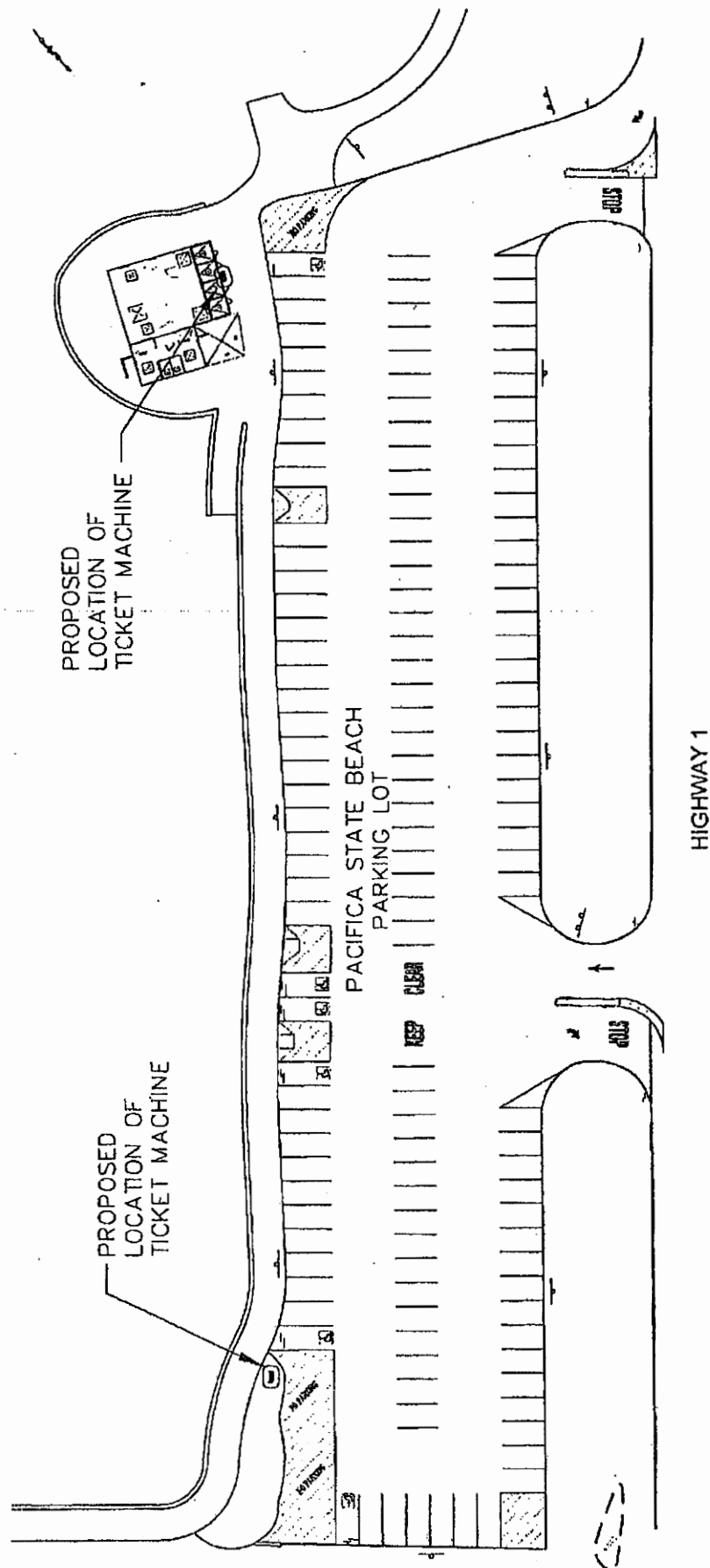


Multi-use Public Access Path Looking  
South from Highway 1 Crespi Drive  
Intersection



 <b>CITY OF PACIFICA</b> PUBLIC WORKS / ENGINEERING DIVISION		DESIGNED BY: DRAWN BY: CHECKED BY: APPROVED BY:		REV.    DATE		DESCRIPTION		BY	
				REV.    DATE		DESCRIPTION			
PACIFICA STATE BEACH PARKING LOT RADIUS		SCALE PLANNING							





HIGHWAY 1

SITE PLAN 1

CITY OF PACIFICA  
PUBLIC WORKS / ENGINEERING DIVISION

DESIGNED BY: ROD  
DRAWN BY: VOO  
CHK'D BY:  
APPROVED BY:

2-B-11

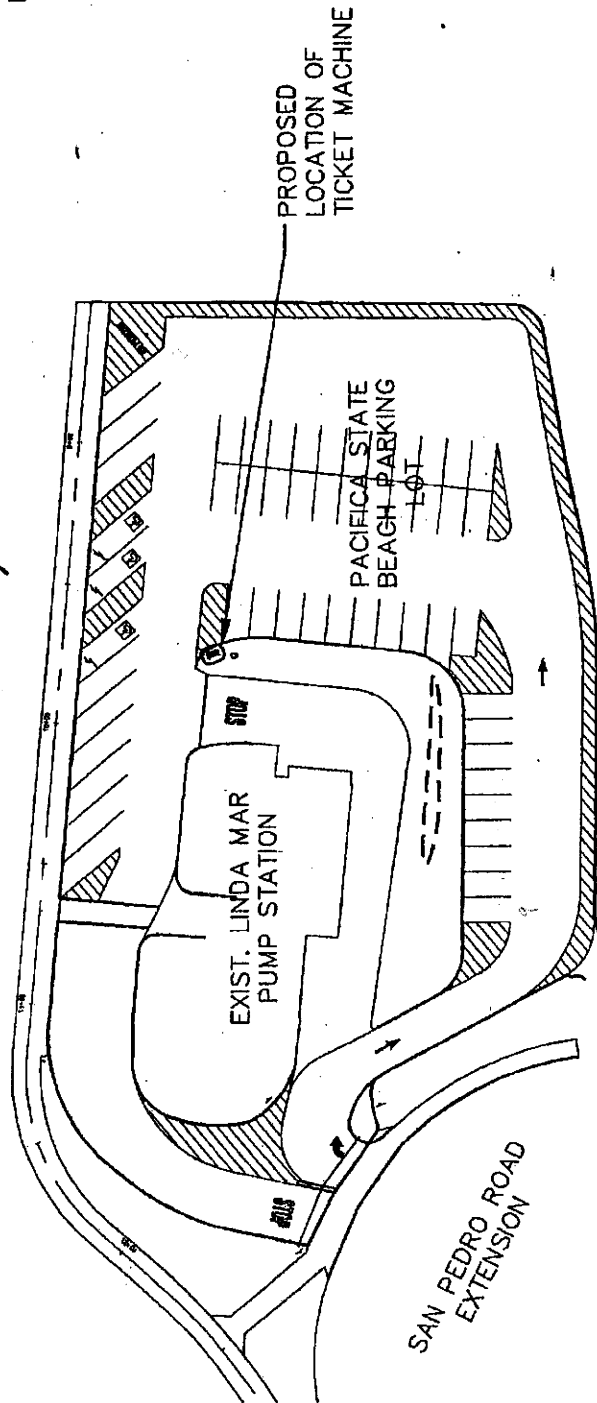
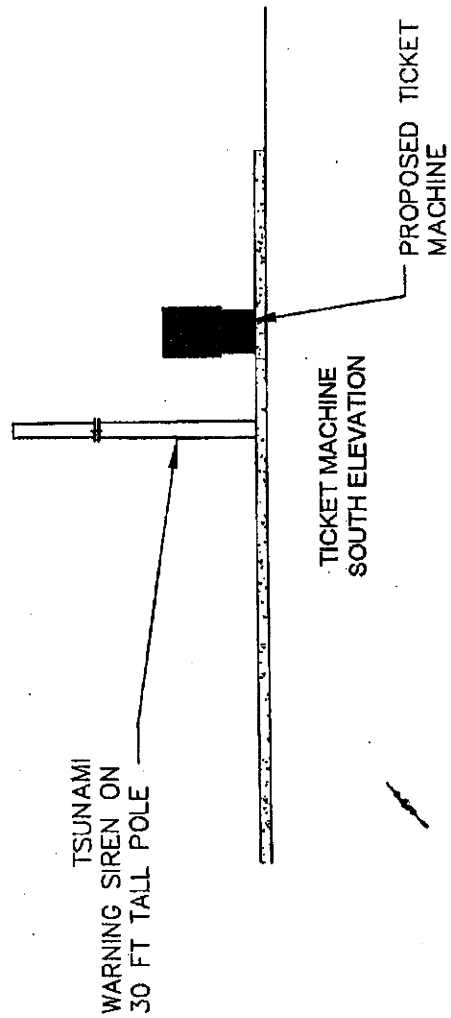
REV. DATE DESCRIPTION BY

PACIFICA STATE BEACH  
PARKING LOT

SITE PLAN  
NORTH LOT

SCALE:  
PLAN NO.





