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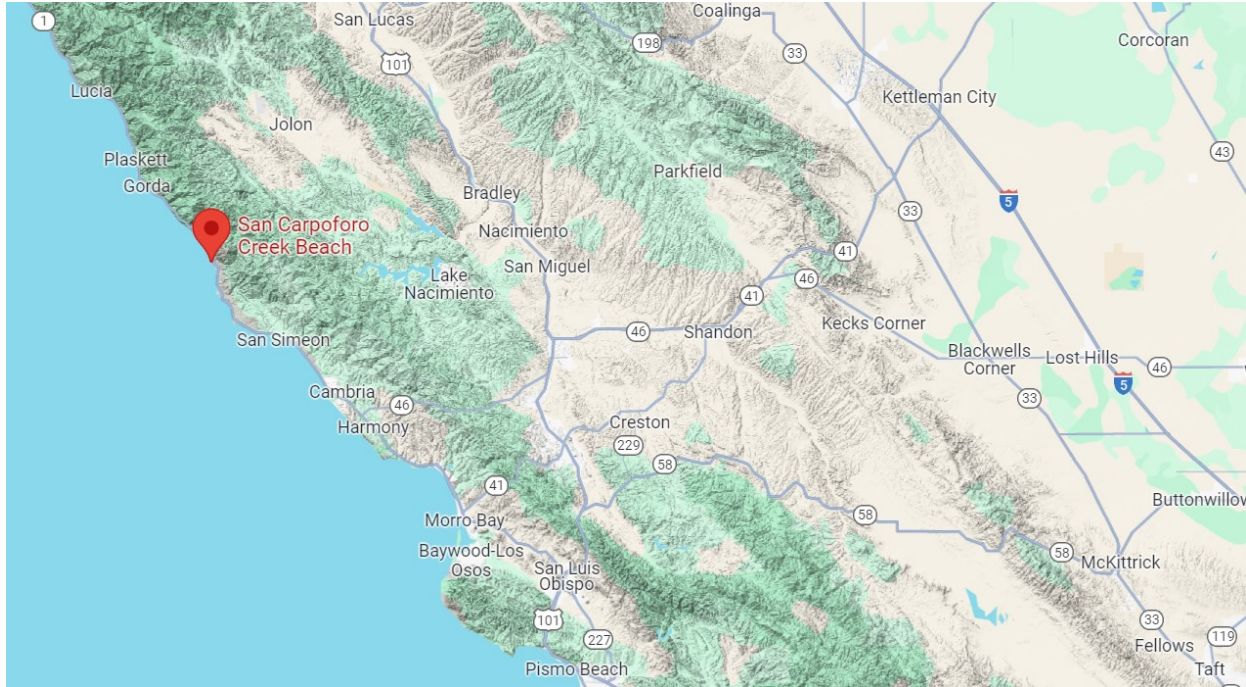
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(U.S. FOREST SERVICE – SAN CARPOFORO BEACH)

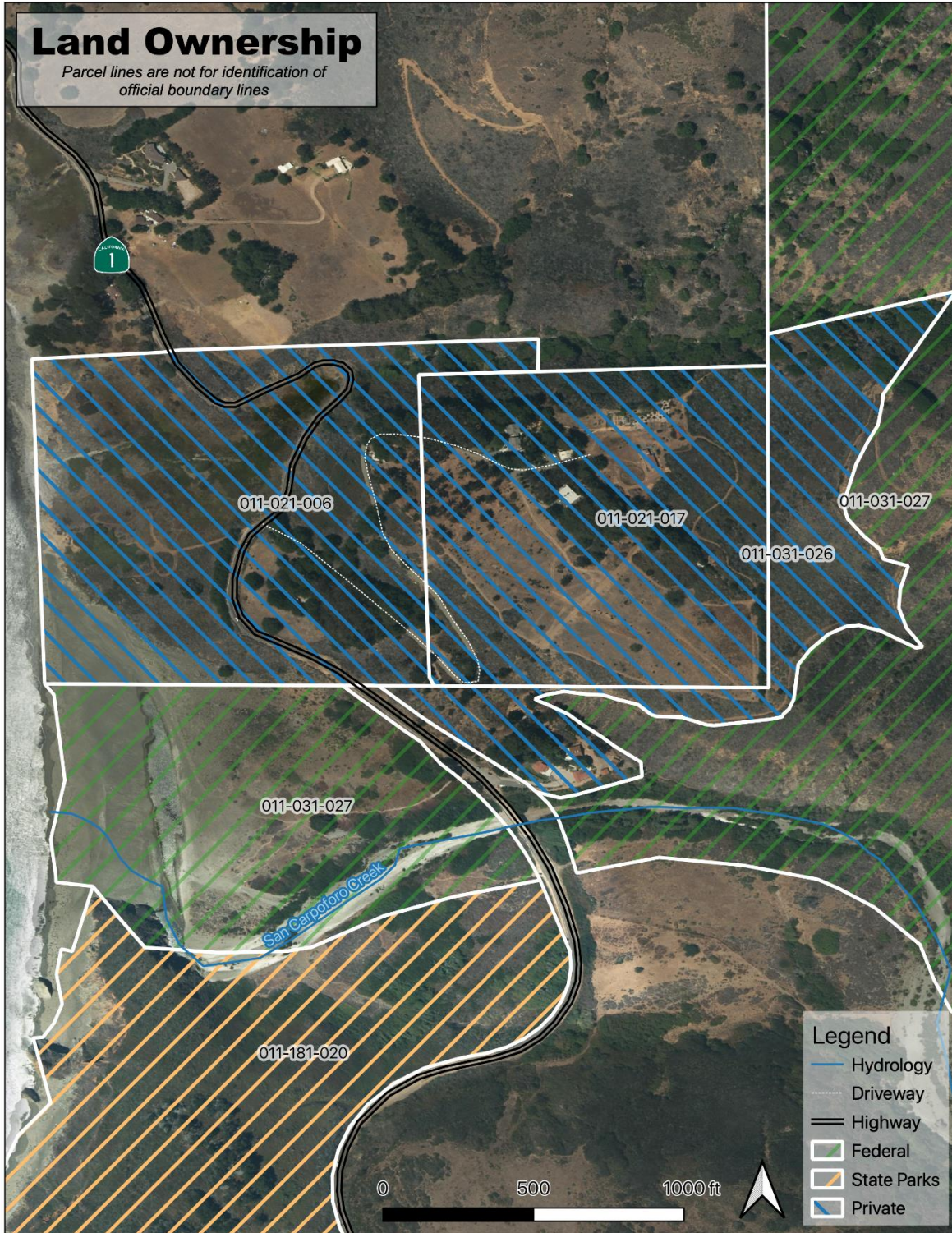
MARCH 14, 2024

EXHIBITS

- Exhibit 1 – Map of Project Location and Aerial View**
- Exhibit 2 – Map of San Carpoforo Beach Ownership**
- Exhibit 3 – Map of Designated Critical Habitat for Western Snowy Plover at San Carpoforo Beach**
- Exhibit 4 – 2019 Resolute Report, provided on behalf of USFS**



CD-0001-23
Exhibit 1 -- Map of Project Location and Aerial View



CD-0001-23
Exhibit 2 - Map of San Carpoforo Beach Ownership

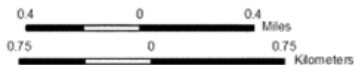
San Carpoforo Creek (CA 24), San Luis Obispo County, California.

"Shoreline data was derived from USG 7.5' digital raster graphics. It may not accurately represent the dynamic shoreline environment."



Legend

 Pacific Coast Western Snowy Plover
Critical Habitat



CD-0001-23

Exhibit 3 - Map of Designated Critical
Habitat for Western Snowy Plover at San
Carpoforo Beach



Resolute Associates LLC
FROM VISION TO ACTION

CD-0001-23
Exhibit 4 - Resolute report

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ENVIRONMENTAL ASSESSMENT OF RECREATION IMPACTS: SAN CARPOFORO BEACH

OCTOBER 8, 2019

Resolute Associates



ENVIRONMENTAL ASSESSMENT OF RECREATION IMPACTS: SAN CARPOFORO BEACH

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Resolute Associates LLC
FROM VISION TO ACTION



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Executive Summary

Resolute Associates LLC (Resolute) performed an in-depth analysis of recreational use on San Carpoforo Beach. Resolute considered impacts to the environment, threatened and endangered species, serious fire threats and safety, sanitation, and traffic safety. The purpose of this analysis is to help resolve recreation use issues, preserve the environment and protect endangered species, and propose a common management plan among landowners.

In general, we found that environmental impacts of recreational use on San Carpoforo Beach are exacerbated by current management arrangements of San Carpoforo Beach, thus having a greater detrimental effect on endangered species. As one example, the federally endangered western snowy plover feeds and rests on this beach year-round and nests on the dunes, and this species is being negatively impacted by recreational use. Regulations implemented to protect the snowy plover on other state and federal lands throughout California, including neighboring Hearst San Simon State Park, are not currently being implemented by Los Padres National Forest (LPNF), the agency which also controls access to the beach. Further, beach management, public awareness of regulations, and compliance with rules are complicated by mixed private, State and Federal ownership. These entities employ different regulations and provide few boundary markers. On the whole, California State Parks regulates and restricts recreation in this region much more than the Los Padres National Forest.

Species found in this general area that are federally listed under the Endangered Species Act include:

- Western snowy plover
- South-Central California Coast DPS Steelhead
- Tidewater goby
- California red-legged frog
- Smith's blue butterfly
- Elephant seal

Public use of this area, which is relatively recent, has impacted these sensitive species through visual disturbance, trampling of habitat and nests, trash, human waste, fires, and overnight camping. Past efforts to control public use of the beach include:

- Temporary rope fencing of identified snowy plover nesting areas by LPNF (which has been placed too far inland)
- Informational signage about snowy plover impacts
- Seasonal (summer/fall) fire restrictions imposed by LPNF

Impediments to species protection include:

- Lack of enforcement of any special restrictions pertaining to snowy plover protection on lands publicly accessed through LPNF at San Carpoforo Beach.
- Inadequate visual ownership boundaries.
- Difficulty enforcing regulations that prohibit dogs, camping, or campfires on San Carpoforo Beach.



