

# Draft Findings of the Monterey County LCP Periodic Review

## CHAPTER 5: Public Access and Recreation

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## **CHAPTER 5: Public Access and Recreation**

### **A. Coastal Act Policy**

The Coastal Act requires that maximum public access and recreational opportunities be provided consistent with public safety and the need to protect public rights, private property owners' rights and natural resource areas from overuse (Sections 30210, 30212, 30214). The Coastal Act requires that development not interfere with the public's right of access to the sea (Section 30211). The provision of public access, must take into account whether adequate public access exists nearby, and whether the provision of public access would adversely affect agricultural use (Section 30212). Lower cost visitor and recreational facilities are to be protected, encouraged, and provided where feasible (Section 30213). Section 30214 also provides that access policies shall be carried out in a manner that takes into account the need to regulate the time, place and manner of public access.

To implement these policies, Section 30604(c) requires that: "Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200)." Section 30500(a) of the Coastal Act requires that each Local Coastal Program must contain a specific public access component to assure that maximum public access to the coast and public recreation areas is provided based on the cited provisions. The implementing regulations, CCR Section 13512, require that a public access component include the kinds and intensities of uses, the specific geographic areas of coastal access points and trails, and an implementation schedule for establishing such access.

Sections 30530-30534 of the Coastal Act also require the Commission to implement a Public Access Program. As part of the Commission's Joint Public Access Program, in 1999 the Commission adopted the *Public Access Action Plan*, which identifies several areas of concern regarding issues that affect coastal access and recreation. The top three priority areas of concern outlined in the Action Plan include 1) maximizing coastal access throughout the state by establishing a statewide California Coastal Trail, 2) ensuring that development does not interfere with the public's right of access to the sea by requiring Offers to Dedicate Public Access easements through the regulatory process where needed to mitigate impacts of new development, and 3) ensuring that development does not interfere with the public's right of access to the sea where public access has been acquired through historic use.

In addition to public access requirements, the Coastal Act also has policies to protect and provide areas suited for coastal-dependent and coastal-related recreation. The Coastal Act requires that coastal areas suited for water-oriented activities that cannot readily be provided at inland water areas be protected for such uses (Section 30220), and that oceanfront land suitable for recreational use be protected unless present and foreseeable future demand for public or commercial recreational

activities that could be accommodated on the property is already adequately provided for in the area (Section 30221). It establishes visitor-serving commercial recreational facilities as having priority over private residential, general industrial and general commercial development (Section 30222), and encourages the increased use of coastal waters for recreational boating, by providing for development of dry storage areas, increased public launch facilities, and additional berthing space, and by limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities (Section 30224).

## **B. Monterey County Certified Local Coastal Program**

### **1. Background**

Coastal access opportunities are provided across both public and private lands throughout Monterey County by various means, including city/county/state/federal parks, vertical accessways, lateral accessways and trails. Vertical access refers to the ability to get from the first public road to the shoreline. This usually requires a trail, path or stairway that generally runs perpendicular to the shoreline. Lateral access refers to travel along the shoreline, generally along the beach, blufftop or path running somewhat parallel to the shoreline. Trail access refers to an inland pathway that may run in any direction and that connects coastal recreation areas, provides coastal views, or provides access from inland recreation areas to the shoreline. Other types of access points can include vista points, scenic overlooks, roadside turnouts, and public roadways where coastal views can be observed.

The Monterey County coastline offers many public access and recreational opportunities for residents and visitors alike and includes several national and internationally recognized visitor destinations, including Pebble Beach, Carmel Beach, and the Big Sur Coast. Because much of the coast has remained open to the public, residents and visitors alike are able to experience the coast via many of the County's beaches, trails, overlooks, and scenic roadways, including Highway 1, which parallels the coast for most of the County's 110 mile shoreline. A variety of land and water based recreational opportunities are available. Additionally, as discussed elsewhere in this report, the variety of landscapes and the temperate climate of the Monterey Bay area result in a large diversity of ecological habitats that are of great interest to both nature watchers and outdoor sports enthusiasts.

Currently, significant access is available on public lands (see Table PA-10a). There are approximately 16,857 acres of State Parks and Beaches, and 83,342 acres of National Forest lands within the coastal zone of Monterey County. Federal lands include the Los Padres National Forest (44,538 acres), Ventana Wilderness Area (20,382 acres), and Silver Peak Wilderness Area (14,096 acres). Additionally, as of this writing, while some of the lands of the former Fort Ord army base remain under federal military ownership, the U.S. Army and the California Dept. of Parks and Recreation (State Parks) are negotiating plans to transfer former Fort Ord lands within the coastal zone (nearly 90 acres west of Highway 1) to State Parks ownership.

State beaches and state parks together extend along approximately 35 miles of the Monterey County coastline and provide opportunities for beach access, picnicking, and in some cases overnight camping. Of the six state park units in the Monterey County coastal zone, the three largest parks are Garrapata State Park (2,940 acres), Andrew Molera State Park (4,766 acres), and Julia Pfeiffer Burns State Park (3,762 acres), all located in the Big Sur Coast. The other three smaller state parks are Point Sur State Historic Park (80 acres), Pfeiffer-Big Sur State Park (1,107 acres), both located in the northern portion of the Big Sur Coast, and Limekiln State Park (711 acres), located in the southern portion of the Big Sur Coast. State beaches include Zmudowski State Beach, Moss Landing State Beach, and Salinas River State Beach located in the North County planning area; and Carmel River State Beach and San Jose Creek State Beach (aka Monastery Beach) located in the Carmel planning area.

County Parks within the Monterey County coastal zone include Kirby Park, Manzanita Regional Park and Royal Oaks Park, all located in the North County area. These three parks are located inland from the coast, but include coastal habitats of importance to the region. Kirby Park also provides water access to the upper reaches of Elkhorn Slough for small watercraft (e.g., kayaks and canoes).

Reserves, ecological preserves and wildlife refuges within the Monterey County coastal zone include the Elkhorn Slough National Estuarine Ecological Reserve, Elkhorn Slough Preserve, Moss Landing Wildlife Area, Salinas River Lagoon National Wildlife Refuge, Point Lobos State Reserve, and Big Creek Ecological Reserve. These areas, owned and operated by State and/or Federal agencies, are generally managed to protect the biological and ecological resources of the area, but also allow some limited amount of public access, and educational or recreational opportunity.

All of the Monterey County shoreline is located adjacent to the Monterey Bay National Marine Sanctuary (MBNMS), which extends from Marin County on the north to northern San Luis Obispo County on the south and from the high tide line seaward to about 35 miles offshore. The Monterey Bay National Marine Sanctuary is the nation's eleventh and largest marine sanctuary, encompassing 5,322 square miles of ocean. This federally protected marine area, which is managed by the National Oceanic and Atmospheric Administration, includes the nation's most expansive kelp forests, one of North America's largest underwater canyons, and the closest deep ocean environment to the continental United States (NOAA, 1995). The varied marine resources within the Sanctuary are of interest to scientific researchers and recreational divers alike, and provide the general public with numerous educational opportunities to explore the marine habitats that exist in this area.<sup>1</sup>

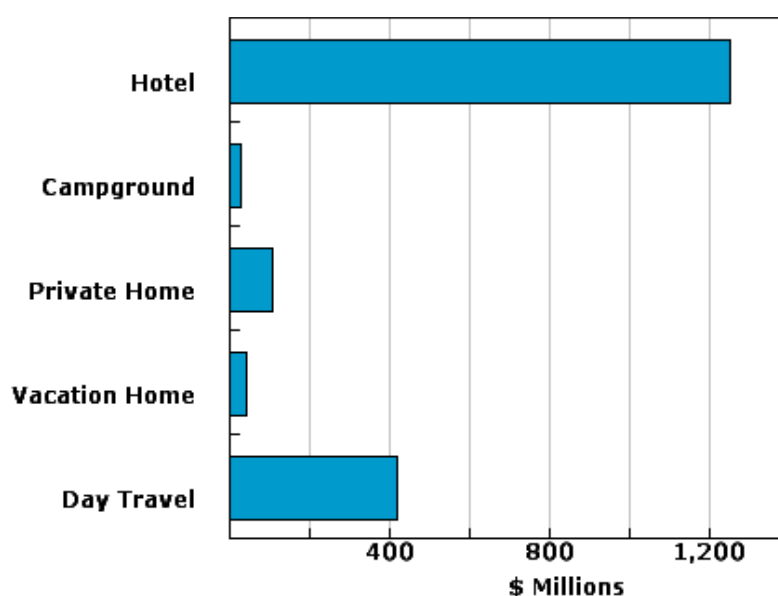
As a result of these numerous public access and recreational opportunities, Monterey County derives a significant portion of its economy from its status as a tourist destination. In the year 2000, as indicated in Figure PA-1 below, travel expenditures in the County by type of traveler

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<sup>1</sup> More information about the Monterey Bay National Marine Sanctuary and the many recreational and educational opportunities available throughout the Sanctuary can be obtained through their web site at: [www.mbnms.nos.noaa.gov/visitor](http://www.mbnms.nos.noaa.gov/visitor).

accommodation were estimated at \$1,885 million (an increase of 6.4% from 1992).<sup>2</sup> The greatest travel spending for accommodations in Monterey County is obtained through hotels, motels and bed and breakfasts and day travel. However, camping, private home and vacation home accommodations also bring in significant expenditures to the County and provide a variety of affordable accommodations for the visiting public.

**Figure PA-1. Travel Spending by Type of Traveler Accommodation, Monterey California**



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<sup>2</sup> Dean Runyan Associates, *California Travel Impacts by County, 1992-2001, 2002 Preliminary State Estimates*, February 2003. Prepared for the California Travel and Tourism Commission & The Division of Tourism, Technology, Trade and Commerce Agency.

**Table PA-10a. – Recreational Lands in Monterey County Coastal Zone**

<b>Name</b>	<b>Owner</b>	<b>Area (acres)</b>	<b>Waterfront (footage)</b>
<i>State Parks</i>			
Garrapata State Park	Cal. Dept. of Parks and Rec.	2,940	27,710
Point Sur State Park	Cal. Dept. of Parks and Rec.	80	6,200
Andrew Molera State Park	Cal. Dept. of Parks and Rec.	4,766	33,510
Pfeiffer Big Sur State Park	Cal. Dept. of Parks and Rec.	1,107	32,500
Julia Pfeiffer Burns State Park	Cal. Dept. of Parks and Rec.	3,762	11,900
Limekiln State Park	Cal. Dept. of Parks and Rec.	711	4,900
<i>State Beaches</i>			
Zmudowski State Beach	Cal. Dept. of Parks and Rec.	194	10,650
Moss Landing State Beach	Cal. Dept. of Parks and Rec.	60	4,730
Salinas River State Beach	Cal. Dept. of Parks and Rec.	282	15,624
Carmel River State Beach	Cal. Dept. of Parks and Rec.	297	13,560
<i>Federal Lands</i>			
Ventana Wilderness Area	Los Padres National Forest	20,382	
Los Padres National Forest	Los Padres National Forest	44,538	
Silver Peak Wilderness Area	Los Padres National Forest	14,096	
Fort Ord (west of Hwy 1)	U.S. Army	90	
<i>County or Regional Parks</i>			
Kirby Park	Moss Landing Harbor District	ND	
Manzanita Regional Park (Monterey Co.)	County-City-Regional Parks and Preserves	326	
Royal Oaks Park	County-City-Regional Parks and Preserves	126	
<i>Reserves, Preserves and Wildlife Refuges</i>			
Elkhorn Slough Ecological Reserve	Cal. Dept. of Fish and Game	1,314	
Elkhorn Slough Preserve	The Nature Conservancy	966	
Moss Landing Wildlife Area	Cal. Dept. of Fish and Game	506	
Salinas River National Wildlife Refuge	US Fish and Wildlife Service	457	
Point Lobos State Reserve	Cal. Dept. of Parks and Rec.	1,889	
<i>Land Trust, Conservancy Holdings</i>			
Struve Pond Easement	The Nature Conservancy	32	
County/City/Regional Parks and Preserves	Big Sur Land Trust	3,807	
<i>Other Recreational Areas</i>			
Kirk Creek Campground	U.S. Forest Service		
Mill Creek Picnic Area	U.S. Forest Service		
Sand Dollar Beach Picnic Area	U.S. Forest Service		
Plaskett Creek Campground	U.S. Forest Service		
Willow Creek Picnic Area	U.S. Forest Service		
Joshua Creek Canyon (undesignated)	Cal. Dept. of Fish and Game		676

Commercial visitor-serving facilities also provide access to coastal resources. At the time of LCP certification, some deficiencies were noted regarding the number and distribution of such facilities throughout the four coastal planning areas. In the rural North County planning area, commercial visitor-serving development existed mainly in Moss Landing and in small-scale development on Salinas Road, Hall Road, Elkhorn Road, Maher Road, and Highways 1 and 156. Major commercial centers serving the coastal zone were located in Castroville, Marina, Prunedale, Salinas and Watsonville. An absence of overnight accommodations in this area was noted. In Del Monte Forest, there were a variety of commercial visitor facilities, including the Lodge at Pebble Beach, portions of 17-Mile Drive (and turnouts), and several golf courses. The Carmel Area supported extensive privately owned visitor-serving facilities, including motels and inns providing a total of 231 units and commercial facilities associated with the lodging accommodations such as restaurants, art galleries and a gas station. In the Big Sur area privately operated visitor-serving facilities constitute the major commercial activity and included small scale motels, lodges, inns or retreats providing a total of 168 rooms along with several restaurants, grocery stores, gas stations and gift shops. Private campgrounds with about 350 units constitute over half of the vehicle access campsites in Big Sur.