SITE PLAN 2

CITY OF PACIFICA PUBLIC WORKS / ENGINEERING DIVISION	SITE PLAN SOUTH LOT	
	SCALE PLAN NO.	
PACIFICA STATE BEACH PARKING LOT TICKETING MACHINE		
DESIGNED BY:	REV.	DATE
DRAWN BY:	DESCRIPTION	BY
CHECKED BY:	REVISIONS	
APPROVED BY:	11-8-07	

# Revenue and Expenditure Analysis - Beach Parking

	4 + hours		Less than 4 hours	
	\$6	\$3	\$6	\$3
<b>Revenue</b>	\$8,218	\$2,463	\$5,754	March 50% occupancy**
2 rangers (\$80,000 each with benefits)	\$160,000	\$4,926	\$15,846	Nov-Feb 25% occupancy**
Annual parking lot maintenance	\$7,000	\$14,779	\$47,535	April-June 100% occupancy**
Police Services (1/3 of an officer)	\$45,000	\$166,174	\$39,411	July-October 200% occupancy**
Annual and consumable expenses for parking machines*	\$12,000	\$78,097	\$19,710	Crespi/Hwy 1 Lot - annual **
			\$58,387	(1/3 paid spaces per day * 365 days @ \$3.56)
				(\$50,387) 15% non-pay factor per Cal. Parking Professionals Assoc.
				\$32,850 5 lbs per day at \$35 per ticket less \$17 per fix
				for state and county surcharges and processing fees)
				\$10,000 Parking passes - (200@50)
				(\$600) On line web-based annual pass transaction fee and annual training/software)
				(\$25,372) Parking machine cost (rotating replacement of 3 machines over 3 year period)
				<b>\$302,067 Annual Revenue Total</b>

**New Annual Expenditures \$224,000**  
**\*\*\*Current Annual Maintenance and Repair \$160,000**

**Total \$384,000**

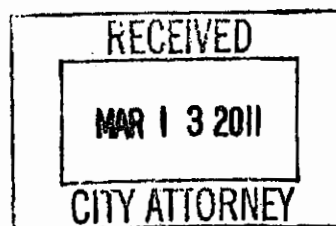
\*Parking \$6.00 per day or \$3 for 4 hours or less  
 \*\*Consumables include thermal paper, credit card processing fees, back up batteries \$270 each x 8 per year, service agreement  
 \*\*\*Assumptions on parking - 180 spaces at 365 days or 30.41 days per month  
 \*\*\*Assumptions include Crespi/Hwy 1 lot 84 spaces @ 365 days or 30.41 days per month  
 \*\*\*Includes \$40,000 for materials and supplies, \$120,000 staff (portion of ranger, public works staff)

Purchase of 4 parking machines  
 Heavy duty parking machines \$76,200  
 Add Credit card function included  
 Add Cellular function NA  
 Add solar battery units NA  
 Add City to install 120V AC if non-solar NA  
**Total machines \$76,200**



March 9, 2011

Ms. Cecilia M. Quick  
City Attorney  
City of Pacifica  
170 Santa Maria Avenue  
Pacifica, CA 94044



Dear Ms. Quick,

This responds to your letter of November 10, 2010, regarding a request for the State's approval to establish a single-tier parking program at Pacifica State Beach.

The Operating Agreement states in part that "the City may adopt rules and regulations for the use and enjoyment of the premises. Any such rules and regulations adopted by the City shall conform to and be consistent with the rules and regulations adopted by the State and generally applicable to the State Park System, including said property."

Based on our phone conversation and subsequent research, the State approves the proposed parking fee program at Pacific State Beach under the following conditions:

- 1) The daily parking fee proposed is \$3 for less than 4 hours use and \$6 for over 4 hours use;
- 2) An annual parking permit will be available for \$50;
- 3) The parking fees and permit described above will apply to all users equally.

The California Coastal Commission letter of December 11, 2007 states that your coastal development permit application for the parking fees is incomplete. Please provide documentation that you have completed your coastal development permit application.

The Operating Agreement also requires the City to provide the State with an annual financial statement. Enclosed is the suggested format for this annual report. If you have questions, please call Teresa Montijo, Concessions Program Manager, or me at (916) 653-7733.

Sincerely,

James A. Luscutoff, Chief  
Concessions, Reservations, and Fees Division

Enclosures

cc (w/o enclosures): Scott Wassmund, Northern Division Chief  
Chet Bardo, Santa Cruz District Superintendent

## DEPARTMENT OF PARKS AND RECREATION



San Mateo Coast District  
95 Kelly Avenue  
Half Moon Bay, California 94019  
(415) 726-6203

February 28, 1991

Ms. Candice Fullencamp, Director  
Department of Parks and Recreation  
170 Santa Maria Avenue  
Pacifica, California 94044

Dear Candice:

I was asked to forward to you this signed copy of the  
Operating Agreement between the City of Pacific and the  
Department of Parks and Recreation.

If you have any questions, please do not hesitate to call me  
at 726-6203.

Sincerely,

A handwritten signature in cursive script, reading "Carol Nelson".

Carol Nelson, Superintendent  
San Mateo Coast District



California State Parks  
The Best of California Forever.



OPERATING AGREEMENT  
CITY OF PACIFICA

INDEX

Paragraph	Page
1. Premises	2
2. Use	2
3. Concessions	3
4. Fees and Accounts	3
5. Beach Erosion Control	4
6. Construction	4
7. Ownership of Improvements	5
8. Eminent Domain	6
9. Assignments	6
10. Notices	6
11. Termination	7
12. Nondiscrimination	7
13. Hold Harmless	7
14. Paragraph Titles	8
15. Agreement in Counterparts	8
16. Agreement in Writing	8
Signatures	9
Nondiscrimination Clause	
Exhibits	

1        1. PREMISES: LOCAL AGENCY shall care for, maintain, administer, and  
2        control the real property described in Exhibit "B" attached hereto and by this  
3        reference incorporated herein (which real property is hereinafter referred to  
4        as premises) for the purposes of the State Park System. LOCAL AGENCY'S  
5        obligation under this agreement as to each parcel of said property or interest  
6        therein acquired by the State of California shall commence on acquisition of  
7        jurisdiction over premises by STATE for the purposes of this agreement, and  
8        shall thereafter continue until 25 years after the date of this agreement.  
9        During said period, LOCAL AGENCY shall pay all costs it incurs for the care,  
10       maintenance, administration, and control of premises for said purposes and  
11       STATE shall not be obligated to care, maintain, administer, or control the  
12       premises during said period. LOCAL AGENCY shall maintain control and care for  
13       said property in the same manner as it maintains, controls, and cares for  
14       beach properties owned by the LOCAL AGENCY.

15  
16       2. USE: While this agreement is in force and effect, premises shall,  
17       at all times, be accessible and subject to the use and enjoyment of all  
18       citizens of the State of California, and all other persons entitled to use and  
19       enjoy the same; subject, however, in the matter of such use and enjoyment, to  
20       the control of LOCAL AGENCY in conformity with this agreement. LOCAL AGENCY  
21       may adopt rules and regulations for the use and enjoyment of the premises.  
22       Any such rules and regulations adopted by LOCAL AGENCY shall conform to and be  
23       consistent with the rules and regulations adopted by STATE and generally  
24       applicable to the State Park System, including said property. The premises  
25       shall not be used for any other purpose than the purposes herein enumerated.

26       ---

27       ---

1        3. CONCESSIONS: Subject to prior approval in writing by STATE, LOCAL  
2 AGENCY may grant concessions in or upon the premises consistent with the use  
3 by the general public thereof for park and recreational purposes. The rights  
4 of the public to the use and enjoyment of the premises shall thereupon be  
5 limited by such concession agreements. Any such concession shall be granted  
6 in substantial compliance with Public Resources Code Sections 5080.02 et seq.  
7

8        4. FEES AND ACCOUNTS: Any charges, fees, or collections made by LOCAL  
9 AGENCY for services, benefits, or accommodations to the general public shall  
10 be limited to actual needs for the care, maintenance, and control of said  
11 property, and that commercialization for profit shall not be engaged in by  
12 LOCAL AGENCY.  
13

14                Any income received and any expenditures made by the LOCAL AGENCY in  
15 relation to concessions (including gross revenues of concessions), special  
16 services, and all other matters incident to the development, maintenance,  
17 control, and operation of said property shall be reported annually to the  
18 STATE. All such income and fees shall be used for maintenance, control, and  
19 operation of premises and such portion of income as may exceed the cost and  
20 expense incurred by the LOCAL AGENCY for maintenance, control, and operation  
21 may be utilized for development. Such annual report shall be made for the  
22 annual period commencing on July 1 and terminating on June 30 and shall be  
23 filed with STATE not later than September 30 of each year. The first report  
24 hereunder shall cover the period beginning with the effective date of this  
25 contract and terminating the June 30 following and shall be filed by not later  
26 than the following September 30.

27 ---



1 The report shall include a reasonable weekly estimate of the number  
2 of visitors to the area as well as the number of vehicles.

3

4 The books, records, and accounts kept by LOCAL AGENCY applying to  
5 the operation of the state park area, shall at all reasonable times be open  
6 for audit or inspection by STATE.

7

8 5. BEACH EROSION CONTROL: It is further agreed and understood between  
9 the parties hereto that development, beach erosion control, or protection work  
10 may be undertaken by STATE or the United States of America, along or on said  
11 property, in the manner provided by law or under the rules of STATE.

12

13 STATE shall have the right to enter into agreements for such work  
14 during the term hereof and to go upon said property or to authorize any  
15 person, firm, or corporation to go upon premises for the purpose of such  
16 construction, beach erosion protection, or control work, or the doing of other  
17 public work for the improvement or development of premises, provided that  
18 STATE shall give LOCAL AGENCY written notice of its intention to do any of the  
19 work herein mentioned before such work is undertaken. STATE shall be  
20 responsible for all costs incurred for any work done by STATE on subject  
21 property.