The fire hazard in the area is pronounced and exacerbated by uncontrolled recreation on a public beach in which fire protection laws and enforcement are not commensurate with the threat. The general fire laws that apply to the two million acres of the Los Padres National Forest are not adequate for a beach/lagoon environment where human activities such as fire-building and camping are concentrated more than across the LPNF as a whole, and therefore create an area in need of special attention for fire control.

Significantly, the beach access areas south of San Carpoforo creek all prohibit overnight parking and camping by County of San Luis Obispo ordinance. This designation does not exist for the San Carpoforo Beach access area despite similar conditions.

Following our in-depth analysis of the observed and potential impacts of recreational use on San Carpoforo Beach, Resolute established seven recommendations as listed in [Appendix A](#) Findings and Recommendations, including:

Recommendation #1: Adopt regulation similar to State Parks across the beach area that protect plovers: no fires, camping, or dogs on the beach. Post signage and erect temporary fencing on breeding areas during that season.

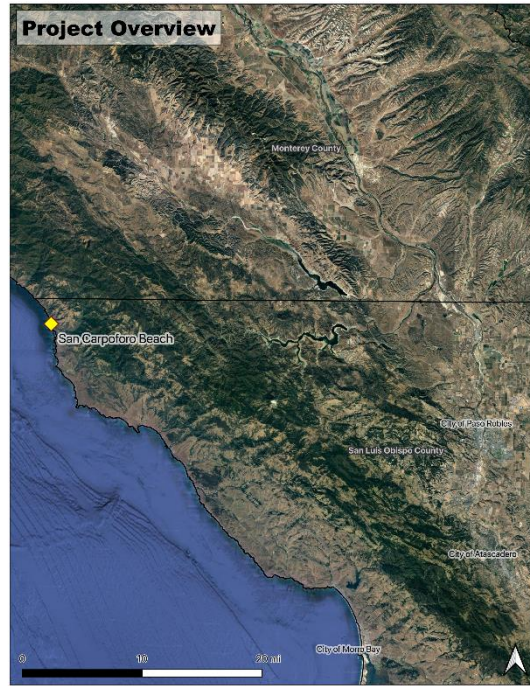
Recommendation #3: Request the County to include this section of the road in the County ordinance, “No Overnight Parking or Camping,” similar to what exists along the other public beach parking areas.

The intent of this report is to provide the requisite data and analysis in order to assist Los Padres National Forest, the private landowner, and San Simeon State Park in a coordinated effort to protect ecological resources while providing access and an appropriate level of recreation on San Carpoforo Beach.



Introduction

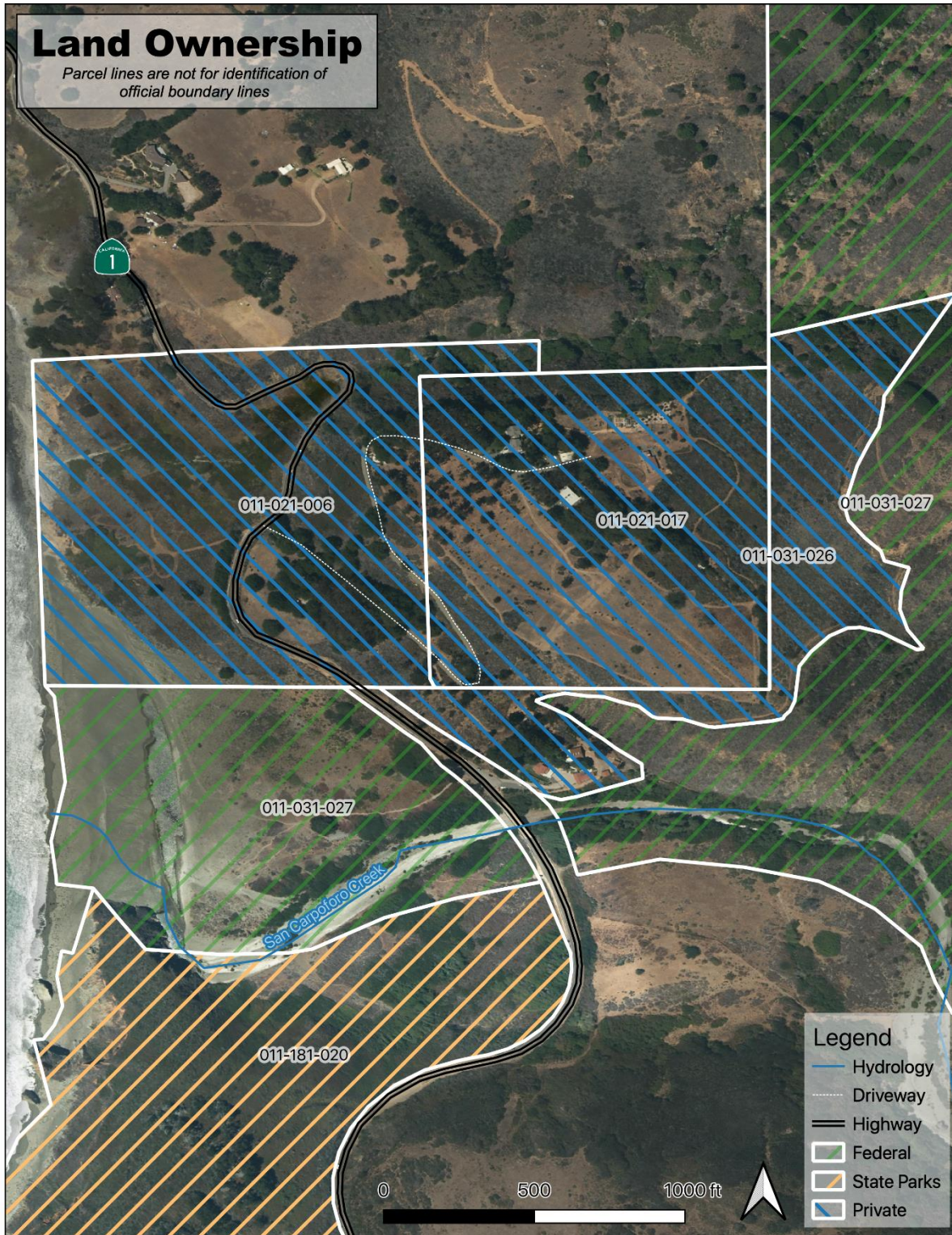
San Carpoforo Beach is located approximately 15 miles north of San Simeon, Calif. and defines the southern boundary of the steep Big Sur coast (see location map). The beach, the San Carpoforo estuary, and vegetated tidal flats west of Highway 1 cover approximately 35 acres and are owned or managed by the Balson Family Trust on the north side, the Monterey Ranger District of the Los Padres National Forest (LPNF) in the center, and Hearst San Simeon State Park to the south. The public has access to this beach through LPNF lands via an old gated road along Highway 1, and the public uses this area to hike and recreate. There are no parking, camping, or day use facilities. Public use began in 2005 when LPNF was given a portion of the beach and allowed access. According to the Big Sur Visitor Bureau, more than three million people visit the Big Sur Coast annually. Such popularity deleteriously impacts the environmental quality of San Carpoforo Beach. (Note: This area was sometimes historically referenced as “San Carpojo Beach.”)



The San Carpoforo Creek is part of the Big Creek Watershed and is the most notable waterway within the San Luis Obispo portion of the watershed. The headwaters are in the Los Padres National Forest at the Santa Lucia Range in southern Monterey and northern San Luis Obispo County. Pacific Ocean outfall of San Carpoforo Creek is designated as State Marine Conservation Area and State Marine Reserve within the Monterey Bay National Marine Sanctuary. The unique and pristine character of this watershed highlights the importance of protecting the environment at San Carpoforo Beach.



This report discusses the special status species that occur here, the impacts of uncontrolled recreation, and management guidelines in place for this area.



Assessment

Western Snowy Plover

The western snowy plover (*Charadrius nivosus nivosus*) occurs along the Pacific Coast from the state of Washington to Baja California, breeding above the high tide line on coastal beaches and river mouths such as San Carpoforo Beach from March through September and wintering on the same beaches. In 1993, the U.S. Fish & Wildlife Service (USFWS), under the federal Endangered Species Act, listed the population of western snowy plovers as threatened. The State of California lists the western snowy plover as a "species of special concern." Human disturbance, habitat degradation, development, introduced beach grasses (*Ammophila* spp.), and native predators have reduced nesting success throughout the range of the snowy plover (USFWS, 2007).



Hearst San Simeon State Park biologist Regena Orr has conducted San Carpoforo snowy plover surveys to official protocol since 2006 and reports the following (personal communication on 06/17/2019):

- 2006 – 1 nest hatched with one chick fledging
- 2007-2011 – no nests were found
- 2012 – 1 nest hatched with all three chicks fledging and 1 nest was abandoned
- 2013-2014 – no nests were found
- 2015 – 1 nest hatched with all three chicks fledging
- 2016 – no nests were found
- 2017 – 1 nest was depredated by an unknown predator and 1 nest had unknown fate
- 2018 – 1 nest was depredated by a coyote

According to Orr, wintering numbers have ranged from 0 to 82 with an average of about 12.

The nesting has occurred to the west of the estuary between the ocean beach and the trapped waters of the San Carpoforo lagoon on LPNF and private lands. Feeding and wintering areas exist along the immediate shoreline throughout this beach.

Many recreational activities have been recorded at San Carpoforo Beach that are likely to cause disturbance to snowy plovers and may be preventing nesting attempts.

Human disturbance on nesting areas during nesting season

Millions of visitors drive the Big Sur coast along Highway 1 each year, many of them attracted to open beaches for hiking, surfing, dog walking, and nature viewing. While these activities are currently legal on Forest Service lands, according to Orr, the number of visitors impacting San Carpoforo Beach have increased significantly, especially since mudslides closed Highway 1 for almost two years in 2017-2018. The highway was closed just north of San Carpoforo Beach at Ragged Point, encouraging northbound visitors to stop at San Carpoforo Beach, the last open space available before the closure. Because there are no currently enforced restrictions on dogs, trash, or



camping on San Carpoforo Beach, use in this location has increased. Further, due to staffing shortages, the LPNF has limited enforcement. While no records have been kept on actual visitor use, the impacts are visible and increasing, and they are not likely to diminish without mitigations. Only two access controls exist over this area: (a) a damaged gate to an old road that leads to the beach area and (b) an educational sign placed by LPNF about snowy plovers that asks visitors to be cautious about impacts but is not clear about how to avoid them and does not state any restrictions. Trash, feces, toilet paper, dog tracks, fires, and driftwood structures throughout the area were noted during two site visits on June 25, 2019 and August 30, 2019.