Since certification of the LCP, new major visitor-serving facilities have been developed. These include: a 10-unit bed and breakfast facility in the North Coast planning area (the Captain's Inn at Moss Landing); the Spanish Bay Golf Course and Resort (270 hotel units and 80 residential condominium units) and the Casa Palmero Inn and Spa (24 inn units, and a 24-room spa) in the Del Monte Forest planning area; a 10-unit bed and breakfast facility in the Carmel planning area (Rancho Chiquita); and the Treebones Rustic Yurt Camp (16 yurts and 5 conventional tent sites) and Post Ranch (40 units) in the Big Sur Coast planning area.

## **2. Summary of Local Coastal Program Provisions**

To implement the Coastal Act and ensure continued and expanded use of the access opportunities described above, the Monterey County LCP requires that major public access areas and other coastal areas suitable for public access be permanently protected, improved where necessary and managed properly for long-term public use consistent with public safety needs, the rights of private property owners, and protection of sensitive habitats from overuse. In considering the provision of public access, the LCP addresses impacts of public access on agriculture and sensitive habitats and states that in some cases, access may be limited and controlled. The LCP requires that visual access from the nearest public road and other major public viewpoints and view corridors, including views from frontal ridges east of Highway 1 in the Carmel area, be protected, maintained and enhanced for the enjoyment of the public. It also encourages the development of viewpoints where physical access is not appropriate due to public safety, military security or the protection of fragile coastal resources.

The LCP states that bluff-top and lateral access along or near the shoreline is appropriate along the coast, and requires that lateral or vertical access easements, deed restrictions or offers of dedication be provided for sites containing potential access in those locations planned for shoreline access sites or trails. These locations are shown in the public access maps provided in each planning area. Access is also required on any lands between the nearest public road and the shoreline as conditions



of coastal development permits, unless the access is found to be inappropriate due to conflicts with fragile coastal resources, military security, or public safety. The *Big Sur Coast Land Use Plan* also states that coastal development permits can be conditioned to require either dedication of accessways through the donation of land, easements or payment of in-lieu fees. When new access is provided or existing access is formalized or expanded, the LCP requires that an appropriate public agency or private organization assume management responsibility for public use, or agreements concerning such responsibility be reached with landowners. Policies in each of the area plans also require the development and approval of Access Management Plans that take into consideration appropriate types of use, need for seasonal restrictions if any, necessary improvements, and parking facilities. Such management plans are to be developed prior to improvement of existing accessways or trails, intensification of their use, or provision of new accessways.

Public Access Maps in each of the four coastal land use plans show shoreline access sites and coastal trails throughout the Monterey County coastal zone. These maps include various types of access (i.e., vertical - or to the shoreline; lateral - or along the shoreline; overlooks; viewpoints; etc.), and identify trail status (i.e., proposed or existing). These are collectively referred to in this report as Access Points and Access Trails. The LCP requires that support facilities and improvements be provided at specific access points, and includes site-specific recommendations for acquisition, improvements and management of each coastal access point. The LCP also states that a uniform signing system be developed that identifies public accessways, shoreline destinations, and hazardous or restricted access areas, and that information booklets be developed to describe shoreline access sites, environmental resources and restrictions. Finally, the LCP also includes implementing ordinances that describe how and where vertical and lateral accessways should be located in order to maximize access consistent with the Coastal Act. Regulations in the Coastal Implementation Plans for the North County, Carmel and Big Sur planning areas promote locating vertical access in urban areas every 500 feet and one or more accessways per 20-acre parcel in rural areas in all land use plan areas; however, regulations for the Del Monte Forest planning area only require access points at specific locations identified on the access point map. Part 6 of the *Coastal Implementation Plan* (CIP) contains legal document templates and accompanying procedures for recording vertical access offers, lateral access offers, upland trail access offers, and public access easement dedications (in CIP Appendices 6 through 12).

## **C. Local Coastal Program Implementation Issues**

### **1. Overview of Issues and Recommendations**

Protecting, providing and enhancing public access to the shoreline and recreation areas are fundamental objectives of the Coastal Act. The access policies of Monterey County's certified LCP are generally comprehensive. Since certification, a number of the specific access recommendations made in the LCP have been implemented, at least in part. Twelve new access points have been provided through Commission permits at Spanish Bay in Del Monte Forest. The County required access to the Salinas River State Beach and to the shoreline north of Sandholdt Road. Public access

has increased through State Park improvements at three access points in Big Sur and expansion of trails. New State Park acquisitions have also occurred at Salinas River State Beach and Limekiln State Park. And additional future access will be provided following the planned transfer of Federal lands at Ft. Ord to State Parks.

Trail planning and development by a variety of agencies has occurred since certification, including efforts to plan for and develop the California Coastal Trail (CCT) and the Monterey Bay Shoreline Scenic Trail (MBSST). Through LCP implementation the County has facilitated some trail enhancements and implemented some portions of the through coastal trail in the North County and Del Monte Forest planning areas.

But while new access points are available, the County has made only limited progress in implementing the full range of general and site-specific recommendations of the Access Component designed to expand and enhance public access via specific access points and trails. The Periodic Review evaluated the adequacy of implementation of LCP policies to improve and expand access opportunities and to ensure that established access is not diminished consistent with the requirements of the access and recreation policies of the Coastal Act. (Visual access issues are discussed in Chapter 7.)

#### **a. Shoreline Access Issues**

Although Monterey County has the same needs for maximizing access as found in other California counties, enhancement opportunities occur less frequently due to the particular shoreline characteristics and development patterns of the County. Much of the Monterey County shoreline consists only of pocket beaches. The surrounding shoreline, especially in Big Sur is very steep, and often difficult to access, as are some of the beaches themselves. Only North County is mostly comprised of long stretches of sandy beach. Much of the shoreline is already publicly owned. The permit data for Monterey County shows relatively less activity compared to other jurisdictions where either access is proposed or is required through permit conditions (approximately a dozen such permits since 1988).

There are two areas of deferred certification in the Carmel Area; these areas were not certified within the current LCP because of unresolved access concerns regarding Malpaso Creek and Yankee Point beaches. Detailed recommendations for these two areas are found on pages 137-142 of Appendix A (see **Issue PA: 5 Malpaso Creek Beach** and **Issue PA-6: Yankee Point Beach**). Completion of LCPs and Access Components for these areas is essential to assuring implementation of Coastal Act policies.

Staff review and analysis of local coastal development permits through the post-certification monitoring process and the Periodic Review, as well as evaluation of the certified LCP, revealed that the LCP has a fairly good and comprehensive set of general access policies covering siting and design criteria. This evaluation also revealed that some generic access policy changes were warranted, in order to update the Monterey County LCP consistent with current policy implementation and practices of the Commission. For example, the LCP needs updated and more

detailed policies to address public access in environmentally sensitive habitat areas (ESHA) and to ensure that temporary events do not diminish access in order to effectively carry out Coastal Act Section 30210-30212. Recommendations to Monterey County on these two issues (see **Issues PA-2 Public Access in ESHA** and **PA-4 Temporary Events**, respectively) are found on pages 128-133 and 134-136 of Appendix A. Finally, although the County has adequate general policies regarding parking for shoreline access, changed circumstances at Pfeiffer and Monastery Beaches suggest the need for LCP text updates pertaining to these two locations (see **Issue PA-8: Sycamore Canyon** and **Issue PA-9: Carmel River State Beach Parking**, respectively in Appendix A).

Detailed Access analysis is presented in two parts to parallel the LCP's organization: for individual access points (Issue PA-10) and for coastal trails (Issue PA-11). Each analysis examines permits both where access is proposed or conditioned to happen. The LCP sets out both fairly specific access point and trail recommendations, but also requires consideration of additional access where warranted. In addition to discussing the few permits, the analyses review the progress of achieving the specific recommendations (many of which are management or improvement directives) that fall outside of the coastal permit process. Evaluation of the LCP implementation indicated only a couple cases where access was diminished through closure of a trail segment and through a road abandonment, discussed in Issue PA-12 below.

## **b. Other Visitor-Serving Recreational Issues**

The Coastal Act also serves to protect and enhance public access by giving priority to use of private lands for visitor-serving recreational facilities and protecting oceanfront land for recreational use. Hotels and other visitor-serving facilities that serve the County's coastal areas are concentrated in the incorporated Monterey Peninsula cities and many more are located outside of the coastal zone. The LCP provides for few new or expanded facilities. The potential for increasing the overnight rental stock through short-term rentals of residences is controversial in Monterey County. In case the County plans to follow-up on proposals for allowing short-term rentals, suggested recommendations can be found in Appendix A on pages 127-128 (see **Issue PA-1: Short-Term Rentals**) in order to further carry out Coastal Act priorities of Section 30222.

The main concern for Monterey County is to protect existing facilities and to not allow visitor opportunities to diminish through such actions as hotel/motel room conversions to quasi-residential use (i.e., timeshares). This issue (see **Issue PA-3: Timeshare Conversions**) is addressed by recommendations on pages 133-134 of Appendix A that seek to protect visitor facilities. Loss of campground spaces also emerged as an issue when State Parks reduced the number of spaces at Andrew Molera State Park due to potential wastewater problems. While it is important for the LCP to implement water quality policies to address legitimate wastewater issues, alternative wastewater disposal techniques should be pursued in order to protect existing campground spaces as outlined in Appendix A on pages 17-19 (in **Issue LU-7: Alternative Wastewater Treatment**). Finally, in Big Sur, questions of density for campgrounds emerged in an appeal of a facility consisting of yurts, a form of "camping" not originally accounted for in the LCP. This leads to the larger issue of whether the allowed densities for overnight accommodations matches the supply of designated land and

ultimately allowed buildout. These questions are briefly discussed below (see **Issue PA-13: Recreational Units in Big Sur**).

## **2. Issues Analyzed in Detail**

In addition to the issues mentioned above that are covered in Appendix A, the following issues are addressed in more detail in this section: Issue PA-10: Coastal Access Points and Issue PA-11: Coastal Trail System. An overview of each issue leads, followed by background information, applicable County LCP policies, a description of how the policies have been implemented, analysis, and, finally, corrective recommendations. There are then briefer discussions of Issue PA-12: Road Abandonment and Issue PA-13: Recreational Units in Big Sur.

### **a. Issue PA-10: Coastal Access Points**

#### **(1) Overview**

This subchapter addresses the following concern identified through issue scoping: **Ensure that public access is maximized and adequate coastal access is provided throughout the Monterey County coastal zone by the acquisition, construction, opening and management of identified and appropriate coastal access points.**

Public access is provided throughout the Monterey County coastal zone at various locations by the means of coastal access points to and along the shoreline. No pervasive threats to these access points were discovered. Some increased access opportunities have been afforded through new public acquisitions. Permit review of coastal development permits since certification has revealed some instances of new access points being approved or at least conditionally required. However, the LCP has only been partially implemented and access opportunities have not been fully maximized as required by the Coastal Act. This is largely due to lack of initiatives by the County and other agencies with access responsibilities. This finding is also partially due to some outdated LCP provisions. Thus, recommendations to update the proposed access point improvements, as well as to continue to fund and construct access point improvements are made.

This issue somewhat overlaps with the following Issue PA-11: Coastal Trail System as some access point recommendations can be part of the trail system and some of the general concerns with implementation of access policies relate to both access points and trails.

## **(2) Resource Issue Background**

### **Characterization of Public Access Points**

Public access is provided throughout the Monterey County coastal zone at various locations to and along the shoreline. Coastal access points include locations where vertical access to the shoreline is available, lateral access along the shoreline is available, or visual access to the shoreline is available via scenic overlooks, vista points or roadway. Maps PA-10a –10f in Appendix E show each of the four land use plan areas including the location of each coastal access site, public lands and major roadways.

As part of the LCP process, background reports were prepared, including inventories of existing, opened and planned access points along the entire County shoreline, indicating location, ownership, shoreline, habitat, access, parking, facilities, use, and condition. From these inventories, tables were developed for inclusion in the LCP that further categorized access areas. The result was a mix of access points: some developed and some not; some under public ownership and some privately owned.