22

23 6. CONSTRUCTION: LOCAL AGENCY may, if it chooses, undertake projects  
24 for the development, construction, or improvements to premises. See  
25 Exhibit "A" attached and made a part hereof for required procedures and  
26 approvals. Plans and specifications for any such project shall be submitted  
27 to STATE for approval. No such project shall be commenced by LOCAL AGENCY'S

1 own forces or contracts awarded prior to STATE approval of such plans and  
2 specifications. STATE has the right to disapprove such plans and  
3 specifications. Such development, construction, or improvement shall be in  
4 accordance with the Pacifica State Beach General Plan approved in April 1990  
5 by the State Park and Recreation Commission.

6  
7 7. OWNERSHIP OF IMPROVEMENTS: Improvements erected on said property by  
8 LOCAL AGENCY shall, upon completion, become a part of the realty and title to  
9 said improvements shall vest in STATE. STATE may, at its option, require that  
10 LOCAL AGENCY remove any or all such improvements at the end of the term hereof  
11 that have not been previously approved in accordance with paragraph 6 above.  
12 LOCAL AGENCY upon termination of this agreement may, at its option, remove any  
13 or all of such improvements erected on said property by LOCAL AGENCY (other  
14 than: (1) improvements erected with funds realized through income from said  
15 property, or (2) improvements the cost of which has been paid or reimbursed by  
16 STATE) provided it gives STATE notice promptly that it desires to do so. Any  
17 such removal, required by STATE or at the option of LOCAL AGENCY shall be  
18 completed by LOCAL AGENCY within ninety (90) days after the termination of this  
19 agreement (except that if longer than ninety (90) days is required for actual  
20 removal, such removal may still be made provided it has been commenced promptly  
21 and is carried on with due diligence). Upon removal, title to the material so  
22 removed shall vest in LOCAL AGENCY. Any removal authorized hereunder shall be  
23 made without damage to adjacent improvements and if adjacent improvements are  
24 damaged, LOCAL AGENCY shall reimburse STATE therefor or shall repair the  
25 improvement so damaged at the option of STATE. After removal, the premises  
26 shall be left free and clear of all debris and in a condition reasonably  
27 similar to the present condition of said property.

1 LOCAL AGENCY shall not, without prior written approval of STATE,  
2 remove, move, demolish, or alter in any manner, any improvements, natural  
3 features, or accretions existing on said property on the effective date of  
4 this agreement or subsequently occurring.

5  
6 8. EMINENT DOMAIN: If said property or portion thereof is taken by  
7 proceedings in eminent domain, STATE shall receive the entire award for such  
8 taking except that LOCAL AGENCY shall receive out of said award the fair  
9 market value of any improvements then existing and constructed by LOCAL AGENCY  
10 (other than: (1) improvements erected with funds realized through income from  
11 said property, or (2) improvements the cost of which has been paid or  
12 reimbursed by STATE) on said property as said fair market value may be  
13 determined by said proceedings taking into consideration the terms of this  
14 instrument.

15  
16 9. ASSIGNMENTS: This agreement shall not, nor shall any interest  
17 therein or thereunder, be assigned, mortgaged, hypothecated, or transferred  
18 either by LOCAL AGENCY or by operation of law, nor shall LOCAL AGENCY let or  
19 sublet, or grant any license or permits with respect to the use and occupancy  
20 of said property or any portion thereof, without the written consent of STATE  
21 first had and obtained.

22  
23 10. NOTICES: Notices desired or required to be given hereunder or under  
24 any law now or hereafter in effect may, at the option of the party giving  
25 same, be given by enclosing the same in a sealed envelope addressed to the  
26 party for whom intended by depositing said envelope, with postage prepaid,  
27 certified with return receipt requested, in the United States Post Office or  
28 any substation thereof.

## NONDISCRIMINATION CLAUSE

(OCP - 1)

1. During the performance of this contract, contractor and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex. Contractors and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.
2. This contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.



EXHIBIT "A"  
Operating Agreement - City of Pacifica  
State of California - The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION

I. Management Plan Phase

- A. As required in the Resource Element of the Pacifica State Beach General Plan approved in April 1990 by the California Park and Recreation Commission, preparation of specific natural resource management plans and studies shall occur to guide management and development of the State Beach. These include a Dune Management Plan, a Wetland Management Plan, an Exotic Plant Species Control Plan, and establishment of a coastal erosion monitoring program to document 1) seacliff retreat, 2) landslides, 3) beach elevation, and 4) beach width. These plans/studies shall be prepared prior to the substantial improvement of existing facilities or the development of new facilities at Pacifica State Beach.
- B. If the City of Pacifica prepares these plans/studies, they shall be submitted to the Department of Parks and Recreation's Project Manager for review and written approval prior to commencement of the project's design and construction phase.

II. Design and Construction Phase

A. General

- 1. All plans and exhibits shall be submitted with a transmittal letter signed and dated by the submitter and indicating the number of sheets and items being submitted and the purpose for which they are being submitted.
- 2. All plans and exhibits shall be submitted on 24"x36" standard sheets with a title block indicating the following:
  - a. Name of project.
  - b. Location of project.
  - c. Name, address, and professional license number of consultant or submitter.
  - d. Date of submittal.
  - e. Number of sheets.
  - f. A space 4"x6" directly above the title block for approvals.
  - g. The word "Schematics" or "Preliminaries" or "Working Drawings" directly above the title block on each sheet.

B. Schematic Design Phase

1. Definition: Schematics shall consist of:

- a. A program statement indicating the scope of work and proposed uses and individual or special features or support needed. Include a discussion of the style, features, materials, or other items that will describe the structure or facility.
- b. A site plan with diagrammatic indications showing existing relationships to proposed Project Components. This shall include (but is not limited to) location, parking, roads, topography, utilities, existing structures, plants, and other major features.
- c. Building floor plans of all of the principal building areas labeling the major spaces and functions at 1/4" scale.
- d. Two elevations of proposed structures and buildings showing major materials and features at 1/4" scale.
- e. Statement of Probable Project Construction Cost.

C. Preliminary Plan Phase

1. Definition: Preliminaries shall consist of:

- a. Outline specifications of all applicable C.S.I. sections (if necessary) indicating materials, equipment, and special features or items.
- b. ~~Floor plan(s) of building(s) drawn at 1/4" scale with dimensions and notes that clearly show the scope of the work and individual materials.~~
- c. A section through proposed building(s) and/or structures showing the structural system and the individual use of materials and finishes. Note: More than one section is required if the building or facility is complex enough to warrant additional information.
- d. Preliminary sketches of major construction details.
- e. Two elevations drawn at 1/4" scale of the exterior of proposed building(s) indicating materials, heights, and other related information.
- f. Preliminary Civil Engineering drawings, at a minimum scale of 1"=50' indicating the project's layout, grading and drainage, source of water, point of connection, and location of waterlines.

- g. Preliminary Mechanical Engineering drawings, at a minimum scale of 1"=50' indicating the method and location of sewage disposal facilities.
- h. Preliminary Electrical Engineering drawings, at a minimum scale of 1"=50' indicating the electrical source, location of electrical lines, and location of outdoor lighting.
- i. Preliminary Planting and Irrigation drawings, at a minimum scale of 1"=50' indicating the type and location of plant materials and method of irrigation.
- j. Probable construction cost based on Preliminary Plans.

D. Working Drawings

1. Definition: Working Drawings shall consist of:

- a. Specifications for the work to be accomplished. Specifications shall follow an organized format (such as C.S.I.) and shall be a complete description of materials, methods of installation, standards of craftsmanship, and finishes required in the completed project.
- b. Plans, site plans, elevations, sections, details, schedules, and other common and necessary items for the construction of the proposed project. Building and structures' plans and elevations shall be drawn at a minimum scale of 1/4"=1'-0". Building and structures' sections shall be drawn at a minimum scale of 1/2"=1'-0". Building and structures' details shall be drawn at a minimum scale of 1-1/2"=1'-0". Mechanical, electrical, plumbing, finish, door, and other schedules shall be complete and include all information necessary for construction.
- c. Working drawings shall reflect the content and scope of the approved preliminary drawings. Changes in the preliminary drawings that affect the materials, scope, scale, size, or intent of the project or portions of the project shall require resubmittal of preliminary plans for approval.
- d. Drawings shall be signed by a licensed landscape architect, architect, and/or other consultants as needed. It is the responsibility of the submitter to obtain such permits as: Coastal Commission permits, Handicap Accessibility, Fire Marshal, State Police, Caltrans, and others as necessary prior to proceeding with construction.
- e. Civil Engineering drawings, at a minimum scale of 1"=50' indicating the project's layout, grading and drainage, source of water, point of connection, location and size of waterlines, and construction details.

- f. Mechanical Engineering drawings, at a minimum scale of 1"=50' indicating the method and location of sewage disposal facilities and construction details.
- g. Electrical Engineering drawings, at a minimum scale of 1"=50' indicating the electrical source, location of electrical lines, location of outdoor lighting, and construction details.
- h. Planting and Irrigation drawings, at a minimum scale of 1"=50' indicating the type and location of plant materials, size and location of irrigation lines and sprinklers, and construction details.
- i. Probable construction cost based on Working Drawings.

E. Submittal Procedure (all phases)

- 1. Submit five (5) copies of the plans, specifications, and other material required in the prospectus to:  
  
State of California  
Department of Parks and Recreation  
Development Division  
Landscape Section  
ATTN: (Project Manager)
- 2. The State will retain four (4) copies and return one (1) set marked in the following manner:
  - a. "Approved" - The plans are approved as submitted.
  - b. "Revise and Resubmit" - The plans will be approved when the changes noted are made and resubmitted to the Project Manager. The approval date does not start until they have been resubmitted and approved.
  - c. Submittals that are incomplete will be returned to the submitter marked "Incomplete" without approval.
  - d. The review period for the State shall begin upon the receipt of "Complete" project documents.
- 3. Written approval of each phase is required before proceeding to the next phase.