The 2007 Recovery Plan for the Pacific Coast Population of the Western Snowy Plover discusses known human impacts on the snowy plovers:

The increasing level of human recreation was cited as a major threat to the breeding success of the Pacific coast population of the western snowy plover at the time of listing (U.S. Fish and Wildlife Service 1993a). / Pedestrians on beaches may crush eggs or chicks and chase western snowy plovers off their nests. / Trash left on the beach by pedestrians also attracts predators. / People also may cause broods of western snowy plovers to run away from favored feeding areas. / Beach-related recreational activities that are concentrated in one location (e.g., sunbathing, picnicking, sandcastle building, birding, and photography) can negatively affect incubating adult western snowy plovers when these activities occur too close to their nests. / Concentrations of people may deter western snowy plovers and other shorebirds from using otherwise suitable habitats. (pp. 57-63)

Firewood/rock collection from nesting area

Campfires and overnight camping have become commonplace along the beachfront and inland of the lagoon, as evidenced by many makeshift campfire rings utilizing local beach rocks (see photos 1 and 2). Collecting firewood can damage nesting areas and disrupt nesting attempts during the breeding season, which starts in March, typically months before any LPNF fire restrictions are put in place for the dry season. State Parks does not permit fires and restricts collection of wood, but enforcement is difficult on shared property, especially given that LPNF manages the middle portion of the beach and does not restrict these activities.

From the western snowy plover recovery plan (2007):

Driftwood can be an important component of western snowy plover breeding and wintering habitat. / Driftwood removed for firewood or decorative items can result in destruction of nests and newly hatched chicks that frequently crouch by driftwood to hide from predators and people. / Also, driftwood beach structures built by visitors are used by avian predators of western snowy plover chicks, such as loggerhead shrikes (*Lanius ludovicianus*) and American kestrels (*Falco sparverius*), and predators of adults, such as merlins (*Falco columbarius*) and peregrine falcons (*Falco peregrinus*). / Camping near breeding locations can cause greater impacts due to the prolonged disturbance and increased chance for possible direct mortality from associated dogs and children (S. Richardson in litt. 2001). Nighttime collecting of wood increases the risk of stepping on nests and chicks, which are difficult to see even during daylight hours. Fires near a western snowy



plover nest could cause nest abandonment due to disturbance from human activities, light, and smoke. Fires have the potential to attract large groups of people and result in an increase of garbage, which attracts scavengers such as gulls (*Larus* spp.) and predators such as coyotes (*Canis latrans*), American crows (*Corvus brachyrhynchos*), and common ravens (*Corvus corax*). Also, after fires are abandoned, predators such as coyotes may be attracted into the area by odors lingering from the fire, particularly if it was used for cooking. Occasionally fires escape into nearby driftwood; fire suppression activities may disturb and threaten western snowy plover nests and chicks. (pp. 36-37)



Photo 1. One of several campfire remains near the lagoon.



Photo 2. Remains of a fire pit and driftwood structure near western snowy plover nesting habitat.

Dogs unleashed on the beach

Hearst San Simeon State Park prohibits dogs from beach access but does not enforce this rule on San Carpoforo Beach where LPNF manages some of the beach area. Unlike State Parks, LPNF does not restrict dogs on its land, so unleashed dogs are often seen on this beach according to Orr and verified onsite (6/25/2019). The presence of dogs can disturb nesting or feeding snowy plovers, and dogs off leash can prey on chicks.

From the western snowy plover recovery plan (2007):

Dogs on beaches can pose a serious threat to western snowy plovers during both the breeding and nonbreeding seasons. Unleashed pets, primarily dogs, sometimes chase western snowy plovers and destroy nests. Repeated disturbances by dogs can interrupt brooding, incubating, and foraging behavior of adult western snowy plovers and cause chicks to become separated from their parents. Pet owners frequently allow their dogs to run off-leash even on beaches where it is clearly signed that dogs are not permitted or are only permitted



Dog feces left on beach 9-8-19



if on a leash. Enforcement of pet regulations on beaches by the managing agencies is often lax or nonexistent. / Even when not deliberately chasing birds, dogs on a beach may disturb western snowy plovers and other shorebirds that are roosting or feeding. / Dog disturbance at wintering and staging sites, therefore, may adversely affect individual survivorship and fecundity, thereby affecting the species at the population level.

The lack of control over recreational activities on LPNF lands almost certainly has affected the snowy plover. Public use and close proximity of human disruption, fires and camping, and dogs on this beach may be precluding successful nesting.

An interpretive sign located at the entrance to the path to the beach provides information to the public about how to protect the snowy plover from harm. Although this sign is well-intentioned, it cannot specify the exact location of the plovers from season to season nor provide actual protection for the birds.

South-Central California Coast DPS Steelhead

The federally threatened south-central California coast distinct population segment (DPS) of steelhead trout (*Onchorhynchus mykiss*) is found below natural and manmade barriers on freshwater streams from the Pajaro River southward to but not including the Santa Maria River. San Carpoforo Creek is listed as critical habitat for this species. During times when the creek breaches the coastal sandbar, the creek is occupied by a healthy run of steelhead between the San Carpoforo Beach and a waterfall upstream about one mile. The California Department of Fish and Wildlife regulates angling in California waters and allows both limited fishing and keeping hatchery raised steelhead in San Carpoforo Creek. The lagoon at the beach often harbors stranded steelhead through the summer months; these steelhead are not legal to harvest at that time.



Snowy Plover interpretive sign not maintained. 8-30-19

From the California Freshwater Sport Fishing Regulations Effective March 1, 2019 - February 29, 2020 unless otherwise noted herein:

(e) South Central District (1) All lakes and reservoirs except those listed by name in the Special Regulations. All year. 5 trout (2) That portion of any stream west of any Highway 1 bridge except those listed by name in the Special Regulations. Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used. 2 hatchery trout or hatchery steelhead* 4 hatchery trout or hatchery steelhead* in possession. Closed to the take of salmon.

From the National Marine Fisheries 5-year review of steelhead:

2.3.2.2 Overutilization for commercial, recreational, scientific, or educational purposes Steelhead populations traditionally supported an important recreational fishery throughout their range. Recreational angling for both winter adult steelhead and summer rearing juveniles remains a popular sport in many coastal rivers and streams, but began to decline in the mid 1970s. Recreational angling in coastal rivers and streams for native steelhead can add to the mortality of adults (which represent the current generation of brood stock) and juveniles (which represent the future generations of brood stock) and may have contributed to the decline of some 35 naturally small populations but is not considered the principal cause for the decline of the species as a whole. During periods of decreased habitat availability (e.g., drought conditions or summer low flow when fish are concentrated in freshwater habitats), the impacts of recreational fishing or harassment on native anadromous stocks have been heightened (National Marine Fisheries Service 2013). Despite the listing of the South-Central California Steelhead DPS as threatened under the ESA, recreational angling for *O. mykiss* continues to be permitted in all coastal drainages in southcentral California (and continues in areas above currently impassible barriers). NMFS has previously concluded that recreational harvest is a limiting factor for South-Central California Steelhead (Busby et al. 1996, Good et al. 2005). Angling for both adults and juveniles in those portions of coastal rivers and streams accessible to anadromous runs from the ocean has been restricted through modification of the CDFW's angling regulations (i.e., angling only below the first road crossing about the estuary, limited to three days a week, with artificial, single barbless hooks, and catch and release only); however, no Fishery Management and Evaluation Plan has been approved by NMFS and the fisheries are not currently authorized under the ESA (California Department of Fish and Wildlife 2015a).

Fishing at San Carpoforo Creek is regulated by the California Department of Fish and Wildlife and is not under control of LPNF or California State Parks.

Potential recreational impacts to steelhead at San Carpoforo Beach, other than fishing, may occur during the summer months when there is a probability that steelhead are found at the coastal lagoon. These potential impacts would include minimal visual disturbance, disturbance from wading, pollution from trash or human waste, and possibly illegal fishing.

Tidewater goby

According to LPNF fisheries biologist Kristie Klose, there is no record of the federally endangered tidewater goby (*Eucyclogobius newberryi*) occurrence at San Carpoforo lagoon (personal communication, 06/19/2019). Also, NOAA National Marine fisheries biologist Mark Capelli states in an email to Kristie Klose:

As far as I can determine there are not records of Tidewater goby in the lagoon at San Carpoforo Creek. This is probably because the lagoon at San Carpoforo Creek is relatively small, and in some years, non-existent. There is a large gap in the distribution of Tidewater gobies between the Salinas River and Arroyo de Oso. The



closest recorded population to the south is Arroyo Laguna (Oak Knoll Creek). The USFWS Tidewater Goby recovery plan identifies San Carpoforo Creek Lagoon as a possible reintroduction site. (06/19/2019)

It appears that at this time there are no tidewater gobys at San Carpoforo and therefore no effect from recreational beach use here. If San Carpoforo beach becomes a re-introduction site, then recreation impacts to this species must be analyzed per the Endangered Species Act.

California red-legged frog

The federally threatened California red-legged frog (*Rana draytonii*) is the largest native frog in the western US and has experienced a large loss of wetland habitat. The species is, however, found in coastal drainages where deep pools with overhanging or emergent vegetation supports egg masses. There are records of California red-legged frogs (CRLF) from 1943 and 1990 at San Carpoforo Creek (CNDDDB, 2019) in the heavily vegetated areas near the Highway 1 bridge. Although recreation impacts could occur in the open water of the lower lagoon, CRLF are unlikely to be found here because of the near total lack of vegetative cover. This lower lagoon estuary is kept free of vegetation by annual rearrangement of the sediments at the beach when high flows and ocean storms shift the location of the open estuary each year. There is no evidence of human impacts in the suitable CRLF habitat near the bridge, most likely because the impenetrable willow and poison oak discourages visitation. CRLF may be impacted by recreationists if activities such as swimming or bank disturbance were to occur in suitable habitat near the bridge.