Within the North County planning area, the *North County LUP* shows 23 coastal access points located at or adjacent to the following areas: Pajaro River; Bennett Slough and Struve Pond, Zmudowski, Moss Landing and Salinas River State Beaches, Elkhorn Slough, Moss Landing Harbor, Moro Cojo Slough, Tembladero Slough, the Old Salinas River Channel, and the Salinas River Lagoon (see Map PA-10a). These access points are intended to provide physical and visual access to the beaches, tidal and fresh-water wetlands, rivers and estuaries of the North County coastal zone, as well as to the rolling hillsides of the Elkhorn Slough watershed. Three of the coastal access points are located within county parks further inland, including Kirby Park, where a boat ramp for access to Elkhorn Slough is provided, and at Manzanita Park and Royal Oaks Park, where trails traverse maritime chaparral and oak woodland habitats in the Elkhorn Slough Watershed.

Within the Del Monte Forest planning area, the *Del Monte Forest LUP* shows 12 coastal access points along the scenic Seventeen Mile Drive and Cypress Drive in Pebble Beach (see Map PA-10b). Here, coastal access is intended to provide a number of vertical and lateral accessways and shoreline overlooks, including shoreline access at Spanish Bay, Bird Rock, Fanshell Beach, Seal Rock Beach, Stillwater Cove and Carmel Beach, overlooks at Point Joe, Bird Rock, Cypress Point, Midway Point and Pescadero Point, and blufftop trails between Spanish Bay and Seal Rock Beach. The one inland access point, located at the Crocker Cypress Grove, is intended to provide an interpretive overlook of some of the largest Monterey cypress trees in the Del Monte Forest.

Within the Carmel planning area, the *Carmel Area LUP* shows 7 coastal access points (see Map PA-10c). Beach access here is intended to provide various locations within the Carmel River State Beach, San Jose Creek State Beach (aka. Monastery Beach), and Point Lobos State Reserve. Additional coastal access points provide visual access along Scenic Drive on Carmel Point and Highway 1 through Carmel Highlands and an overlook across from the Highlands Inn.

The *Big Sur Coast LUP* access maps (Maps PA-10d, PA-10e and PA-10f) show approximately 36 access points throughout the Big Sur Coast area, including a number of vertical and lateral access points and coastal trailheads, many of which are located on public lands. Additionally, visual access is provided along much of Highway 1 where the roadway and numerous vista points and scenic overlooks provide opportunity to motor along the coast and enjoy the view. Coastal access areas are currently shown on the *LUP* map as being located in the following areas: Malpaso Beach, Otter Cove, Garrapata State Park, Kassler Point, Rocky Point, Palo Colorado, Rocky Creek, Bixby Creek, Hurricane Point, Little Sur River, Point Sur, Swiss Canyon (False Sur area), Andrew Molera State Park, Pfeiffer Beach, Wreck Beach, Coastlands, Castro-Grimes Canyon area, Partington Canyon, Julia Pfeiffer Burns State Park, Anderson Landing, Dolan Creek, Big Creek, Gamboa Point, Vicente Creek, Lopez Point, Lucia, Limekiln Creek, Kirk Creek, Mill Creek, Wild Cattle Creek, Pacific Valley, Sand Dollar Beach, Willow Creek, Alder Creek, and Salmon Creek.

#### **Responses to Enhance Public Access Points**

Since LCP certification the number of access points available to the public has increased and additional public access opportunities have occurred at both LCP identified locations and at other additional locations (see Implementation, Managing Agency and Comment columns of Tables PA-10b through PA-10e in Appendix B).

The California Department of Parks and Recreation (State Parks) has expanded some of its holdings, providing additional coastal access points. Within the North County area, State Parks added approximately 8 acres to the Salinas River State Beach through acquisition of two Moss Landing Marine Lab parcels located southwest of the Sandholdt Road Bridge after the 1989 Loma Prieta Earthquake. Through the transfer of the property to State Parks, an additional coastal access point (vertical accessway) was obtained between the parking area and Salinas River State Beach. State Parks is hopeful that another parcel in the vicinity of this area may be acquired to protect and maintain contiguous coastal dune habitat. State Parks is also continuing to work on negotiations with the U.S. Army for transfer of federal lands located in the former Fort Ord area. Once negotiations are complete, it is expected that approximately 90 acres west of Highway One will be transferred to State Parks, and subsequently that the general plan developed for this new State Park unit will include several coastal access and recreational opportunities (see **Issue LU-15: Fort Ord**).

In the mid 1990's State Parks acquired 711 acres in Big Sur, now known as Limekiln State Park, which had been a private campground. By acquiring the campground, which includes 4,900 lineal feet of shoreline, State Parks assured the permanent protection and accessibility of this shoreline area. State Parks has also completed the Pfeiffer Big Sur State Park General Plan, is currently preparing the Point Sur State Historic Park General Plan, and is planning to update the Andrew Molera State Park General Plan, each of which may provide for additional access point opportunities once completed.

The Coastal Commission continues to advance maximizing public access by requiring new access points through coastal development permits in areas of original and deferred jurisdiction and to assist with the opening of previously required accessways. Conditions for the Spanish Bay coastal

development permit required the Pebble Beach Company to construct or improve public access points and trails throughout the Del Monte Forest planning area, and to record offers to dedicate (OTDs) public access easements for each of the twelve access sites.<sup>3</sup> Recently, Commission staff has been working with the Del Monte Forest Foundation to ensure that all OTDs are accepted; in the meantime, the Pebble Beach Company continues to manage these access sites throughout the Del Monte Forest planning area.

The Monterey Bay National Marine Sanctuary (MBNMS), discussed previously in this chapter, was created in 1992. NOAA, who manages the Sanctuary, is currently working on updating the Sanctuary strategic management plan, and actively coordinates with the Commission and local planning agencies on public access and recreational opportunities and projects occurring within their jurisdictions. The Sanctuary recognizes that coastal access points provide an optimum location for interpretive and educational contact with the public, and so is involved in an advisory and planning role for projects such as the Monterey Bay Sanctuary Scenic Trail (MBSST).

### **(3) Local Coastal Program Provisions**

As noted in the Resource Characterization section above, each of the County's four coastal land use plans contains a public access chapter, including maps of existing and proposed access points and coastal trails; sometimes combined on the same map (North County, Carmel), sometimes not (Del Monte Forest, Big Sur Coast). The Monterey County LCP requires major access areas, whether in public or private ownership, to be improved where necessary and managed properly for long-term public use consistent with public safety needs, the rights of private property owners, and the protection of sensitive habitats from overuse. Other areas suitable for public access are also to be protected for such use. Maps PA-10a through PA-10f show the location of all access points described in each of the four planning areas. Each of the four land use plans also include site-specific recommendations for the acquisition/provision, improvement, management, and constraints/restrictions associated with each coastal access point (see columns 1 through 3 of Tables PA-10b through PA-10e which identify these access areas, category, and site-specific recommendations)

Of the 23 coastal access points identified in the *North County LUP*, 7 are major access areas and 16 other areas are considered suitable for more limited public use. The *Del Monte Forest LUP* identifies 12 major access areas, and the *Carmel Area LUP* identifies 7 major access areas. The 36 access areas identified in the *Big Sur Coast LUP* are prioritized into three classifications, based on existing use, ability to protect sensitive habitats, and to provide for public safety and parking. First priority shoreline access locations were considered those major access areas already in active use; second priority areas were those areas with ample beaches, minimal public safety hazards, and either absence of sensitive habitats or habitats that could be protected from adverse impacts; and third priority access locations are those areas that have attractive destinations where safety hazards or resource conflicts could be mitigated and the potential for improved parking existed. The *Carmel*

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<sup>3</sup> Coastal Commission coastal permit 3-84-226.

*Area Land Use Plan* policy 5.3.2.1 and *County Code* provisions applicable to all four segments require that for certain development on sites where access improvements are identified, access shall be provided as a condition of permit approval.

The LCP also provides for maximizing coastal access by requiring mitigation in permits for new coastal development that impacts access to the shoreline. For example, the *North County Land Use Plan* requires that as a condition of development permits approved on the Island, adequate public access to the shoreline in Moss Landing is required (Policy 5.4.3.11). For new development between the nearest public road and the sea, an access analysis is required. In part, the analysis involves determining whether a public access point or trail is included in the aforementioned tables; but in part, the analysis must also determine if access beyond that specifically mentioned in the tables should also be obtained. For example, the North County Implementation Plan requires an analysis of whether access exists on the parcel, is proposed over the parcel or within ¼ mile of the parcel, or is needed over the parcel, based on access distribution standards.

In all but the Del Monte Forest planning area, policies and implementing ordinances require public access be sited based on distribution standards, which require: lateral accessways on all beach front land as needed to provide continuous and unimpeded lateral access along the entire reach of a sandy beach area or other useable recreational shoreline; one vertical accessway to be located where streets end at the shoreline, once every six residential parcels or once every 500 feet in urban areas; one or more vertical access way per 20-acre parcel (equivalent to at least one accessway about every 1,000 feet); and upland trails located to provide connection between shoreline and inland units of federal, state or local park systems, between shoreline access easements, or between the road and scenic overlooks. The Del Monte Forest Implementation Plan currently calls only for public access at the locations identified in Policy 145 and Appendix B, which list and detail twelve coastal access locations (at Spanish Bay, Point Joe, bluffs between Point Joe and Bird Rock, the beach and bluffs between Bird Rock and Fan Shell Beach, Fan Shell Beach, Crocker Grove, Cypress Point, Lone Cypress, Pescadero Point, Carmel Beach and Stillwater Cove).

The Carmel Area plan also currently includes two areas of deferred certification, i.e., areas that were not included in the 1988 LCP certification because of unresolved shoreline access issues. These two areas include the Yankee Point Beach area and the Mal Paso Creek Beach area (see Issues PA-5 and PA-6). Since certification, public access to Mal Paso Creek Beach via the Old Coast Road Trail has been obtained through access easements required of Coastal Commission development permits,<sup>4</sup> which still need to be accepted by a public agency or nonprofit in order to ensure that this coastal trail remains available to the public in perpetuity. This accessway could provide lateral access linking to the Big Sur Coast planning area, but access easements on properties south of Mal Paso Creek creating such a link have not yet been obtained. Trail access to Yankee Point Beach is not yet available to the general public, and a solution to providing access to this landlocked shoreline has not yet been found.

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<sup>4</sup> Coastal Commission permits 3-86-009 and 3-00-020.



The LCP states that where needed to mitigate impacts of new development, access shall be required as a condition on coastal development permits. Such access is obtained by conditioning permits to require either easements dedicated directly to the County, in which case the County automatically assumes responsibility for construction or improvement, opening and management of the accessway, or as an “offer to dedicate,” which the County or other willing entity (e.g. State Parks, local land trust, or other nonprofit organization) would need to accept, and thus assume responsibility for the accessway’s construction or improvement, opening and management.

The *North County Land Use Plan* commits the County to monitoring all dedicated public access easements on a continuing basis, including maintaining a detailed map of their locations (Policy 6.4.A.4) and to working with landowners and agency staff to ensure that obtained accessways are adequately managed and maintained so as to remain usable by the public (*North County Land Use Plan* Policy 6.4.A.5).

The *Del Monte Forest LUP* Policy 128 states that the County shall receive and hold all access easement dedications (shoreline and inland trails) accrued as a result of conditions placed on new development. The County may designate another public agency or non-profit association to accept access dedications if the recipient demonstrates the ability to manage them consistent with the site-specific recommendations and the public trust. The *Del Monte Forest LUP* also indicates that access dedications may be enforced by the County or their designee and shall revert to the County if the recipient is unable to manage the access consistent with the site-specific recommendations and the intended purpose of providing public access.

The *Carmel Area LUP* Policy 5.3.2.1 indicates that when new access is provided, or existing access is formalized or expanded, an appropriate public agency must assume management responsibility for public use or agreements concerning such responsibility must be reached with landowners. *Carmel Area LUP* Policy 5.3.2.2 also indicates that easements, deed restrictions or dedications may not be opened until a public agency or private association agrees to accept responsibility for maintenance and liability of accessways.

The *Big Sur Coast LUP* Policy 6.1.5.B.2 requires that dedications of access easements or offers thereof be made to an appropriate public agency or private foundation or agreements concerning such responsibility must be reached with landowners.