A-4314L



1 In the event such notice is being given to LOCAL AGENCY, such notice  
2 and the envelope containing the same shall be addressed to the CITY OF  
3 PACIFICA, City Hall, 170 Santa Maria Avenue, Pacifica, California 94044, or  
4 such other place as may hereafter be designated in writing by or on behalf of  
5 LOCAL AGENCY; and in the event that said notice is being sent to STATE, said  
6 notice and the envelope containing the same shall be addressed to the  
7 Department of Parks and Recreation, P.O. Box 942896, Sacramento, CA 94296-0001.

8

9 11. TERMINATION: LOCAL AGENCY and/or STATE reserves the unqualified  
10 right to terminate this agreement by giving the other party one (1) year's  
11 written notice of the effective date of such termination. LOCAL AGENCY and/or  
12 STATE further may terminate this agreement for breach by LOCAL AGENCY and/or  
13 STATE of any of the provisions hereof.

14

15 12. NONDISCRIMINATION: Pursuant to Public Resources Code  
16 Section 5080.34, the attached Standard Form 17A is incorporated herein and the  
17 reference therein to contractor shall mean LOCAL AGENCY.

18

19 13. HOLD HARMLESS: LOCAL AGENCY hereby waives all claims and recourse  
20 against the STATE including the right to contribution for loss or damage to  
21 persons or property arising from, growing out of, or in any way connected with  
22 or incident to this agreement, except claims arising from the concurrent or  
23 sole negligence of STATE, its officers, agents, and employees.

24

25 LOCAL AGENCY shall indemnify, hold harmless, and defend STATE, its  
26 officers, agents, and employees against any and all claims, demands, damages,  
27 costs, expenses, or liability costs arising out of the acquisition,

1 development, construction, operation, or maintenance of the property described  
2 herein which claims, demands, or causes of action arise under Government Code  
3 Section 895.2 or otherwise, except for liability arising out of the concurrent  
4 or sole negligence of STATE, its officers, agents, or employees.  
5

6 In the event STATE is named as codefendant under the provisions of  
7 the Government Code Section 895 et seq., LOCAL AGENCY shall notify STATE of  
8 such fact and shall represent STATE in such legal action unless STATE  
9 undertakes to represent itself as codefendant in such legal action, in which  
10 event STATE shall bear its own litigation costs, expenses, and attorney's fees.  
11

12 In the event judgment is entered against STATE and LOCAL AGENCY  
13 because of concurrent negligence of STATE and LOCAL AGENCY, their officers,  
14 agents, or employees, an apportionment of liability to pay such judgment shall  
15 be made by a court of competent jurisdiction. Neither party shall request a  
16 jury apportionment.  
17

18 14. PARAGRAPH TITLES: The paragraph titles in this Agreement are  
19 inserted only as a matter of convenience and for reference, and in no way  
20 define, limit, or describe the scope or intent of this Agreement or in any way  
21 affect this Agreement.  
22

23 15. AGREEMENT IN COUNTERPARTS: This Agreement is executed in  
24 counterparts each of which shall be deemed an original.  
25

26 16. AGREEMENT IN WRITING: This Agreement contains and embraces the  
27 entire Agreement between the parties hereto and neither it nor any part of it

1 may be changed, altered, modified, limited, or extended orally, or by any  
2 Agreement between the parties unless such Agreement be expressed in writing,  
3 signed, and acknowledged by the STATE and LOCAL AGENCY, or their successors in  
4 interest.

5  
6 IN WITNESS WHEREOF, the parties have executed this instrument upon  
7 the date first hereinabove appearing.

8  
9 CITY OF PACIFICA

STATE OF CALIFORNIA  
DEPARTMENT OF PARKS AND RECREATION

10  
11 By Daniel Pincetich  
CITY OF PACIFICA  
A Municipal Corporation  
Daniel V. Pincetich, City Manager

By Henry R. Agonia  
HENRY R. AGONIA, DIRECTOR

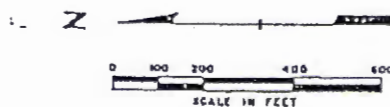
14 By \_\_\_\_\_  
LOCAL AGENCY

JAN 22 1991  
Date

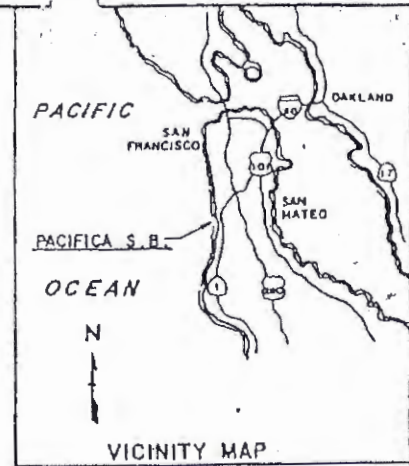
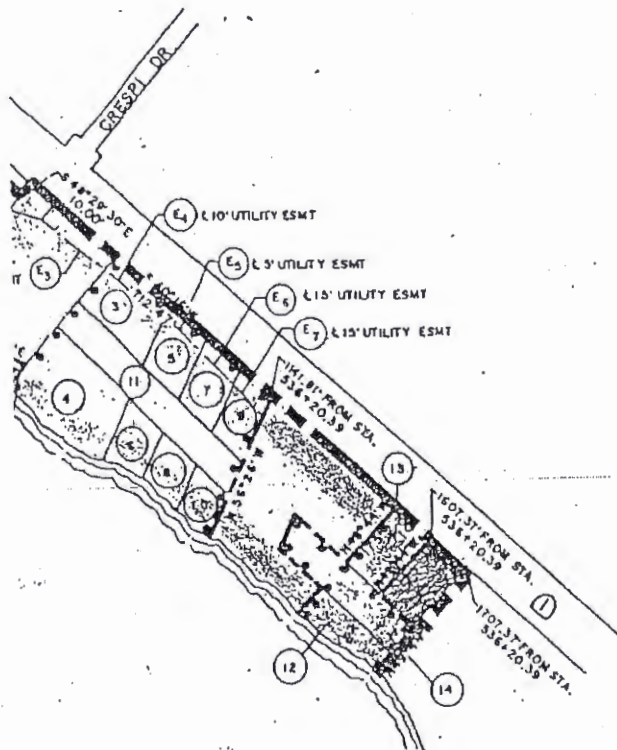
15 August 29, 1990  
16 Date

FORM	POLICY	BUDGET
Department of General Services		
<b>APPROVED</b>		
FEB 05 1991		
ORIGINAL SIGNED BY THOMAS H. CLAYTON		
BY Asst. Chief Counsel		

27 Y-6557X

[illegible]

TA. 536+20.39



APPROVED	DATE	REVISIONS	RESOURCES AGENCY OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION	PACIFICA STATE BEACH OPERATING AGREEMENT JURISDICTION CITY OF PACIFICA	DRAWING NO.
					25333
DRAWN					SHEET NO.
CHECKED					



## Renee Ananda

---

**From:** patricia sambrailo [pattyndogs@yahoo.com]

**Sent:** Sunday, December 11, 2011 1:49 PM

**To:** Renee Ananda

**Cc:** patty sambrailo

**Subject:** Beach Parking/Pacifica

To Rene Aranda,

I would like to say I am against the proposed beach parking fees at Linda Mar in Pacifica. I find it offensive on so many levels. It seems wrong that people would have to pay to enjoy their beach that we all pay for in our taxes anyway. People have to pay for just about anything and everything they do anymore. I think a family, couple, teens, lone walkers, surfers.. should have one place that does not mean spending money to enjoy.

My other concern if this does pass is what I call the "ripple effect". How it will impact the rest of our community. Will people park in nearby shopping centers, causing parking congestion for people who need to shop. Then what? Timed parking in shopping center? What a pain for someone who goes to center to eat, browse through different stores, then grocery shop all in one long visit there.

What if people start parking in the nearby neighborhood.. I know what happens then. Paid parking permits for residents in their own neighborhood and two hour parking for "visitor" or non permit cars. Then that would go through the whole town as if would "only be fair". I have seen that happen in San Francisco when we lived there. What a hassle for anyone who drives in to visit for the afternoon or to spend the night. The next move then is like in Davis, where the people have to purchase visitor parking cards for their out of town visitors. Another hassle for our already stressed lives, and our very stressed income.

People need a beach to restore their soul, uplift their spirit, refresh their body, and just be able to relax. Listen to the waves, feel the sand between their toes, look out at a sea so beautiful and immense that they can be in touch with nature and their part in it. Making it a paid event would demean it in terrible way.

Having a beach where people come to enjoy on a daily basis is a draw to our community. Money is spent in so many ways by people visiting our beach, why must we charge them to park? People pay for gas, they buy food, rent beach items, eat at nearby cafes, shop, and return more because

they feel it doesn't cost them.

The other point I wish to bring up is something that can not be measured. The way we who live here feel about our beach. We have many different organizations that host beach clean up days, replant days, plus many, many individuals who walk the beach daily and pick up trash as they go. We do this because we feel it is our beach and we have pride in it. We take care of it. I think that making it be a paid place so cash would be used for it would take some sense of community ownership out of it. Somehow I feel it would feel less "ours" and more government. And if there is anything we could use less of in our stressed lives in these hard times, it is less government. Especially at our beach where we go to get away from it all.