Smith's blue butterfly

The federally endangered Smith's blue butterfly (*Euphilotes enoptes smithi*) and its host plants, seacliff buckwheat (*Eriogonum parvifolium*) and coast buckwheat (*Eriogonum latifolium*), occur along the California central coast from Monterey Bay to San Carpoforo Creek in coastal sage habitat generally below 2500 feet mean sea level on the coastal side of the Santa Lucia Range. The feeding and reproductive cycle of the butterfly are intrinsically tied to buckwheat plants, which are required for survival of the species. There are historic records of Smith's blue butterflies occurring at San Carpoforo beach where buckwheat appears, but the author was not able to identify buckwheat plants along the beach flats during a 06/25/2019 visit to the site. Much of the vegetated area of the beach is covered with several invasive species that may be displacing buckwheat. Buckwheat is also more prevalent on disturbed sites such as road cutbanks along Highway 1, where the original butterfly sightings could have taken place.

The Smith's Blue Butterfly Recovery Plan (2006) notes that threats to this species occur from land development, habitat displacement from invasive plant species, wildfire suppression, grazing, and, to a lesser degree, trampling and otherwise facilitating invasive plant establishment by recreationists.

From the Smith's Blue Butterfly Recovery Plan:

In summary, habitat loss by development poses the primary threat to the Smith's blue butterfly in the Monterey Bay area. This threat was identified at the time of listing and continues to be the predominant threat in the north. South of Monterey



Bay along Big Sur/Los Padres National Forest, a number of other threats have been identified, including invasive species, fire suppression/succession, and maintenance of roads and recreational trails. Of these threats, we believe that invasive species colonization is likely the most significant. Since the time of listing, however, additional occupied and unoccupied suitable habitat has been found along the southern part of the range. We therefore conclude that the likelihood of extirpation due to habitat loss in the southern part of the range is lower than was believed at the time of listing, because additional occupied habitat has been located.

Assuming that some buckwheat still occurs on the beach area, there may be some impacts from trampling and invasive weed spread by recreationists due to hiking and campsite creation, although the extent of this appears limited. A wildfire would temporarily displace sea cliff buckwheat and Smith's blue butterfly, but sea cliff buckwheat would subsequently respond favorably to this disturbance.

Elephant Seal

The elephant seal (*Mirounga angustirostris*) is protected under the Marine Mammal Protection Act throughout its range along the North American Pacific coast from Alaska to Baja and has several major haul out sites south of San Carpoforo beach, most notably at Hearst San Simeon State Park, where hundreds of visitors view them from a boardwalk above the beach each day. To the north, elephant seals have intermittently used a small beach at Gorda over the past 20 years. Although the biologists from Hearst San Simeon State Park (Regena Orr), LPNF (Tom Murphey), and US Geological Survey/National Biological Survey (Brian Hatfield) do not know of elephant seals using San Carpoforo Beach, locals tell us lone male elephant seals occasionally haul out on the beach to rest. Close human presence can disrupt elephant seals resting on the beach but generally they are tolerant of human presence. Because of this tolerance and the lack of sightings, the probability of recreational impacts to elephant seals at San Carpoforo beach is low at this time but should be monitored.

Los Padres National Forest Lands Management Guidelines at San Carpoforo Beach

Hearst San Simeon State Park manages its portion of San Carpoforo Beach in a way that is generally consistent with private landowner's expectations. Camping, dogs, and fires are prohibited. LPNF recreation management of San Carpoforo Beach, however, is guided by the LPNF Land Management Plan which describes the general management emphasis at the beach and particular standards related to recreational impacts on species listed under ESA. There are also federal and state statutes guiding—and in some cases legally mandating—management by the Forest Service that pertain to San Carpoforo Beach.

The guidance documents suggest there is a discrepancy between the current LPNF management of San Carpoforo Beach and what may be required under these documents and statutes. Pertinent sections of these documents and statutes are cited and described below.



Comparison of management guidelines with actual practice may elucidate where LPNF has an opportunity to manage this area more consistently with State and private landowners and for the protection of the habitat and environment. Resolute presents several recommendations that may resolve these conflicts in Appendix A – Findings and Recommendations.

LPNF Land Management Plan 2005, Place Emphasis, Part II, Los Padres Strategy

Desired Condition: The Big Sur Place is maintained for its internationally valued scenic beauty and biodiversity. It is a naturally evolving and natural appearing landscape that functions as an international destination defined by spectacular land-ocean interface scenery. Visitor use is accommodated without compromising resource values. The valued attributes to be preserved over time are stands of redwoods within a mosaic of other vegetation, riparian vegetation appearing as prominent ribbons, grasslands that appear as openings across flat plateaus along the coast, and a rustic/rural built environment that reflects the eclectic character of the land and people.

Program Emphasis: Management will be particularly sensitive to the fragility of the unstable landscape and the co-mingling of terrestrial and marine ecosystems. Continue emphasis on visitor education relative to the unique assemblage of recreation opportunities and resources. Increase efforts to control the introduction or spread of invasive noxious plants and predatory exotic wildlife species to aide in the recovery of threatened and endangered species. Vegetative management emphasis includes fuels management around populated areas and within adjoining wildernesses. Forest health issues such as the spread of Sudden Oak Death, which holds the potential to cause devastation of coastal-forested habitats are addressed. The North Coast Ridge Road will remain closed to public vehicular and mountain bike use, but open to foot and horse equestrian traffic.

Analyze the potential for visitor information opportunities on the south coast. Provide continuing opportunities for day-use and camping, including the maintenance, upgrading or construction of visitor facilities along California State Highway 1. Communication and administrative site support facilities will be developed to improve management of the Place. Adaptive reuse of existing structures will remain the preferred way of addressing future facility needs. Manage recreation use and related facilities to maintain scenic integrity. Protect and enhance scenic qualities through cooperative efforts with CalTrans, California State Parks, and others.

Project management decisions will be consistent with the enforceable policies of the California Coastal Act and the Big Sur Coast Land Use Plan to the maximum extent practicable.

The Brazil Ranch will be a place for conference and educational opportunities focused on environmental conservation, stewardship and sustainability. Managed public access and recreation opportunities will be provided. Traditional land uses



and resource conservation activities can be showcased and studied. Other small-scale special-uses may be authorized.

Central and southern coastal California support a large number of plant and animal species federally listed as endangered, threatened, proposed or candidate for listing under the Endangered Species Act of 1973, as amended. The recovery of those species and the ecosystems upon which they depend is the responsibility of all federal agencies, with lead responsibility given to the U.S. Fish and Wildlife Service (terrestrial/fresh water species) and National Marine Fisheries Service (NOAA Fisheries) (most marine species) (p. 122)

Management of invasive species is needed in coastal Monterey plant communities because these species are among the greatest threats to the integrity of the natural vegetation (Jones and Stokes 2003). (p. 195)

Los Padres Land Management Plan, 2005, Standards, Part III

S24: Mitigate impacts of on-going uses and management activities on threatened, endangered, proposed, and candidate species.

S31: Design new facilities or expansion of existing facilities to direct public use away from occupied habitat for threatened, endangered, proposed and candidate species.

When Implementing Recreation Activities

S34: Where a threatened, endangered, proposed, candidate, or sensitive species occurs in a recreation site or area, take steps to avoid or minimize negative impacts to the threatened, endangered, proposed, candidate or sensitive species and its habitat. Use the least restrictive action that will effectively mitigate adverse impacts to the species and habitat (refer to Appendix D).

S35: Manage dispersed recreation activities to ensure that environmental sustainability is maintained by utilizing the following measures:

- Discourage camping within 100 feet of sensitive resources and habitats, including meadows and bodies of water (springs, streams, ponds and lakes), or within 1/4 mile of developed recreation facilities.
- Discourage camping within 600 feet of any wildlife water source developments, such as guzzlers and water holes, in accordance with state laws.



Camping trash 9-8-19

Relevant Federal Statutes, Part III

Endangered Species Act of 1973

Authorizes the determination and listing of species as endangered and threatened; prohibits unauthorized taking, possession, sale, and transport of endangered species; provides authority to acquire land for the conservation of listed species, using Land and Water Conservation Funds; authorizes establishment of cooperative agreements and grants-in-aid to states that establish and maintain programs for endangered and threatened wildlife and plants; authorizes the assessment of civil and criminal penalties for violating the Act or regulations; and, authorizes the payment of rewards to anyone furnishing information leading to arrest and conviction for any violation of the Act or any regulation issued there under. Section 7 of the Act requires federal agencies to insure that any action authorized, funded or carried out by them is not likely to jeopardize the continued existence of listed species or modify their critical habitat. Section 7(a)(1) of the Act identifies the affirmative conservation duties of agencies and requires all federal agencies to carry out programs aimed at recovery of listed species. (<http://endangered.fws.gov/esa.html>; <http://laws.fws.gov/lawsdigest/esact.html>)

Federal Coastal Zone Management Act of 1972, as amended

Requires that federal actions in the coastal zone of a state shall be consistent to the maximum extent practicable with enforceable policies of approved State management plans, including: California Coastal Act of 1976; and Big Sur Coast Land Use Plan. (http://coastalmanagement.noaa.gov/czm/czm_act.html)

Federal Land Policy and Management Act (FLPMA) of 1976, as amended

Requires that public land be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public land in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use. (<http://www.blm.gov/flpma/FLPMA.pdf>)

Fish and Wildlife Conservation Act of 1960

Requires the Secretaries of the Interior and Agriculture, in cooperation with state agencies, to plan, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game on public lands under their jurisdiction.



Biodiversity/Fish, Wildlife and Plants

36 CFR 219 Planning: Part 219.19 directs the Forest Service to maintain habitat for viable populations of existing native and desired nonnative vertebrate species, to select management indicator species, to consult with biologists from other agencies, consider access and dispersal problems of hunting, fishing, and other uses, and evaluate the effects of pest and fire management.