#### **(4) Local Coastal Program Implementation**

A number of access recommendations found in the LCP have been implemented since certification. Table PA-10f contains an evaluation of the progress in achieving coastal access site recommendations. “Fully Implemented” refers to those sites in which all site-specific recommendations have been accomplished; “Partially Implemented” refers to those sites in which only some of the site-specific recommendations have been accomplished; “Not Implemented” refers to those sites for which none of the site-specific recommendations have been accomplished. Determination of whether site-specific recommendations have been implemented or not was based on review of coastal development permits, discussions with the responsible managing agencies, and

Coastal Commission staff field visits and familiarity with the area. Tables PA-10.b through PA-10e in Appendix B include the more detailed site specific recommendations for each coastal access point, adapted from similar tables located in each of the four coastal land use plans. For purposes of this review, the original LUP table formats have been modified in Appendix B to identify each specific recommendation as an individual element, and information has been added to indicate which of these specific recommendations have been implemented (or partially implemented), to note the agency currently responsible for managing each area, and to include any comments or recommendations regarding a specific item where necessary.

**Table PA-10f. Summary of Implementation of Coastal Access Point Recommendations**

<b>Planning Area</b>	<b>Access Points</b>	<b>Fully Implemented</b>	<b>Partially Implemented</b>	<b>Not Implemented</b>	<b>Percent Complete</b>
<b>North County</b>	<b>23</b>	<b>1</b> #1 - Kirby Park	<b>14</b> #1 Giberson Road #2a Jetty Road #2b Jetty Road #3 Sandholdt Road #4 Moss Landing Marine Lab #5 Potrero Road #6 Monterey Dunes Way #11 Skippers Docks #12 Highway One Br. #13 Moss Landing Rd #14 Twin Bridges #18 Hudson Landing Road #19 Porter Ranch #20 Elkhorn Slough #23 Salinas Wildlife Area	<b>8</b> #8 McGowan Rd #9 Trafton Rd #10 Struve Rd #15 Molera Rd #16 TNC #17 Elkhorn Rd #21 Castroville #22 Mulligan Hill	<b>4% fully implemented; 61% partially implemented; 35% not implemented</b>

Planning Area	Access Points	Fully Implemented	Partially Implemented	Not Implemented	Percent Complete
<b>Del Monte Forest</b>	<b>12</b>	<b>6</b> #1 Spanish Bay #4 Bird Rock #6 Fan Shell Beach #8 Cypress Point #9 Lone Cypress	<b>5</b> #2 Point Joe #3 Bluffs between Point Joe and Bird Rock #5 Beach and bluffs between Bird Rock and Fan Shell Beach #7 Crocker Grove #10 Pescadero Point #12 Stillwater Cove	<b>1</b> #11 Carmel Beach	<b>50% fully implemented; 42% partially implemented; 8% not implemented</b>
<b>Carmel Area</b>	<b>7</b>	<b>0</b>	<b>7</b> Carmel Point Carmel Beach San Jose Creek Pt. Lobos N Pt Lobos Carmel Highlands Mal Paso Beach	<b>0</b>	<b>None fully implemented; all at least partially implemented</b>
<b>Big Sur Coast</b>	<b>40</b> (with sub-areas)	<b>5</b> #2a Soberanes Point #2b Granite Canyon #8 Hurricane Point #33 Sand Dollar Bch #34 Willow Creek	<b>20</b> #1b Otter Cove #2c Garrapata Beach #3 Kassler Pt #6 Rocky Creek #7 Bixby Creek #10 Pt Sur #12 Andrew Molera State Park #13 Pfeiffer Beach #15 Coastlands #16 Castro-Grimes #18 Partington Canyon #19 Julia Pfeiffer Burns State Park #20 Anderson Landing #23 Vista Point #26 Lopez Point #28 Limekiln Creek #29 Kirk Creek #30 Mill Creek #32 Pacific Valley #35 Alder Creek	<b>15</b> #1a Mal Paso Beach #1c S Otter Cove #4 Rocky Point #5 Palo Colorado #9 Little Sur River #11 Swiss Canyon #14 Wreck Beach #17 Grimes-Partington #21 Dolan Creek #22 Big Creek #24 Gamboa Point #25 Vicente Creek #27 Lucia #31 Wild Cattle Creek #36 Salmon Creek	<b>12.5% fully implemented; 50% partially implemented; 37.5% not implemented</b>

Where the County has coastal permit jurisdiction, it has authorized coastal development permits for access improvements. Within North County, OTDs for vertical and lateral shoreline access to the Salinas River State Beach and the beach north of Sandholdt Road Bridge were required as mitigation in development permits on shoreline parcels. Three vertical accessways now exist in the south Harbor area of Moss Landing, providing access from 1) Sandholdt Road across to the beach at the former Moss Landing Marine Lab site (which has since been added to the Salinas River State Beach); 2) at the north end of the Monterey Bay Aquarium Research Institute (MBARI) facilities south of the relocated Phil's Fish House; and 3) along the Duke Energy outfall line west of the Cannery Building. Each of these accessways were established through different means: a County coastal permit condition, an initiative by State Parks, and an easement offered as mitigation in conjunction with a California Energy Commission regulatory action<sup>5</sup>, respectively.

Additionally, some of the new access points mentioned above also provide opportunities for being part of a coastal trail system. For example, trails obtained through the Casa Palmero Inn and Spa development in Pebble Beach were required to provide improved public access between the Lodge and Stillwater Cove (access point #12 in Del Monte Forest planning area). In this case, however, such access was obtained after appeal of the County's action to approve the project without providing access.<sup>6</sup> The County's action included a finding that the project was consistent with public access and recreation policies as access points shown on the access map had been established, and so did not require any additional public access conditions for trails or signage. However, the Commission, on appeal of the project, found that while the access point at Stillwater Cove had indeed been established, access to Stillwater Cove was inadequate due to traffic congestion in and around the Pebble Beach area, lack of signage directing visitors through the Lodge complex to Stillwater Cove, and the likelihood that, absent adequate signage indicating availability and location of public access and public parking, most visitors would be intimidated upon reaching the private Beach Club. Therefore, new access trails, and a coastal access signage plan were required as part of the Coastal Commission's action on the appeal as mitigation for the development of Casa Palmero, which included 24 additional inn units, 24 spa rooms and a 315-space parking lot. New trails obtained through the Casa Palmero permit include a pedestrian route between Peter Hay Hill and the Lodge, a pedestrian route along the condos located in the Viscaino and Sloat Buildings leading to a coastal overlook south of the 18<sup>th</sup> Green, a path between the Lodge Complex and Casa Palmero, paths around and through the Tennis Club to Stillwater Cove, and additional coastal access parking. Commission staff is working with the Pebble Beach Company to fulfill condition compliance, however, full implementation of a signing plan that clearly indicates public coastal access along these routes and through to the Stillwater Cove access point has not yet been completed. The Commission has also recommended that access improvements, such as directional signage, interpretive signs and seating, could be installed to aid in public recognition and use of the Sloat Building overlook, and improve access opportunities in and around the Lodge complex.

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<sup>5</sup> For example, County coastal permits PC92-115 (3-MCO-93-063) for MLML relocation and transfer of land to State Parks; PC-6505 (3-MCO-88-28), and SH93003 (3-MCO-93-110) for development of MBARI facilities; and California Energy Commission permit for Duke Energy Moss Landing Power Plant Expansion Order No. 00-1025-24 (Docket# 99-AFC-4).

<sup>6</sup> County coastal permit PC96024 (3-MCO-97-036); appealed as Coastal Commission appeal A-3-MCO-97-037.

And finally, the Pebble Beach Company has not yet implemented the accessway to Camel Beach as required by the LCP.

Within the Big Sur Coast planning area, coastal permits have been approved for at least three access points shown in the LCP. All were issued to State Parks for improvements to existing facilities with the intention of improving public access, while protecting and/or restoring natural habitats and protecting the critical viewshed. In one case the County approved an upgrade of an existing parking lot, water system and public sanitary facilities at Andrew Molera State Park in 1989.<sup>7</sup> For Pfeiffer Big Sur State Park, the County approved the replacement and expansion of existing restroom facilities to better serve the public.<sup>8</sup> For Garrapata State Beach<sup>9</sup> the County approved a four-foot wide, 450-foot long access trail between Highway One and the coastal bluff above Garrapata Beach, and a rock and mortar step pathway down the bluff to the beach. The permit required siting the trail to avoid sensitive cultural sites and required restoration of sensitive plant habitat.

Based on a review of the permit actions, it does not appear the County has provided any additional access required beyond the sites listed in Tables PA-10b through PA-10e in Appendix B. Additionally, according to Monterey County Planning and Building Department staff, the County has not implemented the North County policy to monitor all dedicated public access easements.<sup>10</sup> No other program exists to monitor access easements in any of the other County coastal planning areas; therefore, no tracking of new coastal access points has occurred.

Review of a number of coastal development permits does indicate that access management plans are being required when new access is provided on public lands. These access management plans, intended to ensure protection of sensitive habitats in the development of public accessways, to provide adequate facilities, including parking, restrooms and interpretive signs, and to provide for public safety, are being required when new access is provided on public lands. Although not on the shoreline, new park facilities at Mill Creek Preserve in the Palo Colorado area of Big Sur, were approved in 1993.<sup>11</sup> Development plans for the Mill Creek Preserve included six and a half miles of hiking trails, signs, grading, water storage for fire prevention, and office and restroom facilities on 1,340 acres of open space preserve owned and managed by the Monterey Peninsula Regional Parks District. The County's coastal development permit included findings that an access management plan had been developed and the permit was conditioned to provide access within limits recommended by the management plan (as well as to comply with recommendations of a forest management plan, a biological report and an archaeological report) in order to protect sensitive habitat and cultural resources. The County also required development of an access management

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<sup>7</sup> County coastal permit PC-6952 (3-MCO-89-191).

<sup>8</sup> County coastal permit AP-95105 (3-MCO-95-119).

<sup>9</sup> County coastal permit PC-7760 (3-MCO-91-105).

<sup>10</sup> Personal communication, Lautaro Echiburu, Monterey County Planning and Building Inspection Department, April 2003.

<sup>11</sup> County Coastal Permit PC-92065 (3-MCO-93-051).

plan for the proposed new visitor center and dune boardwalk trail as part of its permit for relocation of the Moss Landing Marine Lab.<sup>12</sup>

## **(5) Analysis of Coastal Act Conformance**

The County has made only slow progress in fulfilling access point recommendations called for in the LCP. More progress is needed in order to achieve the Coastal Act public access and recreation objectives. Much of the impetus for access improvements has come from State Parks and other public agencies. While the Commission recognizes that accessway improvements can require additional funding or staffing, the County's LCP implementation experience indicates limited progress in implementing access requirements of the LCP, including site-specific recommendations and general access provisions. In light of these results and the current and projected demand for coastal access resulting from increased population, the County should increase efforts to maximize public access development in order to fully implement the LCP in conformity with the Coastal Act access and recreation policies.

### **Implementation of Access Point Provisions by Planning Area**

Within the North County planning area, one access point has been fully implemented (Kirby Park); however, recommendations regarding 61% of the identified access points have only been partially implemented and 35% of the points have not been implemented at all. As a result, the very northern and very southern portions of the North County planning area are the least served by coastal access. The coastal access points planned for these areas were intended to provide access along the south bank of the Pajaro River, the upper tidal reaches of Elkhorn Slough, the banks of the Tembladero Slough and Old Salinas River Channel, and the Salinas River State Beach near the mouth of the Salinas River. Without the full implementation of these coastal access points, maximum access and recreational opportunities are not being provided as required by the Coastal Act. Additionally, without implementation of access distributed throughout the planning area, recreational opportunities for residents in these areas, as well as the visiting public, will be underserved, and a greater strain may be placed on the few access points that exist.

Within the Del Monte Forest planning area, all but one of the identified access sites have been substantially improved, that being the access site linking Del Monte Forest to Carmel Beach at south end of the planning area. And while 92% of the access sites have been substantially improved, full implementation of all the specific recommendations have been accomplished at only 50% of these sites. Sites considered only partially implemented generally lack the total number of parking spaces, disabled parking spaces, directional signs or interpretive signs shown in the *LUP*. Some of these recommendations could easily be completed (such as more interpretive signs, signed parking and "No Bus Parking" signs) and could further help to direct access to and control overuse of the area. However, while public use of these access areas does not appear to be impacted by the lack of complete facilities, such improvements may be needed to fully maximize public access and recreation consistent with the requirements of the Coastal Act. An update of the County's Access

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<sup>12</sup> County Coastal permit PC92-115 (3-MCO-93-063).

Component should reevaluate the remaining improvements necessary to maximize public use of these areas.

Currently, two areas within Del Monte Forest lack adequate access as a result of incomplete implementation of the site-specific recommendations: (1) Stillwater Cove, and (2) Carmel Beach. While there are signs indicating coastal access along Cypress Drive at the Palmero Way intersection, access to Stillwater Cove remains impaired, because there are no signs for public parking at the 17<sup>th</sup> fairway or for directing public access through the private Beach and Tennis Club parking lot at the end of Cypress Drive. Without public coastal access clearly posted, the signs indicating “Private Club” at the Beach Club entrance are likely to induce people to turn back, missing an opportunity to visit one of the most spectacular coastal areas on the Monterey Peninsula. This is especially likely in light of the fact that the Stillwater Cove access point is not even shown on the map given out to visitors at the entrance gates, is not included as one of the “Points of Interest” described on the map, and is only described on the back side of the map at the bottom of the brochure in very fine print. Without the Stillwater Cove and the Carmel Beach access points completed, coastal access and recreational opportunities to reach the shoreline in the southern portion of Del Monte Forest (i.e., between Pescadero Point and the City of Carmel-by-the-Sea) are lacking. This is especially important because no other lateral or shoreline access is available in this area. (See Recommendation PA-10.8, Recommendations for Issue PA-7 for Stillwater Cove, and recommendations in Table PA-10c in Appendix B.)