Thank you for your time, Patricia Sambrailo

*With love and wags,  
Patty and the happy dogs,*



*Live in the sunshine,  
swim in the sea,  
drink the wild air...*

*Ralph Waldo Emerson*

## Renee Ananda

---

**From:** tim duff [pacificatim@yahoo.com]  
**Sent:** Monday, November 21, 2011 12:27 PM  
**To:** Renee Ananda  
**Subject:** Linda Mar State Beach Parking fees

Hi Renee,

I am writing as a resident of Pacifica to express my position on the City of Pacifica CDP application to charge fees to park in the areas that serve Linda Mar State Beach. While I support the concept, there are conditions that should be incorporated into the permit.

Overflow parking in nearby parking lots will become a problem if these areas are not included in the permit. In particular, the two Caltrans park and ride lots on Linda Mar Blvd and at the Crespi senior center should also have a fee required to park there, unless you are a senior citizen going to the senior center. Not sure if this would entail Caltrans approval as they own or have some control over these lots, but either way fees have to be charged here to prevent beach goers from parking there to avoid the main beach lot. Note that in San Luis Obispo County at Montana de Oro SP, State Parks intends to charge an entrance fee while providing local residents with a discounted annual pass. I think this kind of arrangement should be included at Linda Mar SB, e.g. a \$25 annual pass. Also, beach access parking should be prohibited on Roberts Road or controlled to no more than a 30-60 minute max time allowed.

Also, all of the funds generated by such a fee program should be deposited into a special / separate city account and used only for maintenance and operations of this and the other city-managed beaches, including a minimum amount directed to a snowy plover education and enforcement program, e.g. \$5,000/ year to install signs, fencing and to enforce dog exclusion areas and dog on leash rules.

Thank you. Please add me to the email list for upcoming staff reports and meeting notices.

Tim Duff  
407 Roberts Rd.  
Pacifica, CA 94044



November 18, 2011

W2 D3a

Members, California Coastal Commission  
45 Fremont St.  
Suite 2000  
San Francisco, CA 94105

RECEIVED

NOV 21 2011

CALIFORNIA  
COASTAL COMMISSION

RE: December 7 Meeting

**Application No. 2-07-42 City of Pacifica Parking Fee**

I am writing as a Pacifica resident and coastal advocate in favor of the application to allow paid parking machines at Pacifica State Beach.

There are various rules for using this beach, which are intended to maximize the use and enjoyment of the beach for everyone. Unfortunately, enforcement of these laws is sporadic at best.

The City of Pacifica reports that the revenue from paid parking will be used to fund a beach ranger who will enforce existing rules for beach use, including the leash law.

Off leash dogs have injured people, but more often they menace the threatened Western snowy plover, a small shorebird that needs PSB to rest and forage. PSB should not be an "anything goes" beach. A regular enforcement officer will help make the laws meaningful to beach users, who now are now free to ignore the rules for beach use.

I also wish to thank the Commission and staff for implementing the Coastal Act as the voters intended.

Sincerely,  
*Bill Collins*  
Bill Collins

531 Johnson Ave  
Pacifica CA 94044

## Renee Ananda

---

**From:** Sarah Damron [sdamron@surfrider.org]  
**Sent:** Wednesday, November 16, 2011 12:29 PM  
**To:** Renee Ananda  
**Cc:** cochransurf@sbcglobal.net  
**Subject:** Re: Parking Fees at Pacifica State Beach

Hi Renee,

I reached out to nine other chapter folks (Executive Committee members, four Pacifica residents/surfers, and a San Francisco Chapter leader who is dealing with the fee parking question up there) to see what their thoughts on this were. There were a variety of viewpoints, concerns, and solutions conveyed; however, the commonly shared ones were:

- Concern about the mechanism/process for collecting fees (i.e. how will the fees be collected? Will it require infrastructure and, if so, what?) and how this could potentially impact access and efficient revenue generation. Essentially, how the fees are collected and what infrastructure is put in place could significantly impact the balance of maximizing access and revenue generation.

- Acknowledgment that creating fee parking for limited areas will cause extra strain on adjacent non-fee parking areas. This is something to be aware of in the context of potential impacts to the other uses of adjacent areas (commercial, residential, non-coastal dependent community resources (i.e. the Senior Center), and other coastal dependent use areas).

- Agreement that fees generated beyond those needed to hire the rangers and maintain facilities should support beach management. These fees should be limited for use on protecting/restoring beach ecology and continued managed retreat at Linda Mar.

- Agreement that the fees should be expressly limited to managing the beach at Linda Mar for recreational and ecological benefit.

- Concern that locals and low-income visitors will be disproportionately impacted by a one-size-fits-all fee. A potential remedy would include an annual parking pass option (of which high-frequency visitors and locals would take advantage). How to best address low-income folks was not so clear.

Amongst these folks there was not agreement on whether or not fees should be charged in the first place, but I'm sure judging the need and balancing need with impact is a primary issue you are already focused on.

Thanks again for reaching out and I hope this additional information is helpful.

Sarah Damron  
Central California Regional Manager  
Surfrider Foundation  
[sdamron@surfrider.org](mailto:sdamron@surfrider.org)

cell: 831 239 1520

Help keep our coastline clean, healthy, and accessible...join Surfrider Foundation today. [www.surfrider.org/join](http://www.surfrider.org/join)

On Nov 10, 2011, at 1:50 PM, Renee Ananda wrote:

Hello Sarah,

Thank you for your reply.

The ranger positions would be field positions under the supervision of the City's Parks Beaches and Recreation Department. Specific duties for the rangers include informing the public about beach and parking regulations. Input I've received from Pedro Pt. Surf Club, the Pacifica Shorebird Alliance, and individuals who surf at that beach concur that there is a need for ranger and enforcement staff to assist with enforcing rules and regulations.

City Council discussed this issue 12/14/2009 and on 3/8/2010 approved submitting the CDP permit application to the Commission. The money for maintaining the facilities came from the City's budget (I am waiting to hear from staff specifically). The current annual cost to maintain the facilities, per City staff is \$160,000 per year. The Operating Agreement between the California Department of Parks and Recreation prohibits the City from making a profit from the facility and any revenue generated can only be used at Pacifica State Beach.

As far as I'm aware there hasn't been discussion of a parking fee and people who may park there all day, living out of vehicles. RTA

---

**From:** Sarah Damron [mailto:[sdamron@surfrider.org](mailto:sdamron@surfrider.org)]

**Sent:** Tuesday, November 08, 2011 1:10 PM

**To:** Renee Ananda

**Cc:** [cochransurf@sbcglobal.net](mailto:cochransurf@sbcglobal.net)

**Subject:** Re: Parking Fees at Pacifica State Beach

Hi Renee,

Thanks for reaching out about this. I will check in with some chapter folks up there and get back to you in greater detail.

In general, Surfrider Foundation supports low-impact beach access for all. My initial reaction is that if this fee

- would create an unreasonable or unmerited financial barrier to public access, or
- would generate funds to further develop (i.e. pave) more of the beach area, or
- would generate funds that could be used for armoring at this beach or elsewhere in Pacifica, or
- would generate funds that aren't needed (i.e. to supplant the present funding source) or that could be diverted for uses other than managing this beach,

then Surfrider would be concerned. I am also interested in the stated need for rangers at the beach...did the City specify the service[s] that the rangers would provide?

Was this project approved at the local level? If so, I never heard about it. I don't imagine that most people surfing Linda Mar--and there are many--would be too happy about paying for something that has always been free unless it provides a necessary service.

Where did money come from previously for facilities maintenance at Linda Mar, and what happened to make those funds unavailable or insufficient? What is the present cost to maintain these facilities?

Lastly, just as an FYI, since parking at Linda Mar is currently free, there are some people who live out of their vehicles and will park here all day. I could see this (--displacing these people) being one of the motivations behind the fee. This assertion is merely speculative and it is unclear to me whether displacing these people would be of direct concern to the Commission. However, I would imagine this might be of concern should it turn out that this is a primary driver behind the fee.

Thanks!

Sarah Damron  
Central California Regional Manager  
Surfrider Foundation  
[sdamron@surfrider.org](mailto:sdamron@surfrider.org)  
cell: 831 239 1520

Help keep our coastline clean, healthy, and accessible...join Surfrider Foundation today. [www.surfrider.org/join](http://www.surfrider.org/join)

On Nov 8, 2011, at 10:44 AM, Renee Ananda wrote:

Hello Members of the Surfing Community,

The City of Pacifica submitted a Coastal Development Permit application requesting authorization to install parking meter ticket machines at the two Pacifica State Beach (aka Linda Mar Beach) parking lots and to implement a Parking Fee Program. The City is proposing vehicles parking in the two lots pay \$3.00 for less than 4 hours and \$6.00 for over 4 hours use; or an annual pass for \$50.00. Fees collected would be used to maintain the beach (and facilities there) and to hire two rangers. Fees would be equally applied to all users. I want to see what concerns, if any, the surfing community might have regarding this issue, specifically at Pacifica State Beach.

I can be contacted at 415-904-5267 or via e-mail at [rananda@coastal.ca.gov](mailto:rananda@coastal.ca.gov)

Thank you. Renée Ananda, Coastal Program Analyst

## Renee Ananda

---

**From:** Greg & Karen Cochran [cochransurf@sbcglobal.net]

**Sent:** Wednesday, November 09, 2011 7:56 AM

**To:** Renee Ananda

**Subject:** Re: Parking Fees at Pacifica State Beach

Good Morning Renee

The surfing community is very supportive of the parking fees.

We all look forward to having sufficient city staff at the beach to handle cleanup - enforcement of city beach regulations and support our many visitors from around the world.