Big Sur Coast Land Use Plan

3.3.3 Specific Policies A. Terrestrial Plant, Riparian, and Wildlife Habitats 1. Uses of sand dune habitats shall be restricted except for scientific and educational activities. Particular attention shall be given to sites of rare and endangered plants. Recreational access and associated facilities shall be directed away from dune habitats and focused on the beach area. All management agencies shall prohibit off-road vehicle use in dune areas.

Federal Coastal Zone Management Act

Passed in 1972, the Coastal Zone Management Act (CZMA) outlines three national programs, the [National Coastal Zone Management Program](#), the [National Estuarine Research Reserve System](#), and the [Coastal and Estuarine Land Conservation Program](#) (CELCP). The National Coastal Zone Management Program aims to balance competing land and water issues through state and territorial coastal management programs, the reserves serve as field laboratories that provide a greater understanding of estuaries and how humans impact them, and CELCP provides matching funds to state and local governments to purchase threatened coastal and estuarine lands or obtain conservation easements. (<https://coast.noaa.gov/czm/act/>)

The CZMA authorizes the State through the Coastal Commission to have regulatory control of actions that affect coastal resources (see below). Whether the Commission will exert control on recreation activities at San Carpoforo beach must be determined through conversations between land managers of the beach property and the Commission.

Coastal Commission

One of the most significant provisions of the federal CZMA gives state coastal management agencies regulatory control (federal consistency review authority) over all federal activities and federally licensed, permitted or assisted activities, wherever they may occur (i.e., landward or seaward of the respective coastal zone boundaries fixed under state law) if the activity affects coastal resources. Examples of such federal activities include: outer continental shelf oil and gas leasing, exploration and development; designation of dredge material disposal sites in the ocean; military projects at coastal locations; U.S. Army Corps of Engineers fill permits; certain U.S. Fish and Wildlife Service permits; national park projects; highway improvement projects assisted with federal funds; and commercial space launch projects on federal lands. Federal consistency is an important coastal management tool because it is often the only review authority over federal activities affecting coastal resources given to any state agency.



Wildfire Risk Analysis

The Fire Environment

While the higher elevations encompass large potrero grasslands and larger trees are found in riparian areas and other pockets, the San Carpoforo area is dominated by a classic California chaparral environment.

Chaparral is California's most extensive native plant community. It is also one of the State's most characteristic wilderness types, dominating foothills and mountain slopes from the Rogue River Valley in southern Oregon to the San Pedro Martir in Baja California. Properly defined, chaparral is a kind of shrub-dominated community of hard-leaved plants shaped by



Vegetation above San Carpoforo Creek

summer drought, mild, wet winters, and fires that naturally occur every 30 to 150 years plus. More frequent fires can lead to habitat loss and conversion to non-native grasslands. Dominant woody shrubs in the chaparral include chamise, manzanita, ceanothus, scrub oak, and laurel sumac. Chaparral also harbors softer plants such as buckwheat, sage, poison oak, and yucca. The terrain often grows in a continuous stand of dense vegetation, often creating a highly flammable landscape. Some chaparral shrubs have flammable characteristics, such as small fine leaves, an abundance of litter, and peeling bark. Fires in chaparral are usually high intensity and spread rapidly through the system. Wind driven, chaparral-fueled fires often burn hot and produce tall flames and copious embers.



Basin Complex Fire in 2008 burning in chaparral on the Los Padres National Forest

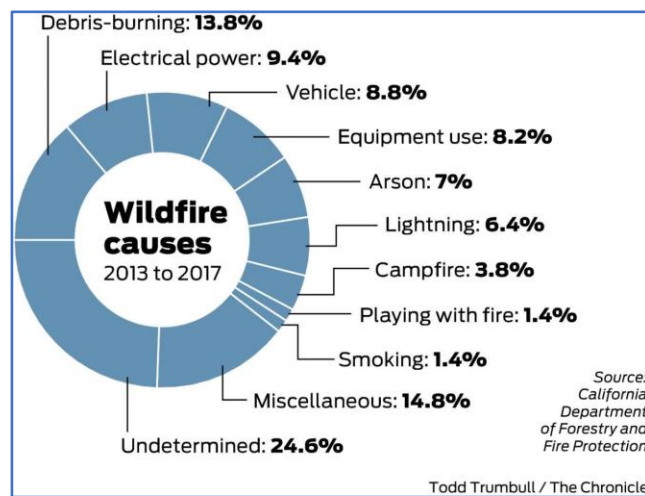
Fires occurring on the Los Padres National Forest and the surrounding lands are common. Many of those fires are large and most often difficult to suppress due to the rugged steep terrain. While the mountains directly above San Carpoforo Beach have not had a fire in over 100 years, the areas both north and south have experienced an extreme number of large fires. ([See Fire History Map](#)).

The climate in the San Carpoforo area is influenced by the effects of the Pacific Ocean and the Coast Range mountains abruptly rising to over 2,550 ft at Bald Top Peak. The slopes have a west aspect, and are thus susceptible to dryer conditions from solar radiation. Compared to coastal valley areas, the steep mountains will increase the amount of precipitation that falls during winter storms. This precipitation adds to increased growth and therefore increased fuel loading of the chaparral species. During the annual drought from May to October, the chaparral will rapidly dry out and become easily ignitable until the fall rains. When high pressure builds over California, or during a Santa Lucia wind (a local phenomenon) warm dry downslope winds may be experienced. These winds will have a drying effect and increase fire behavior. There are several private structures located in the San Carpoforo Beach area that interface with the wildlands and would be threatened during a wildfire.

Ignitions and Cause

Human beings cause 90 percent of all wildfires in California. These include fires started from vehicles along highways, campfires, and people playing with fires. There is an increased ignition potential due to human activity at San Carpoforo Beach, including vehicle parking on or near the wildland vegetation, use of fireworks, campfires and other ignitions during unregulated beach activities.

Fires starting along the coast can quickly spread up the steep rugged slopes and often times become some of California's most difficult fires to suppress. Two of the State's largest 20 fires occurred in this general area: the 1977 Marble Cone Fire that consumed 177,866 acres, and the 2008 Basin Complex Fire involving 162,818 acres. Since 1970 there were 137 fire perimeters within the Fire History Map below, 32 of those were greater than 500 acres.

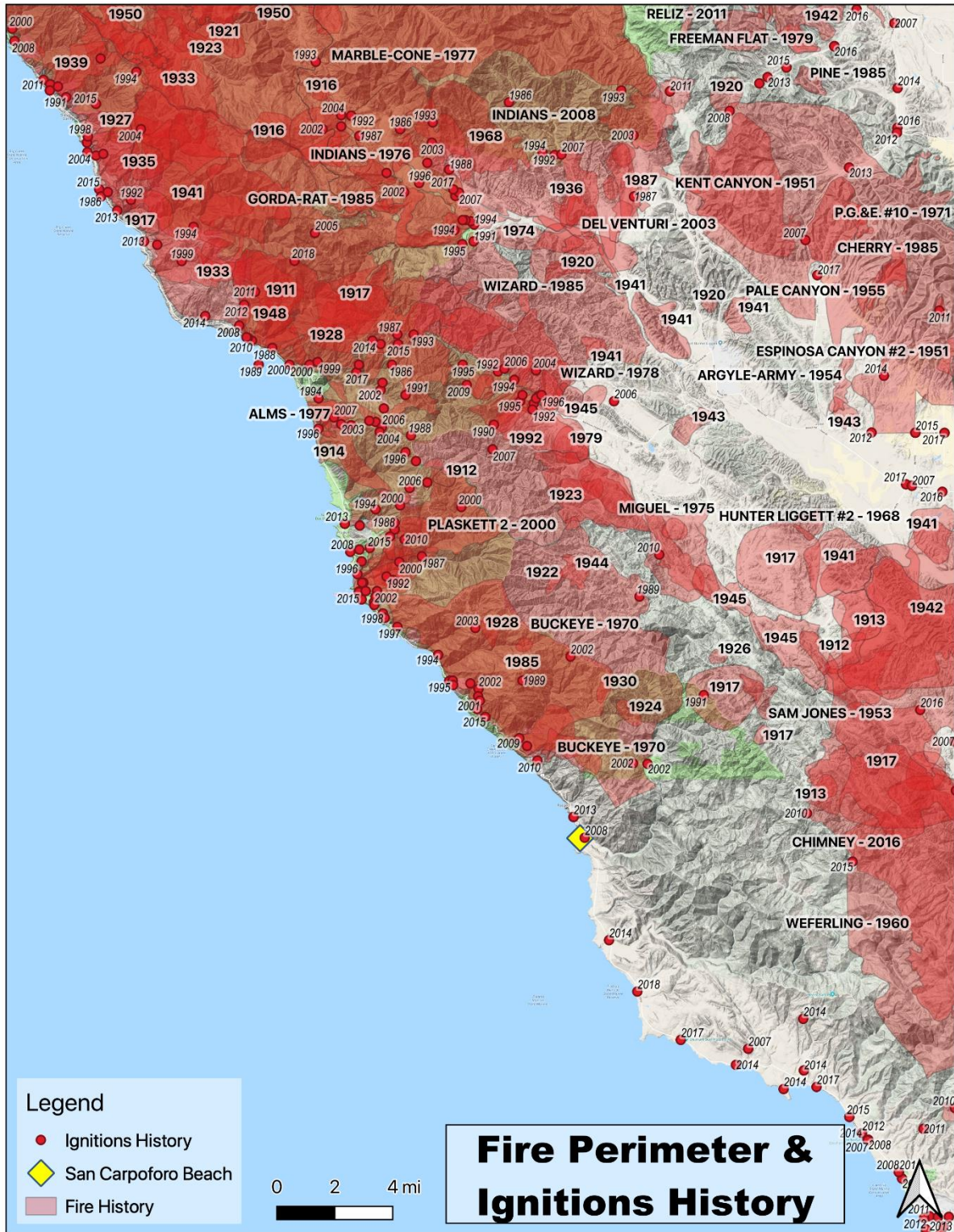


San Francisco Chronicle - Kimberly Veklerov | May 31, 2019



Campfires 9-8-19

Fire History Map



Fire Protection Agencies

While San Carpoforo Beach is located on Federal land, the wildland fire Direct Protection Area (DPA) is provided by CAL FIRE. Fire protection for non-wildland fires and rescue incidents is provided by San Luis Obispo County Fire, which contracts with CAL FIRE.