Within the Carmel Area, none of the LCP access objectives have been fully implemented, but all have been partially met at each of the LCP access points. These access points are spread out throughout the planning area. Those located in or along State Beaches or State Parks have been managed and improved as time and resources have allowed. However, those access points located south of Point Lobos are on private lands and were primarily intended to provide visual access to the coast. These areas have not been managed by any public agency per se, and so are generally less improved. As a result, this southern portion of the planning area is the least well served by coastal access, and some level of access to the only two beaches in this area (Yankee Beach and Mal Paso Beach) remains a priority in order to carry out Coastal Act policies. (See Recommendations for Issues PA-5 and PA-6 in Appendix A for discussion of what is needed with regard to access in these two locations that remain areas of deferred certification).

The Big Sur Coast segment has the longest reach of shoreline of the four planning areas, and consequently the greatest number of coastal access points (40, including sub-areas) identified on the land use plan maps. However, only 12.5% of the access areas have been fully implemented; 50% have been partially implemented and 37.5% have not yet been implemented. Seven areas not yet implemented in the Big Sur planning area are in the northern section; 5 areas are in the central section; and 2 areas are in the southern section.

Many of the existing shoreline access points in the Big Sur planning area are available to the public. As part of the Coast Highway Management Plan (CHMP) project, the Coastal Commission staff inventoried 36 existing shoreline access points—an average of roughly two per mile. Some of the

most important access points, based on their recreational and scenic values, include the 19 coastal accessways at Garrapata State Park; Andrew Molera State Park with its walk-in campground, Partington Canyon and Waterfall Cove in the Julia Pfeiffer Burns State Park, Limekiln State Park, and a number of access opportunities available within the Los Padres National Forest. The National Forest shoreline access points include Pfeiffer Beach, Kirk Creek Campground, Mill Creek picnic ground, Pacific Valley accessways including Sand Dollar Beach, Jade Cove, Willow Creek picnic ground, and Alder Creek Beach, all of which have direct access to the ocean.

In conclusion, only 15% of all the identified access points throughout the County have been fully implemented and thus the Coastal Act standard of providing maximum public access has not been fully achieved. Lack of full implementation in the North County Area appears to be due to concerns about conflicts between public access in or near agricultural lands as well as a general lack of available funding and staff resources for the various management agencies responsible for improving and managing these areas. Full implementation within the Del Monte Forest in the near future seems likely since access is required by conditions of existing permits and the items outstanding seem easily accomplished; however this will require continued efforts by County and Commission staff to obtain full compliance on permit requirements. Within the Carmel planning area, lack of full implementation appears to be the result of delay in public acquisition of large landholdings that can provide overlooks, new residential development impairing visual access from the roadside in the area of Yankee Point Drive and Spindrift Road, conversion of a small unimproved pullout north of Wildcat Bridge by new residential development, and changes in ownership (i.e., former Behavioral Sciences Institute property becoming private residences).

Lack of full implementation in the Big Sur Coast Planning Area appears to be the result of various constraints such as:

- physical barriers across trails that cross private property (e.g. at Deer Ridge above Cooper Beach), prohibition of access on private parcels (e.g., Little Sur River and Swiss Canyon);
- unaccepted OTDs or OTDs that do not provide complete access to the shoreline over multiple parcels (e.g., Wreck Beach and Dolan Creek);
- difficult physical settings (extremely steep and unstable terrain that makes many miles of Big Sur coast unsuitable for developed access);
- lack of suitable parking at trailheads;
- potential resource and habitat conflicts (e.g., Smith's blue butterfly habitat); and
- lack of appropriate public access rights.

Some of the most problematic areas for coastal access in Big Sur include Malpaso Creek Beach; Little Sur River, Point Sur, and False Sur (Swiss Canyon) beaches; Cooper Beach; Wreck Beach; Coastlands; Fuller's Beach; John Little State Reserve-Dolan Creek; Gamboa Beach; and Salmon



Creek. In some cases, potential prescriptive rights may exist but have not been documented (e.g., Malpas Beach and Fuller's Beach). Recommendation PA-10.3 suggests a procedure to perform such documentation. At Point Sur State Historic Park and neighboring beaches, State Parks is constrained in its ability to provide access to the historic lighthouse and the shoreline because the area between the historic park and Highway 1 is entirely within privately owned ranch lands. At Wreck Beach, the LCP's required suitability evaluation has not yet been made and access cannot be completed without additional easement rights over a shared road (the latter is also the case at Rocky Point). Big Creek Beach, which is publicly owned, is part of the University of California Natural Reserves System and access is restricted. Recommendation PA-10.9 suggests that preserving some level of public access there needs to happen.

Other reasons for incomplete implementation of all public access points throughout the County may be the result of a lack of available local, state and federal agency funding and staff resources, which may continue into the future due to recent revenue shortfalls and budget cutbacks affecting State and County agencies. Given the length of shoreline and variety of access opportunities, the LCP provisions should continue to be implemented in order to fully carry out Coastal Act policies. It is essential to obtain access whenever possible at those locations that are suitable and to follow up on any areas where the appropriate type of access has not been completed in order to ensure that maximum public access is provided and protected as required by Sections 30210-30214 and the recreation policies of Sections 30221, 30222 and 30223. Such implementation can be achieved over time as ownerships and policies regarding public access change and as additional funding becomes available. Therefore, to more fully carry out LCP requirements consistent with Coastal Act policies, Recommendations PA-10.2, PA-10.3 and PA-10.4 suggest LCP revisions and actions to protect existing access and expand development of new access.

#### **Implementation of General Access Point Provisions**

The LCP's objective of having access points spaced roughly equally along the coastline has not yet been achieved. The distance between most of the vertical access points shown on the maps is greater than the 500 feet proposed in urban areas, and greater than the required one or more accessways per 20-acre parcel (at least one accessway about every 1000 feet) in rural areas. While the North County, Carmel and Big Sur planning areas have regulations consistent with these standards, the Del Monte Forest planning area does not. As it so happens, urban shoreline parcels within the Monterey County coastal zone are only located within the Del Monte Forest planning area, between Bird Rock Road and the Lodge Complex in Pebble Beach. As a result, no vertical accessways in Del Monte Forest have been provided other than those shown on the access point map, which are located between a third of a mile and a mile apart. The three access points shown on the map in the urban area of Del Monte Forest are the Cypress Point, Midway Point, and Pescadero Point overlooks, which are over 4,000 feet apart. While much of the shoreline between Fanshell Beach and the Lodge Complex is comprised of a steep rocky coast with inaccessible small pocket beaches, visual access is most appropriate here. The LCP encourages visual access in these areas, where physical access is less desirable due to safety hazards along the steep, rocky shoreline. However, it appears that no additional access points (vertical or otherwise) have been required along

shoreline parcels in Del Monte Forest. Therefore, the County's LCP is deficient in requiring adequate access within the Del Monte Forest planning area.

Distribution of access points in the rural portions of the County coastal zone range from between a quarter mile and a 1.5 miles in the North County planning area, between a half mile to a little over a mile in the Carmel planning area, between a half mile and about 2.5 miles in the northern section of the Big Sur coast, between a half mile and about 3.5 miles in the central section of the Big Sur coast, and between 1.5 and 4.5 miles in the southern section of the Big Sur coast. While much of the Big Sur coast is physically inaccessible due to steep bluffs and rocky shoreline, additional vertical access is possible where access to long stretches of beach or pocket beaches are located. Additional, new scenic overlooks along this stretch of coast could also reduce the distance between areas of public access, and thereby more evenly distribute access throughout the County coastal zone. Additionally, in North County and Carmel, where long stretches of beach do occur, additional vertical access could be implemented by locating boardwalks, paths or stairways for shoreline access at least every 1,000 feet.

Lack of full implementation of the LCP requirements to have access points spaced along the coast is likely due to a combination of factors, including a lack of applications for major shoreline projects that would adversely impact access and result in access mitigation, and financial and physical constraints on providing such access. A review of comments submitted by the Commission staff to the County in response to various projects reveals that access findings for projects seaward of the nearest public road were not always made or concluded access was not required where such access was called for in the LCP. Full implementation of the LCP objectives may require mechanisms beyond mitigation through the regulatory process. It is expected that demand for coastal access from the growing population will continue to increase. This is especially important given the significant population increase as noted in Chapter One of this report.

#### **Follow-through on Access Implementation**

Achieving full implementation of the public access points contained in the LCP involves a number of actions. Access mitigation must be required through coastal development permits. Compliance with permit conditions must be enforced, and necessary legal documents must be prepared and recorded. Access management plans must be developed and acquisition and/or construction completed to open the access (see Recommendation PA-10.6). Then, the access must be managed and monitored. In reviewing the County coastal permits where access was required or provided, it was not always apparent that all these actions actually occurred. Permit experience revealed LCP provisions vary in the amount of proactive monitoring and tracking of open access points. Such monitoring is most evident in the North County planning area. Recommendation PA-10.4, therefore, suggests measures to address monitoring. Finally, access points should not be allowed to close without proper review, as Recommendation PA-10.2 requires.

### **Format and Presentation of the Access Component**

The four area land use plans present the extensive access component information in different formats. Because of the varying formats, some key elements are missed which can hinder effective implementation. Divergent formats can result in some confusion about applicable access standards and inconsistent application of requirements.

The *North County Land Use Plan* contains two separate access maps (Figure 6 containing both points and trails for the whole County including Moss Landing and Figure 4, just for Moss Landing, with some different and more detailed provisions than Figure 6). The *Del Monte Forest LUP* also has two access maps (Figure 15 showing recreational facilities including trails and Figure 16 showing 12 access points) and two tables listing proposed access improvements (Policy 145 and page 15 of Appendix B). The Policy 145 table lacks the identification of management agencies found in the other land use plans. Appendix B contains detailed maps, narratives, and facility sketches more akin to access components found in some other LCPs and of the detail suggested by *California Code of Regulations* Section 13512 and is a good model for the other three segments. The *Del Monte Forest LUP* Appendix B also captures valuable detail found in the past access background reports for the other segments. The *Carmel Area Land Use Plan* contains only one map showing both access points and trails and only one table. The table entries are by segments of coast, rather than just specific access points and do not directly correspond to the mapped access points. The *Big Sur Coast Land Use Plan* access table and map are also by segment. This has the advantage of ensuring complete coverage of the coastline, but the disadvantage of not always being clear as to where each recommendation is to occur. The *Big Sur Coast Land Use Plan* also contains a separate trails map. The trails are shown as wide corridors, in contrast to the more specific trail locations of the other land use plans. Since various access provisions require updating and the County is reformatting the LCP as part of the 21<sup>st</sup> Century Monterey County General Plan update, there is an opportunity to improve the presentation of each segment's access requirements in a consistent manner, as suggested in Recommendation PA-10.1. This will facilitate implementation by ensuring that essential elements of each recommendation (e.g., location, type of improvement, management entity) are captured.

### **Conclusion**

The LCP's access components include various site-specific recommendations for the acquisition, management, and improvement of access points. The LCP remains generally sound in identifying access points and in establishing the framework to (where necessary) acquire and improve these sites, although some updating is necessary, as called for in Recommendation PA-10.1. In some cases, the County also has the ability to actually provide these access points, for example through regulatory requirements or County-sponsored projects. In many cases, however, the actual provision of coastal access depends on factors that are outside of the County's control; for example, prioritization, budgeting, and staffing dictate where and when improvements occur on public lands.

In conclusion, without the full implementation of both the LCP's site-specific access recommendations and the more general policies for maintaining and enhancing public access, the Monterey County LCP is not being effectively implemented in conformity with the access and

recreation policies of the Coastal Act. This analysis suggests that proactive public and nonprofit agency initiatives have become increasingly important in order to achieve Coastal Act objectives for obtaining adequate coastal access. Recommendation PA-10.5 recognizes that concerted efforts by many players are needed. Monterey County, itself, retains an important role to play. As a start, the County should update the specific access recommendations in the LCP in a consistent, clear manner, as called for in Recommendation PA-10.1. The County will also need to coordinate with the other governmental and non-governmental agencies involved in public access planning and management in order to maximize public access opportunities throughout the different planning areas (see Recommendations PA-10.4 and PA-10.7).