We have taken informal surveys of surfers from all over the bay area and we find that approx 80% are in favor of the proposed parking fees.

As president of the Pedro Point Surf Club I am more than willing to make an appearance at the public hearing in San Francisco in December at your next meeting. Please let me know when & where the Pacifica State Beach Parking issue will be discussed.

Thank you so much for keeping us informed and thank you for all your good work!

Aloha,

Greg Cochran

President

Pedro Point Surf Club of Northern California

183 San Jose Ave

Pacifica, CA 94044

415 608-7599

---

**From:** Renee Ananda <rananda@coastal.ca.gov>

**To:** cochransurf@sbcglobal.net; Sarah Damron <sdamron@surfrider.org>

**Sent:** Tue, November 8, 2011 10:44:16 AM

**Subject:** Parking Fees at Pacifica State Beach

Hello Members of the Surfing Community,

The City of Pacifica submitted a Coastal Development Permit application requesting authorization to install parking meter ticket machines at the two Pacifica State Beach (aka Linda Mar Beach ) parking lots and to implement a Parking Fee Program. The City is proposing vehicles parking in the two lots pay \$3.00 for less than 4 hours and \$6.00 for over 4 hours use; or an annual pass for \$50.00. Fees collected would be used to maintain the beach (and facilities there) and to hire two rangers. Fees would be equally applied to all users. I want to see what concerns, if any, the surfing community might have regarding this issue, specifically at Pacifica State Beach .

I can be contacted at 415-904-5267 or via e-mail at [rananda@coastal.ca.gov](mailto:rananda@coastal.ca.gov)

Thank you. Renée Ananda, Coastal Program Analyst

## Renee Ananda

---

**From:** Sarah Damron [sdamron@surfrider.org]  
**Sent:** Tuesday, November 08, 2011 1:10 PM  
**To:** Renee Ananda  
**Cc:** cochransurf@sbcglobal.net  
**Subject:** Re: Parking Fees at Pacifica State Beach

Hi Renee,

Thanks for reaching out about this. I will check in with some chapter folks up there and get back to you in greater detail.

In general, Surfrider Foundation supports low-impact beach access for all. My initial reaction is that if this fee

- would create an unreasonable or unmerited financial barrier to public access, or
- would generate funds to further develop (i.e. pave) more of the beach area, or
- would generate funds that could be used for armoring at this beach or elsewhere in Pacifica, or
- would generate funds that aren't needed (i.e. to supplant the present funding source) or that could be diverted for uses other than managing this beach,

then Surfrider would be concerned. I am also interested in the stated need for rangers at the beach...did the City specify the service[s] that the rangers would provide?

Was this project approved at the local level? If so, I never heard about it. I don't imagine that most people surfing Linda Mar--and there are many--would be too happy about paying for something that has always been free unless it provides a necessary service.

Where did money come from previously for facilities maintenance at Linda Mar, and what happened to make those funds unavailable or insufficient? What is the present cost to maintain these facilities?

Lastly, just as an FYI, since parking at Linda Mar is currently free, there are some people who live out of their vehicles and will park here all day. I could see this (--displacing these people) being one of the motivations behind the fee. This assertion is merely speculative and it is unclear to me whether displacing these people would be of direct concern to the Commission. However, I would imagine this might be of concern should it turn out that this is a primary driver behind the fee.

Thanks!

Sarah Damron  
Central California Regional Manager  
Surfrider Foundation  
[sdamron@surfrider.org](mailto:sdamron@surfrider.org)  
cell: 831 239 1520

Help keep our coastline clean, healthy, and accessible...join Surfrider Foundation today. [www.surfrider.org/join](http://www.surfrider.org/join)

On Nov 8, 2011, at 10:44 AM, Renee Ananda wrote:

Hello Members of the Surfing Community,

The City of Pacifica submitted a Coastal Development Permit application requesting authorization to install parking meter ticket machines at the two Pacifica State Beach (aka Linda Mar Beach) parking lots and to implement a Parking Fee Program. The City is proposing vehicles parking in the two lots pay \$3.00 for less than 4 hours and \$6.00 for over 4 hours use; or an annual pass for \$50.00. Fees collected would be used to maintain the beach (and facilities there) and to hire two rangers. Fees would be equally applied to all users. I want to see what concerns, if any, the surfing community might have regarding this issue, specifically at Pacifica State Beach.

I can be contacted at 415-904-5267 or via e-mail at [rananda@coastal.ca.gov](mailto:rananda@coastal.ca.gov)

Thank you. Renée Ananda, Coastal Program Analyst

Pacifica Shorebird Alliance  
648 Edgemar Avenue  
Pacifica, CA 94044  
650 3593352

RECEIVED

August 12, 2011

AUG 15 2011

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219

CALIFORNIA  
COASTAL COMMISSION

Subject: RE: File # 2-07-042: Paid Parking at Pacifica State Beach

Dear Coastal Commissioners:

The Pacifica Shorebird Alliance is a local 501 (c)(3) organization working to assure safe habitat here in Pacifica for wildlife such as the threatened Western Snowy Plover.

We support the City of Pacifica's application to institute paid parking at Pacifica State Beach.

Beach rules that have been designed to maximize the safe enjoyment of the beach for everyone are being violated with impunity. Unfortunately, due in part to a lack of funds, there has been insufficient enforcement of the rules pertaining to off leash dogs, use of glass containers, smoking, littering, and beach fires.

The northern section of Pacifica State Beach is recognized as historically prime habitat area for over wintering population of Western Snowy Plovers. To our chagrin, many beach walkers, without enforcement, have been turning the plover habitat into a dog park.

Paid parking would provide our fiscally-challenged city with a dedicated source of revenue to help enforce the rules for use of the beach.

Sincerely,



Noel Blincoe  
Chair, Pacifica Shorebird Alliance

cc:

Stephen Rhodes, Pacifica City Manager  
Michael Perez, Director of Pacifica Parks, Beaches and Recreation.  
City Council



October 10, 2005

Letter to the Editor

*Council / Coastal Comm*  
BEACH PARKING

RECEIVED

OCT 12 2005

CALIFORNIA  
COASTAL COMMISSION

Editor:

I am writing to inform your readers of new problems with the proposed ordinance to charge for parking at our Linda Mar Beach and to urge the City Council to vote against this unfair, unpopular and potentially libelous action.

I have studied American Constitutional law and worked with Pacifica attorneys and I can tell you that we do have serious problems with this ordinance. Not because of any statute, but because it violates the guarantee of Equal Protection Under the Law in our national Constitution. By proposing to charge \$25 a year for a parking permit for Pacifica residents and \$75 for those from other communities, it would discriminate against citizens in a State Park organized to serve all citizens of the state on an equal basis. This could invite class action lawsuits from any group of surfers, visitors or others who wish to challenge the ordinance and it could go all the way to the Supreme Court. Our city, with the recent multimillion dollar suits brought against us, can not afford such an oversight and it would be irresponsible of the Council to overlook this danger by approving the ordinance.

Contrary to what is stated in the City's introduction to the ordinance, we do need approval of a permit by the Coastal Commission and we do not have it. I have spoken with representatives of the California State Parks Service and of the Coastal Commission and they say they would not support approval of the ordinance because of the violation of Equal Protection Under the Law and because it is out of line with other state parks in the system. Pacifica would be the only city charging different fees for visitors from the host city and from other communities in the state and they say they cannot justify such discrimination.

It would also be illegal to use any profits from the Linda Mar State Beach for other beaches or parks in Pacifica, as implied in the introduction to the ordinance. Money from a state park must be used only for the park where it is charged and it is illegal to co-mingle money from state and city parks in our system. I know we need money for maintenance of our parks and beaches but this should come responsibly from the City's general fund and not piecemeal from individual projects.

I need to say that I enjoy the Linda Mar beach and am grateful appreciate the improvements we have there. But we are not talking about the beach or even the parking lot per se. We are talking about a specific ordinance which charges fees, requires staff time to administrate, sets forth penalties and provides for hearings from those opposed to its charges. This ordinance—and only this ordinance—is the subject of our conversation.

Anna Boothe, Page Two

I also need to point out that the Mayor attempted to refuse speakers opposed to the ordinance their right to speak at the last Council meeting, a clear violation of the right to free speech guaranteed by our Constitution. This was over-ruled by the Council, as it should be, and I trust we shall not encounter that problem at the next Council meeting. It is dangerous because it could be seen as an effort to silence those opposing the ordinance and it is not in the tradition of this fair and intelligent Council. Also, the "hearing" of the ordinance was continued a second time, without any stated reason, after a convincing presentation by citizens opposing it—including a City Council candidate, the manager of the Linda Mar Shopping Center, a disabled Senior Citizen asking to save the Community Center Parking lot which would be depleted by surfers avoiding paid parking across the highway, and other citizens who question the Council's desire to charge for parking in a space they have been parking in free for years.

It is because we love Pacifica and have respect for the intelligence and fairness of our City Council that we shall continue to appear at Council meetings to oppose this until it receives a fair hearing and is defeated as it should be. We urge our fellow citizens to contact their City Council members and appear with us at the next meeting at 7 p.m. Monday, October 24 at Council Chambers on Beach Boulevard to oppose this unfair ordinance.