Wildland fire prevention and investigation is provided by Los Padres National Forest (LPNF) on Federal lands. Thus, enforcement for illegal use of fire is the jurisdiction of LPNF. Other violations of Federal Land Management laws are also the jurisdiction of the LPNF. The boundaries between Federal lands and State protection areas are difficult to identify.

The SLO County Sheriff is the jurisdiction responsible for incidents outside the Federal Land Management laws. State Parks is responsible for all enforcement of State laws on State Parks' land.

Fire Hazard Severity

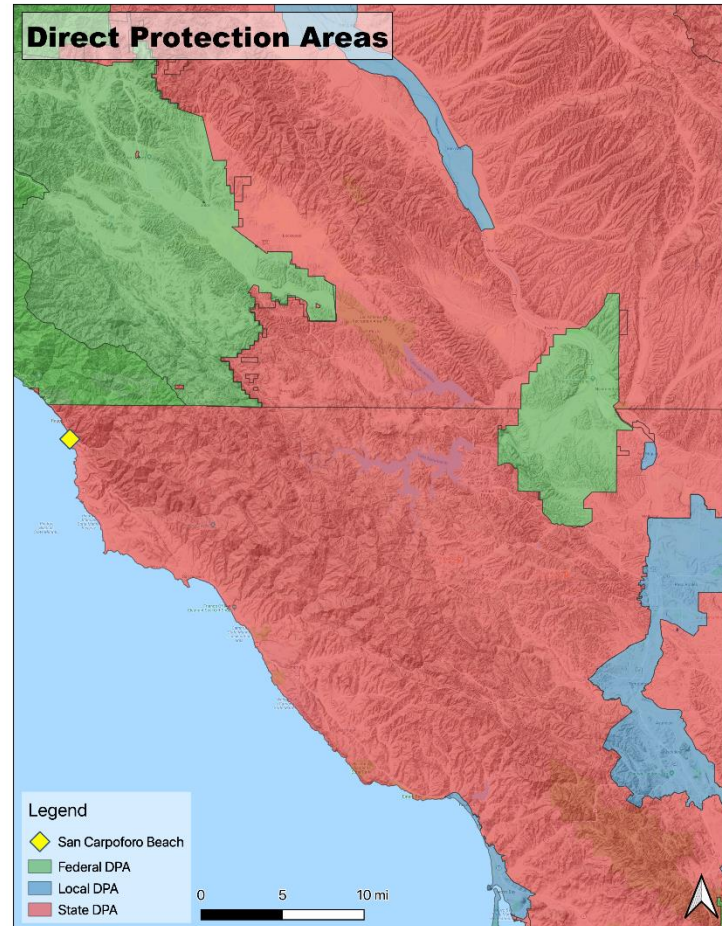
The Fire Hazard Severity Zone (FHSZ) for San Carpoforo Beach is designated Very High Fire Severity with High Fire Severity to the north of the property. Topography advances from level at the beach and creek to steep and very steep. The slopes face west, and thus they are susceptible to dryer conditions from solar radiation.

As a slope triples in steepness, the rate of fire spread doubles. Significant fire behavior in this area is influenced by steep slopes, decadent fuels, and the coastal wind patterns. The fire history in areas north of the property with similar conditions predicts potential large destructive fires in the future.

The area is also susceptible to debris flows and mudslides; fires can amplify the conditions for flooding and debris flows exponentially.

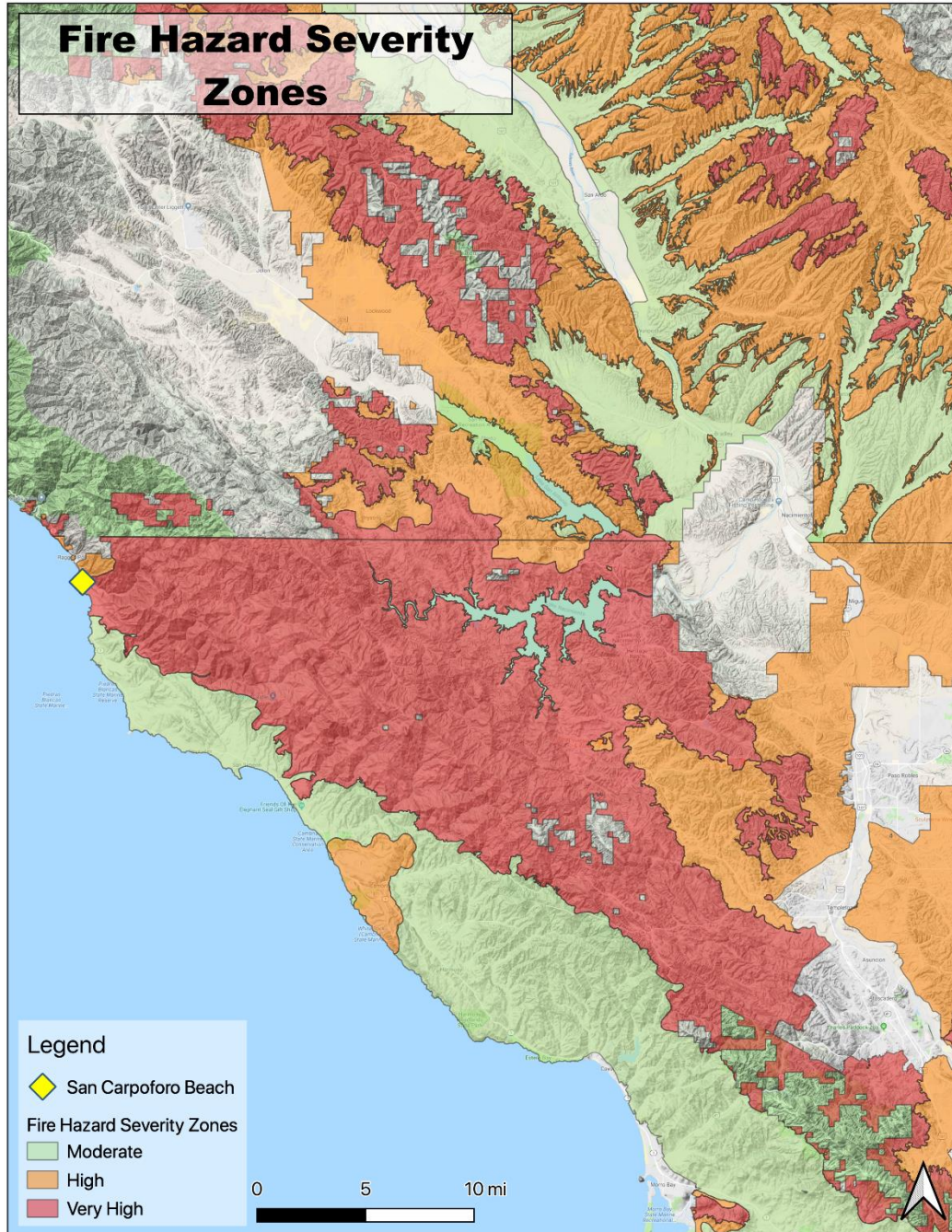
Predominant Fire Behavior Fuel Model is a Type 4 Mature Brush (Chaparral). Anderson Aids to Determining Fuel Models for Estimating Fire Behavior asserts:

Fires intensity and fast-spreading fires involve the foliage and live and dead fine woody material in the crowns of a nearly continuous secondary overstory. Stands of mature shrubs, 6 or more feet tall, such as California mixed chaparral.... Besides flammable foliage, dead woody material in the stands significantly contributes to the fire intensity.



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Further it emphasizes, chaparral rates of spread and flame lengths even under moderate conditions of 5 mph winds and elevated fuel moistures is 75 chains per hour (approx. 1 mph) and 19 feet flame lengths.



Highway Conditions

Caltrans 2017 traffic data for Annual Average Daily Traffic (AADT) for all vehicles on Highway 1 at San Carpoforo Creek Rd. was 2,700 with the peak Monthly Average Daily Traffic (MADT) of 4,000.

According to data compiled by the University of Berkeley Transportation Injury Mapping Systems (TIMS), 33 accidents occurred on State Highway 1 in and around San Carpoforo Beach between 2006 and 2018. This data is captured between the County line (mile post 74.3) to the north and San Carpoforo Creek Rd. (mile post 69.81) to the south. As a designated Scenic Highway,



Parking and traffic in front of Beach entrance. 8-30-19

Highway 1 is used by millions of sightseeing motorists, as well as by motorcyclists and bicycles every year. Of the 33 accidents identified in this area, 21 involved a motorcycle and 1 involved a bicycle. Three of the accidents involved fatalities. (See [Appendix C](#))

The highway at the entrance to San Carpoforo Beach currently allows parking on the shoulder of the road. The owner has posted no parking signs immediately in front of the driveway gate to his home.



Typical sign prohibiting overnight parking along Hwy 1

In general, parking is permitted on highways unless a local ordinance is enacted to prohibit parking in a specific section of the highway. Overnight parking is prohibited in many areas along Highway 1 south of San Carpoforo Creek. While the road and parking conditions at the San Carpoforo Beach entrance area are similar to those areas where overnight parking is prohibited, overnight parking is currently permitted at the beach entrance. Prohibition of overnight parking along Highway 1 at San Carpoforo Beach, which would be consistent with surrounding areas, would require action by the County of San Luis Obispo to add this section of the highway to the ordinance. (See text box below)

*Current San Luis Obispo County Ordinance Prohibiting Overnight Parking
15.410.050 No Overnight Parking Area--State Highway 1.*

After signs are erected giving notice thereof, it shall be unlawful for any person at any time during darkness to have a vehicle parked for the purpose of overnight camping in the following described portions of State Highway 1 north of Cayucos and extending to the county line:

(1) The parking area on the westerly side of Highway 1, between postmile 32.15 to postmile 34.72;

(2) The vista parking areas on the westerly side of Highway 1, between postmile 37.00 and postmile 40.37;

(3) The vista parking area on the westerly side of Highway 1, at postmile 52.77;

(4) The vista parking area on the westerly side of Highway 1, at postmile 55.41;

(5) The vista parking area on the westerly side of Highway 1, at postmile 55.81;

(6) The vista parking area on the westerly side of Highway 1, at postmile 57.01;

(7) The vista parking area on the westerly side of Highway 1, at postmile 60.60; 318

(8) The vista parking area on the westerly side of Highway 1, at postmile 61.20;

(9) The vista parking area on the westerly side of Highway 1, between postmile 62.20;

(10) The parking area on Highway 1, between postmile 66.60 and postmile 66.84.