## **b. Issue PA-11: Coastal Trail System**

### **(1) Overview**

This subchapter addresses the following concern identified through issue scoping: **Ensure that public access is provided and maximized through coastal access trails, particularly the California Coastal Trail.**

Improved and unimproved public trail corridors exist along Monterey County's coastline, but a complete, accessible coastal trail does not. No pervasive threats to existing trail segments were discovered, although two trail segments in the North County planning area have been closed. Planning for a statewide California Coastal Trail (CCT) and the Monterey Bay Sanctuary Scenic Trail (MBSST) is well underway. Permit review of coastal development permits since certification revealed few instances of new trail segments being permitted. The LCP requirements to maximize access have not been fully implemented. This is largely due to a previous lack of initiatives by the County and other agencies with access responsibilities; however, this situation has recently improved. The LCP needs revision to update the proposed trail routes and add additional ones, especially to support the CCT and MBSST.

This issue somewhat overlaps with the previous Issue PA-10: Coastal Access Points as some trail recommendations can encompass more specific access points and some of the general concerns with implementation of access policies relate to both access points and trails. Concerns already addressed under Issue PA-10 are not repeated in this section.

### **(2) Resource Background**

#### **Coastal Trails Characterization**

Coastal trails include accessways that extend along the shoreline or blufftop as well as those that extend inland, providing views of the coast and the potential to experience the range of topographic and biological variation found within the coastal zone. Currently, there is no complete, improved coastal trail extending throughout the Monterey County coastal zone. However, existing improved public trails, and corridors that are suitable for future trail development are available to enable creation of such a coastal trail system. As with access points, trails existing in the early 1980's along with potential trail corridors are shown on trail maps in each of the four coastal land use plans.

Included are routes along the coast, as well as other inland trails, connecting trails and trail spurs that provide recreational access to or along the coast (see Maps PA-10a through PA-10f). Coastal trails may include portions of sandy shoreline, boardwalks across dunes, improved or unimproved off-road footpaths along dunes, levees, and hillsides, and paved or unpaved roadway-shoulder trails that generally parallel the coast or the first public road nearest the shore.

Within the North County planning area, the shoreline access maps show that lateral shoreline access either exists or could be provided along coastal trails from the northern county line at the Pajaro River to the Marina city limit, south of the Salinas River Lagoon National Wildlife Refuge. Shoreline access along these trails traverses much of Zmudowski, Moss Landing and Salinas River State Beaches, and follows or crosses the Pajaro River and Salinas Rivers as well as the tidal marshes and tidal channels of the Elkhorn Slough, Moro Cojo Slough, Tembladero Slough and the Old Salinas River Channel (OSRC). Other inland loop trails and linking trails provide access to the upper Elkhorn Slough and various habitat areas in the upper Elkhorn Slough watershed.

Continuous coastal access to and through Pacific Grove is provided where trails along the Spanish Bay shoreline link to the shoreline recreation trail access provided at Asilomar State Beach north of Spanish Bay. Within Del Monte Forest, an existing pedestrian coastal trail is located along the shoreline and blufftop between Spanish Bay and Seal Rock Beach. This pedestrian trail is located, for the most part, seaward of Seventeen Mile Drive except in a few areas where the trail is directly adjacent to the shoulder of the road due to the immediate proximity of the shoreline. Due to the rocky nature of the coast between Fanshell Beach and the Pebble Beach Lodge, lateral shoreline access does not exist for most of the rest of Del Monte Forest other than along a short blufftop trail at Pescadero Point and along Stillwater Beach. However, continuous travel through the Forest to the Carmel Area is possible via hiking and equestrian trails that lead southeast from Seal Rock beach inland through Monterey pine forest all the way to Pescadero Canyon, and then down the canyon to the Carmel-by-the-Sea city limit near Carmel Beach. These inland trails, shown on Figure 15 of the *Del Monte Forest LUP*, are part of the Del Monte Forest trails system, which includes 25 miles of riding and hiking trails, all of which are further described and mapped in a brochure available through the Pebble Beach Company.

Coastal access between the Del Monte Forest and Carmel planning areas is discontinuous due to a gap in access to Carmel Beach. Continuous lateral access is provided throughout the City of Carmel-by-the-Sea shoreline and to the unincorporated Carmel planning area, along Carmel Beach and the blufftop recreation trail on the seaward side of Scenic Drive. Within the Carmel Area, the access map shows existing lateral coastal access between Carmel Point and Point Lobos State Reserve via blufftop and shoreline trails. Shoreline trails provide for beach access along the Carmel River State Beach, San Jose Creek State Beach (aka Monastery Beach), and Point Lobos State Reserve. However a wire fence barrier at the northern boundary of the Reserve prohibits access directly from Carmel Beach to the Reserve. Pedestrians are required to walk along the shoulder of Highway One until reaching the main entrance to the Reserve. South of Point Lobos State Reserve, lateral access is provided along the shoulders of Spindrift Road and Yankee Point Road where they are the first public roads nearest the sea, and Highway One, that provides the main southerly

connection for coastal access to and through the Big Sur Coast. Other trail loops, spurs and linking trails in the unincorporated portions of the Carmel area provide access to inland areas along the Carmel River, the Carmel Highlands area and Coast Ridge, which leads into the Ventana Wilderness in Big Sur.

Within the Big Sur Coast planning area, coastal access is provided through a number of coastal trail segments, many of which are located on public lands and some of which provide continuous lateral access between different geographic portions of the coast. Other trail segments and spurs are not currently linked to provide continuous shoreline access.

Bicycle access is available primarily along the current road network. There is an off-road multi-use, improved trail through the Monterey Peninsula, but it has not yet been extended into most of the unincorporated County coastal planning areas. There is a designated Pacific Coast Bicycle Route, which mostly follows Highway One through the County. In some cases the road shoulders are wide enough to accommodate bicycles; in other cases, they either do not exist or are too narrow (e.g., along parts of Seventeen Mile Drive and Highway One in Big Sur).<sup>13</sup>

#### **Threats to Coastal Trail Resources**

Threats to maximizing coastal trail access include closure of trails, lack of trail maintenance, and imposition of physical barriers at trailheads. Trail closures reduce the amount of recreational resources available and redistribute access to other trails and coastal access points, which may lead to overuse of particular areas. Trails might be closed for a variety of reasons, including damage due to erosion, slope failure, or other trail maintenance needs, damage due to misuse or over use, or due to lack of adequate management staff and resources.

Since certification of the LCP, the County has closed at least two trail segments in the North County planning area. In the late 1990's the North Moss Landing levee trail, located along Elkhorn Slough east of Highway One, was closed due to misuse by pedestrians and kayakers searching for non-existent restroom facilities. Also, the trail along the Pajaro River, shown as a coastal trail connection in the LCP, remains closed to the public. No trespassing signs have been placed at the Trafton Road access point (access point # 9 on the North County Access Points Map) and gates have been placed across the maintenance access road on the top of the levee for safety and liability purposes by Monterey County, preventing public use of this accessway along the Pajaro River to Zmudowski Beach.<sup>14</sup>

As described previously, a physical wire fence barrier blocks continuous shoreline access between the southern end of Carmel Beach and Point Lobos Reserve, forcing pedestrians to walk along the shoulder of Highway One to the main Reserve entrance. State Parks staff has indicated that this

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<sup>13</sup> Bicycle trails are shown on Transportation Agency for Monterey County (TAMC), "Monterey County Bike Map," 2001. This map shows Pacific Coast Bike Route and other popular bike routes, such as through Del Monte Forest, including bike lanes, bike paths, and areas where bike travel must deal with narrow roads with little or no shoulders.

<sup>14</sup> Personal communication, Water Resources Agency staff, August 2003.

barrier allows better management of the Reserve by funneling public access through the main entrance.

Finally, the Commission staff has had reports of some cases where bicyclists were charged for entry into Del Monte Forest, even though the public use agreement between the County and the Pebble Beach Company allows pedestrians and bicyclists to enter and use the private road network within Del Monte Forest for free.

### **Responses to Enhance Coastal Trails**

Since the LCP was prepared, additional trail planning and development of individual trail sections has been undertaken by various agencies (e.g., State Parks, Fort Ord, Elkhorn Slough National Estuarine Research Reserve (NERR), and Monterey Peninsula Regional Parks District). Additionally, regional trail planning has occurred through partnerships and working groups managed or supported by such agencies as the Association of Monterey Bay Area Governments (AMBAG), the Coastal Commission, the State Coastal Conservancy, the Monterey Bay National Marine Sanctuary, and others. Two of the main recent on-going coastal trail planning activities are efforts to develop the California Coastal Trail (CCT) and the Monterey Bay Sanctuary Scenic Trail (MBSST). Other related trail planning has occurred for the Monterey Peninsula and Elkhorn Slough areas, and more specifically for access on individual public lands.

### **California Coastal Trail**

In 1999, the national importance of the California Coastal Trail was recognized by its designation under a federal program as California's Legacy Millennium Trail, a part of the nationwide Millennium Trail.

In 2001, legislation was enacted that directed the State Coastal Conservancy to map the California Coastal Trail along California's 1,100-mile shoreline, and develop a report evaluating policy issues regarding trail development with recommendations regarding priority actions necessary to complete the trail.<sup>15</sup> In January 2003 the report was finished and outlined the main objectives in completing the CCT.<sup>16</sup>

1. Provide a continuous trail as close to the ocean as possible, with vertical access connections at appropriate intervals and sufficient transportation access to encourage public use.
2. Foster cooperation between State, Local, and Federal public agencies in the planning, design, signing and implementation of the Coastal Trail.

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<sup>15</sup> SB 908 amending Public Resources Code Sections 31408 and 31409.

<sup>16</sup> State Coastal Conservancy, *Completing the California Coastal Trail*, January 2003. This report was prepared with assistance from the Coastal Trail Working Group, which included staff members of the Coastal Commission, State Department of Parks and Recreation and board members of Coastwalk. Coastwalk is a nonprofit group dedicated to promoting public access opportunities to the general public through hikes and outings along the coast in each of California's coastal counties.

3. Increase public awareness of the costs and benefits associated with completion of the Coastal Trail.
4. Assure that the location and design of the Coastal Trail is consistent with the policies of the California Coastal Act and local coastal programs, and is respectful of the rights of private landowners.

The California Coastal Trail (CCT) is being developed to provide a continuous hiking trail along the entire length of the California coast. In addition, the CCT in some places will coincide with other multi-modal trails that will provide expanded types of access (such as wheelchair and bicycle, etc., in addition to hiking). To provide optimal coastal access, the CCT would be located along beach or bluffs as much as possible, with alternate inland routes where available and other inland alignments where necessary. In Monterey County, some portions of the CCT are planned to coincide with the Monterey Bay Sanctuary Scenic Trail (MBSST), to be developed around the perimeter of Monterey Bay. Both the CCT and the MBSST are envisioned to be composed of various strands (various trail segments or trail alignments) that serve a specific purpose, or that accommodate a particular need and, when combined, would make an integrated, braided trail system. Similar to a braided stream system, these braided trail systems would thus provide for continuous lateral access along the Monterey County coast, and would be part of a statewide coastal trail system that extends from the Oregon border south to the Mexican border.

#### **Monterey Bay Sanctuary Scenic Trail**

The Monterey Bay Sanctuary Scenic Trail (MBSST) is being designed with a somewhat similar vision to that of the California Coastal Trail, and is based on the following alignment principles<sup>17</sup>:

- *Proximity to the sea. Where feasible, the trail should be within sight, sound, or scent of the ocean.*
- *Connectivity to places where people want to go. In addition to providing recreational opportunities, the trail will allow travelers to reach desirable destination such as harbors and parks.*
- *Integrity as a continuous, non-motorized route. To fulfill its promise, the trail must be continuous. Without separation from motor traffic, the safety and character of the trail are compromised.*
- *Respect for natural habitats, cultural and archaeological features, private property, neighborhoods, and agricultural operations along the trail route.*
- *Feasibility of achieving timely, tangible results with available resources. Practically, both interim and long-range alignments will need to be identified.*

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<sup>17</sup> State Coastal Conservancy, *Completing the California Coastal Trail*, January 2003.



The MBSST would incorporate a continuous Class I bikeway (at least 8-foot wide path on separated right-of-way designated for the exclusive use of bicycles and pedestrians) as the backbone or core alignment, within close proximity to the ocean.<sup>18</sup>

Both the CCT and the MBSST are envisioned to also include many various trails, braided loosely together, including separate pedestrian paths, shoreline walk routes, and an array of interpretive byways, boardwalks, overlooks, and inland connecting links. Planners have determined that one way to achieve tangible results as soon as possible is to identify and connect the various existing trail fragments through the Monterey County coastal zone (for the CCT), and around the periphery of Monterey Bay (for the MBSST). Connections between existing trail segments can make full use of the various public lands and easements that are already available. Such lands include not only existing parks and wildlife reserves, but also right-of-ways on coastal highways and public roads.