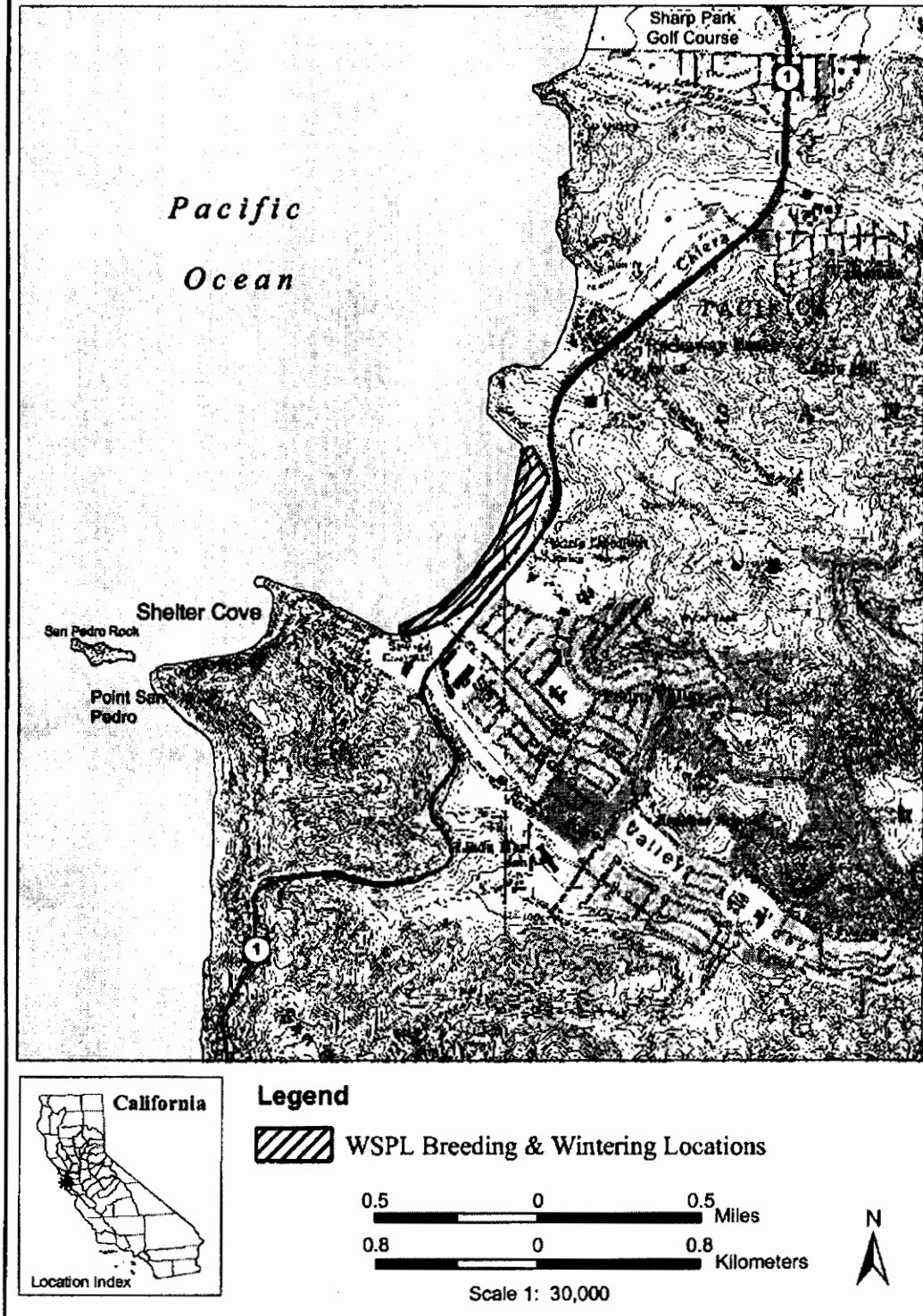
*Anna Boothe*  
Anna Boothe  
Park Pacifica  
650-557-9097

*Dear Yin - I am also sending  
this to Callie Reed at  
State Parks. I think I've  
been keeping us put on  
and to this controversy.*

*Anna*

# WESTERN SNOWY PLOVER HABITAT

Figure L - 70. Pacifica Beach (CA-48), San Mateo County, California.



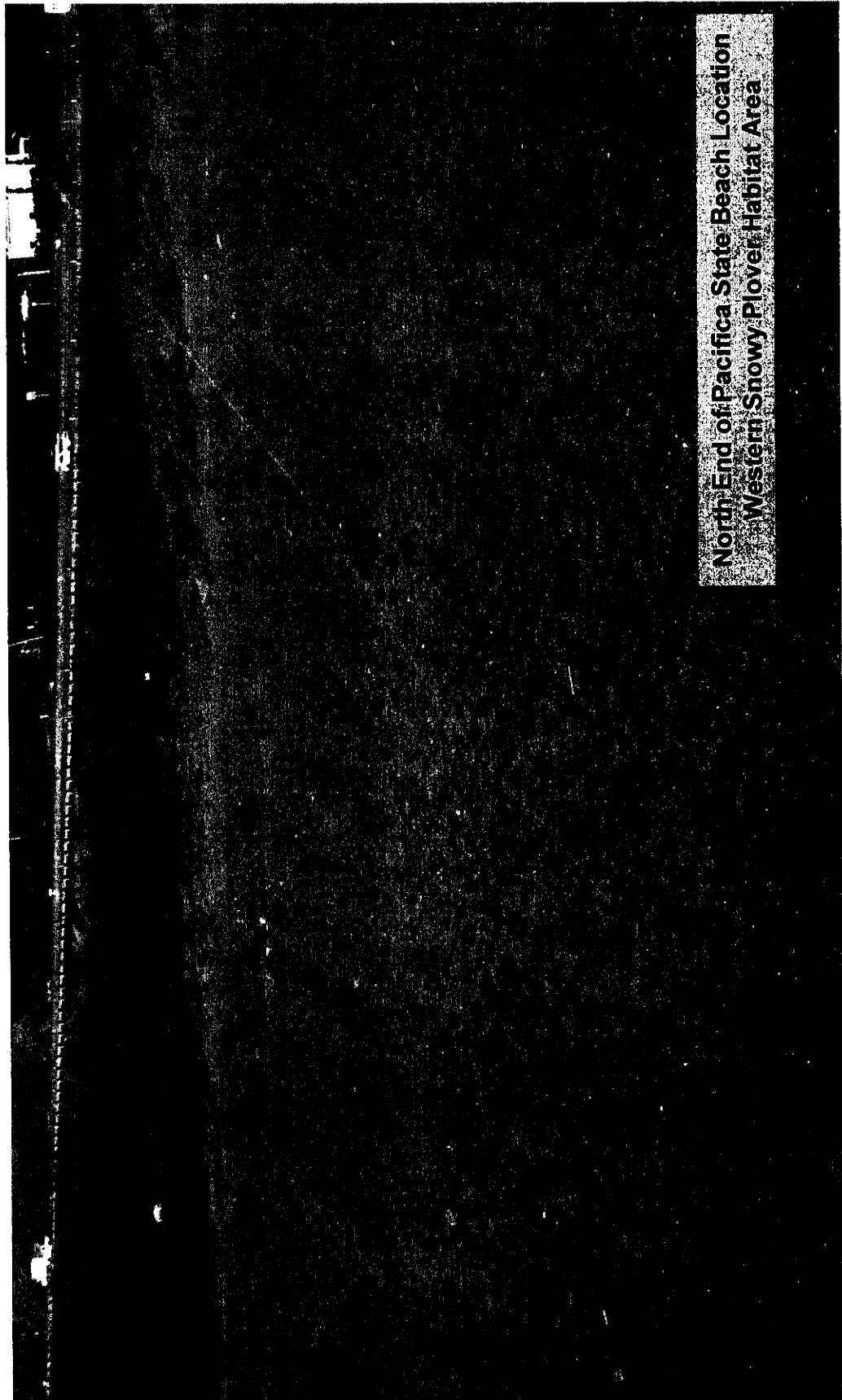
L-71

USFWS WSP Location Map

2-12-019 (City of Pacifica)

Exhibit 8: Western Snowy Plover Habitat

Page 1 of 2



North End of Pacifica State Beach Location  
Western Snowy Plover Habitat Area

**From:** Bill C [mailto:94116bc@gmail.com]  
**Sent:** Monday, November 05, 2012 8:51 AM  
**To:** Geisler, Karen@Coastal  
**Subject:** from Bill Collins - (trying again, revised e-mail)

Thlla

## Pacifica Shorebird Alliance

November 1, 2012

Karen Geisler  
California Coastal Commission

Dear Ms Geisler:

Pacifica Shorebird Alliance advocates essential protections for the population of the threatened Western snowy plover, which seasonally rests and feeds at Pacifica State Beach. Despite our years of work for these birds, nothing has changed on the beach, which is managed by the City of Pacifica. There is no fencing, signage, or enforcement of the leash law to give the plovers a little safe space. Flushing the birds from their usual resting space in the dunes depletes essential fat stores.

City staff explain the failure to protect the plovers by telling the City Council that they're still waiting for input from the US Fish and Wildlife Service, (an imposition required by Council and bitterly resisted by staff). In reality, F&WS fully replied to Pacifica staff some thirteen months ago. Evidently that letter was not shared with our City Council.

PSA generally favors the application of the City of Pacifica for paid parking, provided that the revenues not disappear into the city's general fund. Pacifica is a chronically low-revenue city, and it continues to explore more budget cuts and new revenues. Without safeguards, it's not improbable that the paid parking revenues will only subsidize current city activities.

City staff have not been forthcoming with us as to the use of the parking revenues, but there has been talk of one or two full-time rangers. Would these positions be fungible with other city staff, particularly the police department? Would ranger staffing vary with beach usage, or be constant regardless of the number of beach visitors? Would the rangers have enforcement authority, to cite people who violate the rules for beach use, particularly the leash law, which is not presently enforced? (We regularly collect data as to the number of plovers sighted, as well as the number of dogs on/off leash).