The ordinance codified herein as Section 15.410.050, as amended, was provided in writing by the Department of Transportation on December 2, 2003. (Ord. 1880 § 1 (part) 5-15-1978), (Ord. 2042 § 1, 10-27-1980), (Ord. 2773 § 1, 10-1-1996), (Ord. 2004-65, 3-2-2004)

Human Impacts

The coastal areas of the Central Coast invite activities that attract frequent and numerous visitors: touring the famous Hearst Castle, camping at several federal and state campgrounds, hiking on the popular trails into the Los Padres National Forest, sightseeing on Highway 1 (designated a Scenic Highway), and visiting some of the most pristine coastlines in the world, where marine mammals, sea birds, and tidepool species are abundant. Most of the coast is protected by strict regulations to prevent damage to these sensitive environments. San Carpoforo Beach does not enjoy similar protection, and thus negative impacts on the environment and protected species attributed to unregulated recreational activities are found here.

The coast south of San Carpoforo Beach is designated the Piedras Blancas State Marine Reserve (SMR). The SMR protects all marine life within its boundary. On California State Parks protected beaches north and south of San Carpoforo Beach, no camping, dogs, beach fires, collection of driftwood or flying drones are permitted.

Because the San Carpoforo Creek is managed by the Los Padres National Forest, it does not have the same protection as the California State Parks beaches. Therefore, there are no prohibitions of overnight



Fire pit. Photo taken on 8-30-19

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camping, fire pits in the sand, collection of driftwood, flying drones or dogs. The beach is not regularly patrolled by rangers. There are no improvements or toilet facilities.



People camping on San Carpoforo Beach. 08-30-2019

Historic Human Impacts

Native American use of the Big Creek watershed goes back at least 6,500 years. Shell middens along the creek can be as much as 14 feet deep, indicating a long history of use. In addition, the remains of historic homestead sites still exist, like those of Gamboa and Boronda (Ventana Wilderness Alliance, 2007).

San Carpoforo Creek was the route of the historic Portola Expedition of 1769, which led to the establishment of the California Missions and ultimately the European colonization of northern California. According to journal entries by Portola members, contact between Portola and native people took place on the banks of the San Carpoforo; therefore, the area is considered to be one of the last primal remnants of the original encounter between indigenous and European consciousness anywhere on the Pacific coast. In addition, a venerable grove of olive trees near the confluence of San Carpoforo and Dutra Creeks marks the location where an outpost of the Mission San Antonio de Padua once stood (Ventana Wilderness Alliance, 2007).

In 1937, Highway 1 between Carmel and San Luis Obispo was completed, providing a coastal link between the Central Coast and Northern California (Monterey County Historical Society, 2013).

There are remnants of a cattle loading chutes and corrals on the property south of the bridge and a pile of cobble near the large Monterey cypress located on the path to the beach.



Pile of cobble stones. 8-30-19

Conclusion

San Carpoforo Beach is an important ecological, historical, and recreational area that harbors the federally endangered western snowy plover and other protected species. The Endangered Species Act regulations allow some recreation while also protecting sensitive beach species.

Lack of coordination by land managers on San Carpoforo Beach has prevented implementation of needed protective regulations, putting these endangered species at risk. San Carpoforo Beach should be afforded the same protections against the negative impacts of campfires, overnight camping, pets, and unregulated human activities as the other environmentally significant areas of this region.

A collaborative and cooperative approach with all landowners – Los Padres National Forest, California State Parks, and private owners – will ensure the highest level of environmental management and ensure all legal requirements are met. More importantly, the consistent application of recreational activity protection for this region will ensure that species, such as the western snowy plover, are not lost due to reasonably preventable recreational impacts.

Appendix A - Findings and Recommendations

	Finding	Recommendation
1.	The Endangered Species Act protects the federally listed snowy plover and requires federal agencies to implement measures on public lands to protect this species. On San Carpoforo Beach, snowy plovers are being harassed by dogs and recreationists, fires, and drone use. There are no restrictions implemented to address this impact.	Adopt regulation similar to State Parks across the beach area that protect snowy plovers: no fires, camping, or dogs on the beach. Post signage and erect temporary fencing around breeding areas during breeding season.
2.	Driftwood provides habitat for Snowy plovers. People use the driftwood to create structures and for fires.	Post signage that informs the public to not move or use driftwood.
3.	Overnight parking and camping along the highway in this area is permitted at San Carpoforo Creek area, yet there is no room for safe parking. Vehicles parked in front of the gate entrance must backout onto the highway in order to depart. There are no public toilets or other facilities along the highway.	Request the County to include this section of the road in the County ordinance, “No Overnight Parking or Camping,” similar to what exists along the other public beach parking areas in this region.
4.	Although there are no toilet facilities, trash receptacles or fire pits, current use of the beach includes overnight camping. There is limited to no enforcement of human activity on the beach.	Prohibit overnight camping.
5.	Fire potential and ignition potential in the area is significant. The environment harbors the potential for large fires.	Reduce ignition potential along roadside and prohibit campfires and fireworks. Utilize vegetation management practices along the highway and post fire prevention signage at the beach entrance.
6.	Because there are more available rangers, land management on the State Beaches have more enforcement than the LPNF San Carpoforo Beach.	Consider developing a Memorandum Of Agreement (MOA) with the State Parks to allow both agencies to share in the enforcement of both State Beaches and the LPNF beach by authorizing enforcement powers to each agency.
7.	The LPNF San Carpoforo Beach property is bordered on the south by CA State Parks Beach	Establish consistent land management regulations on



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	<p>property and to the north by private properties. Access to both properties is through the LPNF property. Management of the CA State Parks or the private parcels is only possible with the cooperation of the LPNF.</p>	<p>LPNF, CA State Parks, and private properties. Recommend utilizing the standards set by the CA State Parks to provide appropriate protection and management.</p>
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Appendix B - California State Parks General Provisions

California Code of Regulations - Excerpts

4302. Use of Facilities, Payment.

No person shall use or be present in any portion of a unit under control of the Department of Parks and Recreation for which a use fee has been established by the Department, without paying such fee. This shall not apply to state officers and employees on official business nor to persons excepted by the Department for administrative reasons.

4305. Animals.

(a) Protection. No person shall molest, hunt, disturb, harm, feed, touch, tease, or spotlight any kind of animal or fish, or so attempt.

(b) No person shall injure, trap, take, net, poison, or kill, any kind of animal or fish, or so attempt, except that fish and bait may be taken, other than for commercial purposes in accordance with state laws and regulations.

(c) Where hunting in a state recreation area or within the State Vehicular Recreation Area and Trail System or portion thereof is permitted by regulations herein, so much of this section as is inconsistent therewith shall be deemed inapplicable, provided hunting is conducted in the manner specified.

(d) This section does not apply to activities undertaken by the Department in conjunction with its resource management activities.

(e) Feeding. In units or portions thereof where posted in accordance with Section 4301(i), no person shall feed any wildlife or feral animal listed on such posting.

4306. Plants and Driftwood.

No person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn, or carry away any tree or plant or portion thereof, including but not limited to leaf mold, flowers, foliage, berries, fruit, grass, turf, humas, shrubs, cones, and dead wood, except in specific units when authorization by the District Superintendent or Deputy Director of Off-Highway Motor Vehicles to take berries, or gather mushrooms, or gather pine cones, or collect driftwood is posted at the headquarters of the unit to which the authorization applies.

4307. Geological Features.

No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves except rockhounding may be permitted as defined and delineated in Sections 4610 through 4610.10.

4308. Archaeological Features.

No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.

4310. Litter.

No person shall leave, deposit, drop, or scatter bottles, broken glass, ashes, waste paper, cans or other litter in a unit except in a receptacle designated for that purpose, and no person shall import any litter, or import and deposit any litter into or in any unit from other places.

4311. Fire in Stoves, Smoking.

No person shall light, build, use, or maintain a fire within a unit except in a camp stove or fireplace provided, maintained, or designated for such purpose, unless by authority of the Department. Portable camp stoves may be used in portions of units approved by the Department. Upon a finding of extreme fire hazard by the Department no person shall smoke or build fires in



portions of units other than those designated by the Department for such purposes.

4312. Control of Animals.

- (a) No person shall permit a dog to run loose, or turn loose any animal in any portion of a unit, except upon written authorization by the District Superintendent.
- (b) No person shall keep an animal in any unit except under his/her immediate control.
- (c) No person shall keep a noisy, vicious, or dangerous dog or animal or one which is disturbing to other persons, in any unit and remain therein after he/she has been asked by a peace officer to leave.
- (d) No person shall permit a dog or a cat to remain outside a tent, camper, or enclosed vehicle during the night.
- (e) No person shall bring a dog into, permit a dog to enter or remain, or possess a dog in units under control of Department of Parks and Recreation unless the dog is on leash of no more than six feet in length and under the immediate control of a person or confined in a vehicle.
- (f) No person shall bring a dog into, permit a dog to enter or remain, or possess a dog:
 - 1) beyond the limits of campgrounds, picnic areas, parking areas, roads, structures or in posted portions of units except as provided elsewhere in this section.
 - 2) on any beach adjacent to any body of water in any unit except in portions of units designated for dogs.
- (g) In state recreation areas open to hunting pursuant to Public Resources Code, Section 5003.1, dogs may be used to assist in hunting. Such dogs shall not be permitted to pursue or take any wildlife other than that being hunted.
- (h) Subsections (e) and (f) shall not apply to trained “seeing eye,” “signal,” or “service” dogs used to guide a physically impaired person there present, or dogs that are being trained to become “seeing eye,” “signal,” or “service” dogs.
- (g) Grazing. No person shall graze, herd or permit livestock to enter or remain inside a unit without specific written authorization of the Department, except for grazing by animals used for riding or packing under direct control of visitors or concessionaires.