#### **Other Trail Planning**

Several other regional, multi-agency trail planning affecting Monterey County's coastal zone has occurred or is occurring, in addition to some specific work the County itself has undertaken that is described in LCP Implementation section below. In North County the use and potential management of the North Moss Landing levee trail, and other potential trails that might provide continuous access around Elkhorn Slough are currently being evaluated by a working group comprised of staff from the Department of Fish and Game (which manages the Elkhorn Slough National Estuarine Research Reserve and Moss Landing Wildlife Area), the Elkhorn Slough Foundation, the State Coastal Conservancy and the Coastal Commission. This is the result of a condition of the Duke Energy Moss Landing Power Plant Facility expansion permit authorized by the State Energy Commission.<sup>19</sup> This easement will allow continuous lateral access across the parcel along the eastern side of Moss Landing Harbor.

Further south, an improved multi-use (pedestrians, cyclists, skaters, etc) recreation trail being developed by Monterey Peninsula Regional Park District (MPRPD) along the Peninsula's shoreline has not yet been extended into the unincorporated coastal planning areas of Monterey County. However, in conjunction with State Parks, the MPRPD has studied routing such a trail from the City of Carmel-by-the-Sea south through Carmel River State Beach.<sup>20</sup> An improved bridge crossing over the Carmel River and a trail through the State Beach are shown in the *Carmel River Lagoon: Enhancement and Management Plan: Conceptual Design Report*, but actual construction is not planned in the near term.<sup>21</sup>

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<sup>18</sup> Association of Monterey Bay Area Governments, "Monterey Bay Sanctuary Scenic Trail: A Vision for the Future," undated brochure.

<sup>19</sup> California Energy Commission, Order No. 00-1025-24 (Condition Land-2).

<sup>20</sup> Monterey Peninsula Regional Park District, *Proposed Negative Declaration: Carmel River Pedestrian/Bicycle Bridge & Coastal Access Project*, April 1997.

<sup>21</sup> Philip Williams & Associates, Jones and Stokes Associates, and California State University at Monterey Bay, *Carmel River Lagoon: Enhancement and Management Plan: Conceptual Design Report*, September 1999.

Many of the coastal trail accessways throughout the Monterey County coastal zone are located on or along public lands, including state parks, state beaches, and national forest lands. As described previously, State Parks is in the process of preparing new General Development Plans for some of its units (e.g., for Andrew Molera State Park and Fort Ord), which provides an opportunity to propose additional coastal trails. Similarly, the U.S. Forest Service is updating plans for the Los Padres National Forest and will address public use issues for access and recreation throughout its Big Sur coastal management unit.

Since certification of the LCP, new public acquisitions have increased coastal trail opportunities. Most notably, the State's acquisition of Hatton Canyon, through legislation enacted in 2001, opens consideration for a major trail corridor with inland links to various inland recreational trails. Similarly, the Forest Service's new acquisition of the Brazil Ranch at Bixby Creek may provide additional visual and recreational trail opportunities. Finally, even more acquisitions are planned, which could help expand segments of both the CCT and the MBSST.

### **(3) Local Coastal Program Provisions**

The LCP envisions a coastal trail roughly paralleling most of the County's coastline, although portions of it may run inland from the shoreline where necessary. Each of the four coastal land use plans contains maps showing the general alignments of coastal trails as well as specific policies for providing and managing trails, each in slightly different formats.<sup>22</sup> These policies include establishing a through coastal trail system using the recommended trail alignments shown on the maps (see Maps PA-11a, b and c), allowing for rerouting when necessary to reduce adverse environmental or visual impacts. Policies state that lands already in public ownership or proposed for public acquisition should be used wherever possible, and that public roads should be used to bridge gaps where off-road trails are not feasible because of hazardous conditions, terrain characteristics, or complexities of private ownership. Policies also indicate that routes located along roadways should be kept to a minimum to ensure the safety of pedestrians and motorists.

As noted, policies require that the provision of new access or the formalization of existing access should be guided by detailed management plans. These management plans are to:

- Describe the types of uses to be encouraged, allowed, discouraged or prohibited consistent with the protection of coastal resources, agricultural operations or other considerations;
- Evaluate the need for any seasonal restrictions;

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<sup>22</sup> *North County LUP* "Shoreline Access/Trails Map" (Figure 6) shows Existing Trails, Proposed Trails, and Bicentennial Bicycle Route. *Del Monte Forest LUP* "Recreational Facilities Map" (Figure 15) shows simply "Trails". *Carmel Area LUP* "Public Access Map" (Figure 3) shows "Lateral access" and "Proposed Trails." *Big Sur Coast LUP* Trails Plan (Figure 3) shows a "through coastal access corridor" and an "inland trail corridor," with symbols indicating where these corridors traverse public lands or public right-of-ways, private lands or lands with limited access, and lands expected to be part of future public acquisitions, as well as where the trail is proposed or existing.

- Identify needed trail improvements (e.g., erosion control, directional and interpretive signs, boardwalks, and sanitary facilities); and
- Propose the location, construction and capacity of parking facilities.

The LCP states that public agencies involved in the provision of public accessways (e.g., State Parks and Recreation, Department of Fish and Game, US Forest Service) are the major agencies responsibility for trail planning and management. The LCP encourages these agencies to acquire full legal right-of-way across private lands in accordance with the proposed trails map where such rights-of-way do not presently exist and states that the County will assist

The LCP also requires that new developments not encroach upon well-established accessways nor preclude future provision of access and requires setbacks and buffers from access paths to prevent use conflicts. Upland trails are required to be located to provide connection between shoreline and inland units of federal, state or local park systems, between shoreline access easements, or between the road and scenic overlooks.

*North County LUP* Policy 3.1.3.7, as well as *Big Sur Coast LUP* Policy 5.4.3.D.f, call for improvements to the Bicentennial Bicycle Route by constructing a separate path from Highway One. The *Carmel Area LUP* Policy 3.1.5 allows bike lanes along Highway One, even where the Highway is to remain a two-lane road. The *Del Monte Forest LUP* Policy 108 provides:

*Safety improvements should be made to the existing bike route along 17-Mile Drive from the Pacific Grove gate to its terminus near Fan Shell Beach. Bicycle access between Fan Shell Beach and the Carmel Gate shall continue to be available. Bicycle access through the Forest shall continue without fees, but may be regulated on weekends in the same manner approved for motor vehicles on 17-Mile Drive as long as a separate coastal bike route is not available.*

#### **(4) Local Coastal Program Implementation**

Little progress in implementing coastal trail provisions in the LCP has occurred. The coastal trail maps for the North County, Del Monte Forest and Carmel planning areas, each showing a coastal trail system made up of both proposed and existing coastal trail segments at the time of certification, were reviewed to evaluate how well implementation of such coastal trail systems has occurred throughout these three planning areas.<sup>23</sup> Analysis of the original LUP coastal trail maps identified existing and proposed trail segments that have remained or become open to the public since LCP certification, proposed trails that do not provide adequate access for various reasons (including proposed trails that have yet to be constructed and/or opened), and additional new trail alignments not previously identified. Maps PA-11a through PA-11c show the location of the existing and

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<sup>23</sup> Evaluation of public access trails concentrated on those trails that provide through coastal access or directly link or loop from the through coastal trail route; i.e., most of the inland trails shown on the LUP maps for North County, Del Monte Forest and Carmel area were not evaluated unless they provided a direct link or loop from the through coastal trail. A similar evaluation of the Big Sur Coast trail system was not performed.

proposed trails originally included in the LUP and whether they provide adequate public access or not, those trail alignments that should be deleted due to substantial impairments and alternate routes used, and the location of new trail segments (not previously included in the LUP maps) that should be considered for inclusion in an update of the public access trail maps for these three planning areas. Tables PA-11a through PA-11c in Appendix C describe the current alignment, status, and access adequacy of each trail segment in the three planning areas, and includes recommendations for each trail segment evaluated.

As summarized in Table PA-11d, below, only a portion of the through coastal trail is provided for in each of the three planning areas evaluated. The through coastal trail in North County is 10.7 miles long, of which 8.1 miles (or 76%) provides adequate public access, and 2.6 miles (24%) provides inadequate access due to substantial impairments (i.e., route is closed, severely restricted or motor traffic poses hazard to pedestrian use). The through coastal trail in Del Monte Forest is 9 miles long, of which 7.8 miles (87%) provides adequate access and 1 mile (11%) provides inadequate access due to substantial impairments (e.g., route is closed, inadequately signed or maintained, or has very narrow shoulders and so is severely restricted for pedestrian and/or bicycle access). The through coastal trail in the Carmel Area is 7 miles long, of which 6.1 miles (87%) provides adequate access, however, 30% of this route is located along the roadway shoulder of Highway One, where high speed motor traffic poses a hazard to pedestrian use.

Trail segments other than those comprising the through trail provide for additional recreational opportunities, however, a number of these other proposed and existing trails still have not been fully implemented. In North County 5 miles of these other trails make up 32% of all trails evaluated from the *LUP* map, however 4.3 miles of these other trails do not provide adequate access. Trail provisions in Del Monte Forest have been a little better. Of the 1.2- miles of other trails, which make up 12% of all trails evaluated on the map, 1.1 miles provide adequate access. However, in the Carmel Area, 11.3 miles of other trails make up 62% of all trails evaluated in the *LUP* map, however only 0.5 miles of these other trails currently provide adequate access.

The County has conditioned coastal permits to implement trail policies and to assure that new development will not interfere with trail segments. It has authorized permits for developing proposed trail projects, and for managing and constructing trails on County land or rights-of-way. However, few of these actions have been for projects that actually help to implement a through coastal trail.

Permit review reveals only a few cases where property was involved that could include a trail segment that would constitute part of the coastal trail or a linking bypass of a seasonal river crossing. For example, the County approved a development permit for the Mission Ranch in Carmel, which included public access along Dolores Road and 15<sup>th</sup> Avenue between Lausen Drive and the River

**Table PA-11d. Public Access Trails in Monterey County Coastal Zone**

	<b>Trail</b>	<b>North County</b>	<b>Del Monte Forest</b>	<b>Carmel Area</b>
<b>Trails shown in LUP</b>	Through coastal trail – existing trail, provides adequate public access	<b>8.1 miles</b> <b>(76 % of through coastal trail)</b> (52% of all LUP trails) (21% of all identified trails)	<b>7.8 miles</b> <b>(87% of through coastal trail)</b> (76% of all LUP trails) (44% of all identified trails)	<b>6.1 miles</b> <b>(87% of through coastal trail)</b> (33% of all LUP trails) (17% of all identified trails)
	Through coastal trail - proposed or existing trail, provides inadequate public access due to substantial impairments	2.6 miles (24 % of through coastal trail) (17% of all LUP trails) (7% of all identified trails)	1.0 Mile (11% of through coastal trail) (10% of all LUP trails) (6% of all identified trails)	None, although approximately 2.3 miles are along the shoulder of Highway 1 where public safety conflicts exist due to proximity of high speed motor traffic.
	Coastal trail segment recommended for deletion from LUP; alternate route recommended	0.7 miles (7% of through coastal trail)	0.2 miles (2% of through coastal trail)	0.9 miles (13% of through coastal trail)
	<b>Total through coastal trail shown in LUP</b>	<b>10.7 miles</b> (68% of all trails shown in LUP)	<b>9.0 miles</b> (88% of all trails shown in LUP)	<b>7.0 miles</b> (38% of all trails shown in LUP)
	Other trails shown in LUP	5.0 miles (32% of all trails shown in LUP) 0 miles adequate access 4.3 miles inadequate access (27% of all LUP trails) 0.7 miles recommended for deletion (4% of all LUP trails)	1.2 miles (12% of all trails shown in LUP) 1.1 miles adequate access (11% of all LUP trails) 0.1 mile inadequate access (1% of all LUP trails)	11.3 miles (62% of all trails shown in LUP) 0.5 miles (3% of all LUP trails) 6.5 miles inadequate access (36% of all LUP trails) 4.3 miles recommended for deletion (23% of all LUP trails)
	<b>Total of all trails shown in LUP</b>	<b>15.7 miles<sup>a</sup></b> (40% of all identified trails)	<b>10.2 miles</b> (58% of all identified trails)	<b>18.3 miles</b> (50% of all identified trails)

	Trail	North County	Del Monte Forest	Carmel Area
<b>Trails recommended for addition to LUP</b>	Existing Trail	7.3 miles (31% of trails to add)	4.1 miles (55% of trails to add)	12.8 miles (71% of trails to add)
	Proposed Trail	16.5 miles (69% of trails to add)	3.4 miles (45% of trails to add)	5.1 miles (29% of trails to add)
	<b>Total of potential trails recommended for addition to LUP</b>	<b>23.8 miles</b> (60% of all identified trails)	<b>7.5 miles</b> (42% of all identified trails)	<b>17.9 miles</b> (50% of all identified trails)
<b>Total of all currently identified potential trails</b>		<b>39.5 miles</b>	<b>17.7 miles</b>	<b>36.2 miles</b>

<sup>a</sup> Trails in North County east of Highway One not included

School at Monte Verde Street.<sup>24</sup> Although the *Carmel LUP* Public Access Map shows a proposed trail on the south side of the property, north of the Carmel River, Planning Commission findings indicated that public access along the Carmel River would be inconsistent with public safety and the protection of sensitive habitat. However, the project was appealed to the County Board of Supervisors, who modified the findings to require public access via an alternate route along Dolores Street and 15<sup>th</sup> Avenue, finding that

*...if adequate public access is not available within the existing County right of way on Dolores Street and 15<sup>th</sup> Avenue, Mission Ranch is ...required to make such additional dedication of public access...*

The County conditioned the permit to require dedication to the County of a portion of their property within 30 feet of the centerline of the existing Dolores Street and 15<sup>th</sup> Avenue paved roadways for pedestrian access to Carmel River State Beach. However, there was no description or discussion of connections beyond the parcel.