Would any of the parking revenues be used for signage, an educational kiosk,

permanent scopes, or fencing, as recommended by the US Fish and Wildlife Service? (see attached letter).

If the revenues are expended for such tangibles, then we can be assured that parking revenues are used for additional beach enhancement. If not, a maintenance of effort requirement might be needed to ensure that parking revenues do not displace current beach expenditures.

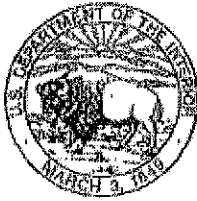
Also attached is a photo of a symbolic fence (recommended in the F&WS letter of 9/2012 but opposed by Pacifica staff) in place at Santa Barbara. If dogs will not be banned from PSB despite the policy of the California Dept. of Parks, we regard the symbolic fence as so essential that we have offered to raise the funds for its purchase.

We appreciate your consideration of our concerns.

Sincerely,

Bill Collins  
VP, Pacifica Shorebird Alliance

531 Johnson Avenue  
Pacifica, CA 94044  
(650) 898-8990



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846



In Reply Refer To:  
81420-2011-TA-0318

SEP 27 2011

Michael J. Perez  
Director - Parks, Beaches and Recreation  
1810 Francisco Blvd  
City of Pacifica, California 94044

Subject: Comments on the City of Pacifica Recommendations for Western Snowy Plover  
Protections at Pacifica State Beach

Dear Mr. Perez:

The U.S. Fish and Wildlife Service's (Service), Sacramento Fish and Wildlife Office, is providing comments on the *City of Pacifica Recommendations for Western Snowy Plover Protections at Pacifica State Beach As Modified by City Council 4.25.11* (PRWSP) under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act). At issue are the potential effects of the project on the federally threatened western snowy plover (*Charadrius alexandrinus nivosus*) (plover).

This letter is based on: (1) An electronic mail correspondence dated May 25, 2011 from the City of Pacifica (Pacifica) to the Service requesting comments on the PRWSP; (2) supplemental information on proposed signs provided by Pacifica; (3) the *Western Snowy Plover (Charadrius alexandrinus nivosus) Pacific Coast Population Recovery Plan* (Recovery Plan); and (4) other information available to the Service.

#### Comments

We appreciate the difficulties beach managers experience trying to balance beach use with conservation of the plover. The PRWSP is a good effort towards plover conservation; however, the Service believes the PRWSP, as proposed, does not meet the goals and objectives of the Recovery Plan and does not adequately reduce the potential effects of beach use on the plover. The Service believes that there are two overlying components of successfully managing a beach like Pacifica State Beach. They are: (1) a compliance-based management strategy which includes policy, enforcement, and monitoring; and (2) a comprehensive educational and outreach program. The implementation of such management strategy is an important component of any management plan and would instill confidence that Pacifica will manage Pacifica State Beach in compliance with the Act and in such a manner as to contribute to the recovery of the plover. The proposed







**From:** Sontian M-S [mailto:sontian@gmail.com]  
**Sent:** Saturday, November 03, 2012 12:36 AM  
**To:** Geisler, Karen@Coastal  
**Subject:** Re: Pacifica parking fees

Thlla

Hello Karen,

I am enquiring about the new parking meter proposal. What is the reason that this is being implemented? Is it for maintenance of the facilities (rest rooms / showers) or extra tax revenue?

One of the reasons I am asking is that I feel it would significantly and negatively impact patronage to your community (Pacifica). As a surfer, I go to Pacifica for a number of reasons, it is a user friendly beach good conditions usually, access to plenty of amenities, shops and restaurants for after surfing, and importantly, because parking is free. One of the reasons I surf is that it is a sport that I can make a reasonable initial investment in, and then no longer have to keep paying to partake in it.

Here are some arguments against introducing parking fees:

In Half Moon bay, there are a number of beaches some paid, some free, the free ones sometimes having no assigned parking. I have only once been to one of the pay-beaches, and that was when the meter was broken so that I could park freely. Thus, I believe, that putting a parking meter in would reduce visitors to Pacifica and its beach.

Part of why I like Pacifica is that there are plenty of shops right next to the beach. The last two times I went surfing there I went to the local stores to get lunch (not just the Taco Bell), visited the local surf shop, and went and got a coffee in town where I met some great people. Should a parking fee be instituted and other surfers and I no longer surf in Pacifica, these businesses would lose patronage and thus money.

Also, when I visit the beach I like to spend several hours to the whole day there. If I have to come out of the water to keep feeding the meter, I will definitely go elsewhere, and having to constrain myself to a particular time limit would take some of the enjoyment out of being there.

Should I still decide to surf in Pacifica, I would simply park elsewhere, even if I had to walk a decent distance. This would mean I am parking in residential areas most likely, and taking up the parking of the locals. If enough surfers do this, this could become an issue.

This is how I feel, and I believe that many other surfers would feel similarly.

That being said, should you need extra funds for the maintenance of the facilities, then at least provide an option of a reasonably priced season pass that one can buy, spanning say, six months? This way it doesn't feel like such a constant bother, and it would encourage carpooling.

Thank you for your time and consideration.

Sincerely,  
Sontian Morrell-Stinson

On 2 November 2012 16:39, Geisler, Karen@Coastal <[Karen.Geisler@coastal.ca.gov](mailto:Karen.Geisler@coastal.ca.gov)> wrote:

Hello: I understand you left a voice mail regarding the above referenced project. I am the coastal planner assigned to this so if you have any questions or would like to submit comments before the hearing, please feel free to contact me.

Thanks!

Best

~Karen

Karen J Geisler, Coastal Program Analyst

California Coastal Commission, Central Coast District

725 Front Street, Suite 300, Santa Cruz, CA 95060

Phone: (831) 427 4863 Fax: (831) 427 4877

Karen.Geisler@coastal.ca.gov

[www.coastal.ca.gov](http://www.coastal.ca.gov) ><(((('(>'. . . . .><(((('(>

$$(\dots)_{\alpha} \dots (\dots)_{\beta} > \langle (((0)) \rangle_{\gamma} (\dots)_{\delta} (\dots)_{\epsilon} \dots \rangle \langle (((0)) \rangle_{\zeta}$$

Th11a

**From:** stan zeavin [mailto:margstan@sbcglobal.net]  
**Sent:** Friday, November 09, 2012 11:57 AM  
**To:** Geisler, Karen@Coastal  
**Cc:** 94116bc@gmail.com; aprilrandol@gmail.com; charadrius1@gmail.com; Clark Natwick; dyercrouch@yahoo.com; Ed Geer; Greg Hirsch; lazar keitelman; mary keitelman; noelblincoe@msn.com; sjhagen@sbcglobal.net; Victor Carmichael  
**Subject:** CCC Thursday, Item TH11a

Hi Karen,

Thanks for speaking with me on Monday.

After reading through the staff report I have several concerns, the most important of which is the incorrect location identified for the plovers. Condition 3 Dune Protection does not protect the plovers from walkers, dogs, etc. and needs to be expanded or other conditions added. The fencing east of the dunes will not prevent regular disturbance to the plovers because they do not use that area as it is not useable habitat.

The Analysis Section E Sensitive Habitats on page 17 states:

"The snowy plover habitat area is concentrated in the back dunes at the northern end of Pacifica State Beach (to the north of Crespi Drive) (Exhibit 2 page 4) where approximately 3.5 acres of active dunes serve as foraging and potentially future nesting habitat for this shorebird species."

In fact, our wintering Snowy Plovers never use the back dunes unless they have been chased from their preferred habitat west of the fore dunes. The plovers actually forage and rest on the relatively flat area of the beach extending from the seaward edge of the dunes down to the wrack line. Occasionally they also are found foraging out on the area of wet sand still closer to the water's edge. When the plovers are pushed up into the dunes by people and dogs, they rarely go more than about 25 or 30 feet into that area. This is in large part because as you move east across the dunes, they quickly become too heavily vegetated for the plovers.

The following FWS Recovery Plan Vol. 1, Section III Narrative Outline of Recovery Actions provide crucial information:

#2 (page 160) states "Wintering and migration habitats should...be monitored and managed to maximize survival and recruitment of western snowy plovers into the breeding population."

#2.1 (page 161) defines habitat requirements, advising managers to "Maintain natural coastal processes that contribute to ...wide, flat, sparsely-vegetated beach strands preferred by western snowy plovers..."

Special Condition 3 begins to address protection of the plovers, but by defining the back dunes as plover habitat and focusing on "monitoring the trail area to help prevent dune/plover impacts" the true habitat is unprotected. While the city has proposed permanent fencing along the multi-use trail east of the dunes, this must not be confused with seasonal symbolic fencing west of the dunes, which would provide a measure of protection for the plovers and their actual habitat.

Is it possible to further condition the permit to correctly identify the plover habitat and require that it be monitored and protected. I hope that you can help focus attention on real protection for our ESA listed plovers.

Additionally, to be of any real use, rangers must be qualified to educate and enforce existing rules and those recommended by USFWS. Rangers also must be certified as public officers with enforcement and citation authority since the 1/3 police officer is unlikely to be immediately available when needed.

The Condition 4 Annual Project Reports is absolutely necessary. A detailed report of actions taken pursuant to Special Condition 3) must be based on accurate information about plover habitat location.

Thanks so very much for your dedication to the coast and its creatures human and otherwise,

Margaret Goodale

650-355-9654