4313. Weapons and Traps.

- (a) No person shall carry, possess or discharge across, in or into any portion of any unit any weapon, firearm, spear, bow and arrow, trap, net, or device capable of injuring, or killing any person or animal, or capturing any animal, or damaging any public or private property, except in underwater parks or designated archery ranges where the Department of Parks and Recreation finds that it is in its best interests.
- (b) Nothing herein contained shall be construed in derogation of the use of weapons permitted by law or regulation and to be used for hunting in any unit, or portion thereof, open to hunting.
- (c) Firearms not having a cartridge in any portion of the mechanism, other unloaded weapons or devices such as traps, nets, and bows and arrows may be possessed within temporary lodging or mechanical mode of conveyance when such implements are rendered temporarily inoperable or are packed, cased, or stored in a manner that will prevent their ready use.

4314. Fireworks.

- (a) No person shall possess, discharge, set off, or cause to be discharged, in or into any portion of a unit any firecrackers, torpedoes, rockets, fireworks, explosives, or substances harmful to the life or safety of persons.
- (b) The Department may grant exceptions to this section for specified locations and periods of time upon finding that such activity will not endanger persons, property, or resources.
- (c) This section does not apply to explosives lawfully possessed or used under the direction of



the Department.

Note: Authority cited: Section 5003, Public Resources Code. Reference: Section 5008, Public Resources Code.

4319. Games and Recreational Activities.

No Person shall engage in games or recreational activities that endanger the safety of person, property, resources or interfere with visitor activities except as permitted by the Department.

4320. Peace and Quiet.

To insure peace and adequate rest for visitors, no person shall so conduct himself that he disturbs others in sleeping quarters or in campgrounds between the hours of 10 p.m. and 6 a.m. daily. No person shall, at any time, use outside electronic equipment including electrical speakers, radios, phonographs, television, or other machinery, at a volume which emits sound beyond the immediate individual camp or picnic site without specific permission of the Department. Engine driven electric generators which emit sound beyond the limits of a camp or picnic site may be operated only between the hours of 10:00 a.m. and 8:00 p.m.

4322. Nudity.

No person shall appear nude while in any unit except in authorized areas set aside for that purpose by the Department. The word nude as used herein means unclothed or in such a state of undress as to expose any part of portion of the pubic or anal region or genitalia of any person or any portion of the breast at or below the areola thereof of any female person.

4324. Sanitation.

(a) No person shall deposit waste, water, sewage or effluent from sinks, portable toilets, or other plumbing fixtures directly upon or into the surface of the ground of water.

(b) No person shall deposit any body waste in or on any portion of any comfort station or other structure except into fixtures provided for that purpose.

(c) No person shall place any bottle, can, cloth, rag, metal, wood, paper, or stone substances in any plumbing fixture in such a manner as would interfere with the normal operation of such fixture.

4326. Posted Order.

No person shall violate any provision of an order posted pursuant to the provisions of Section 4301(i) thereof.

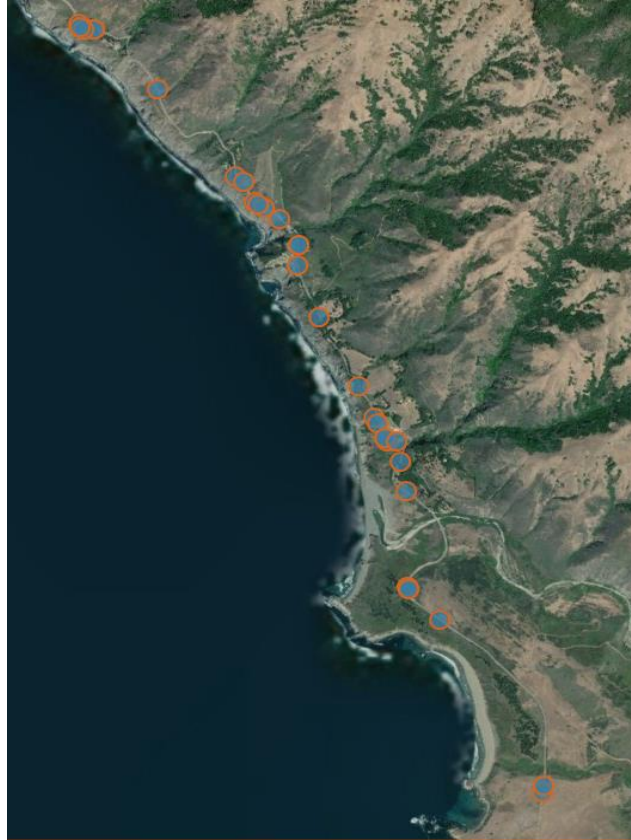
4331. Soliciting.

No person shall solicit, sell, hawk, or peddle any goods, ware, merchandise, services, liquids, or edibles for human consumption or distribute circulars in any unit, except by permit granted by the Department.



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Appendix C - Vehicle Accident Data (UC Berkeley TIMS Data)



TIMS Data - Vehicle Accident Location 2006 to 2018

CASE_ID	ACCIDENT_YEAR	COLLISION_DATE	COLLISION_TIME	DAY_OF_WEEK	PRIMARY_RD	SECONDARY_RD	DIRECTION	WEATHER	POSTMILE	SIDE_OF_HWAY	TOW_AWAY	COLLISION_SEVERITY	NUMBER_KILLED	NUMBER_INJURED	PARTY_COUNT	BICYCLE_ACCIDENT	MOTORCYCLE_ACCIDENT
4375585	2009	8/17/2009	1720	1	RT 1	MONTEREY CO LINE	S	A	71.49	N	N	4	0	1	1		Y
4371993	2009	8/15/2009	2335	6	RT 1	SAN CARPOFORO CREEK	N	A	71.83	N	Y	4	0	1	1		
4978650	2010	11/2/2010	1340	2	RT 1	SAN CARPOFORO CREEK	S	A	70.94	N	Y	3	0	1	2		Y
4819714	2010	7/23/2010	1055	5	RT 1	MONTEREY/SLO CO LINE	S	B	71.9	N	Y	3	0	1	1		Y
5018120	2010	11/14/2010	1600	7	RT 1	SAN CARPOFORO CREEK	N	A	73.08	N	Y	3	0	1	1		Y
5100308	2011	2/16/2011	1715	3	RT 1	SAN CARPOFORO CREEK	S	C	70.94	N	Y	4	0	2	2		
5450247	2011	12/17/2011	1500	6	RT 1	SAN CARPOFORO CREEK	N	A	71.9	S	N	3	0	1	1		Y
5355466	2011	9/19/2011	1245	1	RT 1	HEARST CASTLE RD	N	A	72.74	S	Y	2	0	2	1		Y
5286377	2011	7/22/2011	1215	5	RT 1	MONTEREY CO LINE	S	A	74.31	N	Y	2	0	1	1		Y
5747764	2012	7/27/2012	520	5	RT 1	SAN CARPOFORO CREEK	S	B	69.81	N	Y	3	0	2	1		Y
5586222	2012	4/7/2012	915	6	RT 1	RAGGED POINT	S	A	72.5	N	Y	4	0	1	2		
5832502	2012	9/25/2012	1440	2	RT 1	RAGGED POINT	N	B	72.97	N	Y	2	0	1	1		Y
5790316	2012	8/19/2012	1205	7	RT 1	MONTEREY CO LINE	S	A	74.29	N	Y	3	0	1	1		Y
6281921	2013	11/12/2013	2340	2	RT 1	SAN CARPOFORO CREEK	S	A	69.84	N	Y	3	0	2	1		
6040655	2013	4/16/2013	820	2	RT 1	SAN CARPOFORO CREEK	S	A	70.74	N	Y	4	0	1	1		
6309848	2013	12/6/2013	1905	5	RT 1	SAN CARPOFORO CREEK	N	B	71.88	S	Y	4	0	1	1		
6122231	2013	6/14/2013	1545	5	RT 1	CARPOFORD CRK	N	A	71.97	S	Y	3	0	1	1		Y
6282230	2013	10/27/2013	1055	7	RT 1	MONTEREY CO LINE	S	A	73.2	N	N	4	0	1	1		Y
6377696	2014	1/19/2014	1305	7	RT 1	SAN CARPOFORO CREEK	N	A	72.03	S	N	2	0	1	1	Y	
6290121	2014	2/2/2014	1433	7	RT 1	SAN CARPOFORO CREEK	N	B	72.18	S	Y	1	1	0	1		
6614855	2014	8/30/2014	1450	6	RT 1	RAGGED POINT INN	N	A	73.82	S	Y	2	0	1	2		Y
6509782	2014	5/7/2014	938	3	RT 1	RAGGED POINT INN	N	B	74.32	S	Y	2	0	1	1		Y
6943890	2015	5/21/2015	1455	4	RT 1	SAN CARPOFORO CREEK	S	A	70.9	N	Y	3	0	1	1		
6819254	2015	2/7/2015	1630	6	RT 1	RAGGED POINT INN	S	B	71.69	S	Y	2	0	1	1		
6866788	2015	3/2/2015	1735	1	RT 1	SAN CARPOFORO CREEK	N	B	73.04	S	Y	1	1	0	1		
90015156	2015	8/24/2015	1508	1	SR-1	SAN CARPOFORO CREK	N	A			N	2	0	1	1		Y
90025945	2015	9/21/2015	1345	1	SR-1	SAN CARPOFORO CREEK	N	A			Y	4	0	1	2		Y
90278469	2016	9/2/2016	1050	5	SR-1	MONTEREY CO LINE	N	B			N	4	0	1	1		Y
90506624	2017	7/17/2017	1820	1	SR-1	RAGGED POINT INN	N	A			Y	2	0	1	1		Y
90791048	2018	8/3/2018	1405	5	SR-1	MONTEREY CO. LINE	S	A			Y	2	0	1	1		Y
90791150	2018	8/5/2018	1317	7	SR-1	SAN CARPOFORO CREEK	N	A			Y	2	0	1	2		Y
90825988	2018	9/13/2018	1417	4	SR-1	MONTEREY COUNTY LINE	S	A			Y	1	1	0	1		Y



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