The County also approved a permit for the relocation of the Moss Landing Marine Lab to a site off of Moss Landing Road that includes an interpretive trail through an existing eucalyptus grove and down to a boardwalk along the Old Salinas River with additional interpretive signs.<sup>25</sup> The permit was also conditioned to include curb, gutter and sidewalks along the Moss Landing road frontage (Condition 64). Further north along the Old Salinas River, the County approved a maintenance road along the flood control berm, but its use was said to be limited to research and education, and not general public access.<sup>26</sup>

<sup>24</sup> County coastal permit PC-7595 (3-MCO-91-148); Board of Supervisors Resolution 91-533, approved October 29, 1991.

<sup>25</sup> County coastal permit PC-92-215 (3-MCO-93-063).

<sup>26</sup> County coastal permit amendment to PC-6930 (3-MCO-90-25).

A few other permits for development along Moss Landing Road have also been conditioned to install sidewalks for improved pedestrian access through the Moss Landing Community. The County approved a permit on APN 133-212-002 for a mixed-use residential and commercial structure<sup>27</sup> and one on APN 133-212-007 for the remodel of an existing residence to a 10-room Bed and Breakfast (the Captain's Inn at Moss Landing).<sup>28</sup> While both projects are located within approximately 400 feet of each other on the west side of Moss Landing Road, the latter permit includes a finding that it is located in an area where the LCP requires access as shown on the *North County Land Use Plan* Figure 6 (Shoreline Access/Trails Map), while the former permit does not. The latter permit is conditioned to provide an offer to dedicate a public access trail easement and to install curb, gutter and sidewalk along the frontage of Moss Landing Road. The former permit includes a finding that refers to the North County Trails Plan alignment which shows trails along the east side of Moss Landing Road and so does not require trail access, but does require the project to install curb, gutter and sidewalk along Moss Landing Road.

Additionally, the County has obtained an easement between Elkhorn Slough and Dolan Road, along the west side of Highway One through permitting of projects associated with the Moss Landing Power Plant Expansion.<sup>29</sup> The LCP currently only shows this alignment for the Bicentennial (now Pacific Coast) Bicycle Route, but it could serve as a segment of the CCT/MBSST.

Permit review reveals only two other cases where a trail along a proposed segment was the subject of a coastal permit condition, one in which a lot line adjustment required dedication of a public access easement to be opened once access across adjacent parcels was obtained,<sup>30</sup> and a second permit for an adjacent parcel that required only an access management plan.<sup>31</sup> The lot line adjustment required dedication of a public access easement over a portion of an existing road that is shown as an inland trail corridor in the Carmel Area. However, the permit provided that the easement is not to be opened to the public:

*... until all surrounding properties have dedicated a like easement to the County and connections can be made between through [sic] all properties to create a contiguous connection to state lands bordering the properties.*

The permit for development on the adjacent parcel also containing the roadway did not require an actual access easement, but was conditioned to require a public access management plan:

*That the applicant shall prepare a public access management plan, should the County in conjunction with the California Coastal Commission, find feasible public access through the*

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<sup>27</sup> County coastal permit PLN970248 (3-MCO-01-206).

<sup>28</sup> County coastal permit 980473 (3-MCO-00-244).

<sup>29</sup> County permits 990145 (Condition 12), 990233 (Condition 23), and 000011 (Condition 14) (3-MCO-00-375, 3-MCO-00-376, and 3-MCO-00-377, respectively).

<sup>30</sup> County coastal permit PC-6251 (3-MCO-89-156).

<sup>31</sup> County coastal permit PC-7396 (3-MCO-91-142) for APN 416-011-023.

*property in conjunction with the neighboring parcels as part of the larger Carmel Area Land Use Plan trail designation.*<sup>32</sup>

The County also approved two permits to widen Highway One in the Carmel Area.<sup>33</sup> Both permits provided four-foot wide, paved shoulders along the highway to allow for through bicycle access.

In addition to the regulatory actions described above, the County has taken some pro-active steps to implement the development of coastal trails. The noted Elkhorn Road bike path project was County-sponsored. The County also sponsored reconstruction of the Thurwachter Road/McGowan Road Bridge (often called the Thurwachter Bridge), which had been closed to motor vehicles in 1985 and later destroyed during the 1989 Loma Prieta earthquake. The original 17.5 foot wide bridge was widened to 32 feet and designed to accommodate two lanes of traffic with 4-foot wide shoulders to provide sufficient room for bicyclists and pedestrians.<sup>34</sup> The County Department of Public Works has also adopted a Storm Drain Master Plan for the Moss Landing Community that includes recommendations to provide curb and gutters along Moss Landing and Sandholdt Roads to meet County road drainage criteria and install sidewalks on both sides of the roads to provide for safer pedestrian access.<sup>35</sup>

The County also prepared a *North County Trails Plan*, although it has never been incorporated into the LCP.<sup>36</sup> And the County prepared a *General Bikeways Plan*.<sup>37</sup> County staff has also participated in the Monterey Bay Sanctuary Scenic Trail planning process and is represented on the MBSST's ad hoc steering committee.

As noted earlier in this section, some trails, including the North Moss Landing levee trail and the Pajaro River trail, have been closed. Coastal permits were not issued for these trail closures.

## **(5) Analysis of Coastal Act Conformance**

The County has made only slow progress in fulfilling access trail recommendations called for in the LCP. More progress is needed in order to achieve the Coastal Act public access and recreation objectives to maximize public access and establish the California Coastal Trail throughout Monterey County. Most of the impetus for developing and opening trails has come from non-profits and

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<sup>32</sup> Condition #45 of County Coastal permit PC-7396 (3-MCO-91-142).

<sup>33</sup> County coastal permits PLN990269 (A-3-MCO-01-010) and PLN010261 (A-3-MCO-01-087). Both permits were appealed to the Coastal Commission, but appeal contentions were found to raise no substantial issue with regards to consistency with LCP requirements.

<sup>34</sup> County coastal permit PC-6782 (3-MCO-90-172); see also Coastal Commission coastal permit 3-91-025.

<sup>35</sup> Schaaf & Wheeler, Civil Engineers. *Community of Moss Landing Storm Drain Master Plan*, prepared for Monterey County Public Works Department, April 2000; adopted by the Monterey County Board of Supervisors October 16, 2001.

<sup>36</sup> Monterey County Planning and Building Inspection Department, *North County Trails Plan*, adopted October 10, 1989. The County elected not to submit this as an LCP, but instead incorporated it in a revised *North County Land Use Plan*, preliminarily adopted by the County Board of Supervisors in 1993, but never submitted to the Coastal Commission as an LCP amendment.

<sup>37</sup> Monterey County Department of Public Works, *2001 Monterey County General Bikeways Plan*. This supersedes the 1999 plan and work is currently underway on a new update.



public agencies other than the County. While the Commission recognizes that trail improvements can require additional funding or staffing, the County's LCP implementation experience raises concerns about the progress in implementing a through coastal trail as well as providing other connecting links to inland trails. The County should, therefore, update its access component to strengthen requirements to implement the California Coastal Trail and increase efforts to maximize trail development in order to fully implement the LCP in conformity with Coastal Act access and recreation policies.

#### **Implementation of Trails Provisions**

County authority to implement LCP trail provisions involves constructing trails on its own and acting on permits for trails. The County took a positive step in constructing the Castroville Boulevard/Elkhorn Road bike path along a proposed trail segment shown in the LCP. Otherwise, to date the County has not taken an active role in trail construction, leaving LCP implementation limited to action on the few permits mentioned above. These actions have resulted in a mixed record for ensuring trail implementation. In the case of the Mission Ranch permit, the County allowed rerouting of a proposed trail shown on the Public Access Map, without fully evaluating options for rerouting the proposed trail, identifying how the new segment would link back to other sections of the trail shown on the map, nor incorporating a new, alternate route between Highway One and Carmel River State Beach into the LCP. Without amending the LCP to show an alternate route, it is unlikely that public access would be required of any other development projects along the identified route.

Permit review also found inconsistencies in the application of LCP public access requirements in cases where similar situations were present. For example, in the two permits approved along Moss Landing Road within 400 feet of each other, the County applied different access requirements, and the permits for the Captains Inn B&B and Moss Landing Marine Labs both included conditions beginning with the phrase "if required," without indicating under what circumstances the condition would be required, thus not ensuring provision of maximum public access.

Similarly, the County was somewhat inconsistent in addressing future trail access in the Carmel Area Uplands. Although the requirements applied in the two relevant permit cases were contingent on development of a through coastal trail, one permit required an easement while the other only required a future access management plan. Without some legal document required for the latter case (e.g., a deed restriction promising to prepare the plan and possibly open the trail to the public), it may be difficult to enforce the condition in the future, especially if the property has since changed hands and the new owners are unfamiliar with the permit. Thus, these actions did not fully carry out LCP access and recreation policies.

The County did not address trail closures through the regulatory process, as the Coastal Act would require. This reveals a need to explicitly include provisions in the LCP requiring coastal permits for trail closures, as provided under Recommendation PA-11.7.

While there are many trail segments shown in the LCP awaiting completion, the LCP itself is also in need of updating to reflect more current conditions and a broader spectrum of trail users. Detailed aerial photography and field analysis reveals some inadequacies with the trail routes shown in the LCP. These include a lack of detail on how rivers would be crossed, a reliance on routes in proximity to vehicular traffic, a failure to incorporate and take advantage of newly acquired public lands, and a reliance on sandy beaches for access with no all-weather, fully-accessible alternative for bicyclists, skaters, wheelchair users, etc. (See “Status” and “Adequacy of Access” columns in tables contained in Appendix C for individual trail segment evaluations.)

LCP access provisions also do not consistently describe or provide for trails to accommodate various modes of non-vehicular access. The *North County*, *Carmel*, and *Big Sur Coast Land Use Plans* provide for road improvements along the California Bicentennial Bicycle Route, since renamed the Pacific Coast Bicycle Route, but only the *North County* and *Big Sur Coast LUPs* explicitly recognize this route. As noted, the County has recently prepared a *General Bikeways Plan*, but its provisions have not been amended into the LCP yet.<sup>38</sup> Road improvements to provide for through bicycle access fall primarily to the County to initiate, which has occurred only sporadically, leaving large segments of the Pacific Coast Route still having little or no shoulders that bicyclists could ride in. Thus, Recommendations PA 11.2 and 11.4 call for more explicit policies to provide for shoulder and other road improvements for bicyclists. And, as noted previously, restriction of free bicycle access through the Del Monte Forest planning area along 17 Mile Drive can undermine efforts to ensure maximum public access and indicates a need to have better signage and training for staff personnel at the Forest entry gates (see Recommendation PA-10.8).<sup>39</sup>

Finally, there are some existing routes that are not currently identified correctly on the LCP maps and others not identified at all (see Maps PA-11a through PA-11c). Trail segments that are actually aligned differently than as shown on the LCP maps are proposed for deletion from the maps, and new or better alignments recommended for inclusion on the maps. New trails that have been constructed since certification, and which already provide pedestrian access should be added, as should additional proposed trail alignments not previously included. These new proposed trail alignments would need some amount of construction or improvement to provide adequate pedestrian or multi-use access along coastal and inland routes. Furthermore, now that Hatton Canyon has been explicitly identified by State legislation as being in the coastal zone, its trail potential should be acknowledged (see Recommendation PA-11.5). Without these additional existing and proposed trails identified in the LCP opportunities to provide and enhance access along these routes consistent with Coastal Act objectives may be missed.

A continuous trail route through the County’s unincorporated coastal zone can be traced on the Land Use Plan access maps, although terminology and symbols vary among segments. (Only the Big Sur

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<sup>38</sup> Monterey County Department of Public Works, 2001 *Monterey County General Bikeways Plan*.

<sup>39</sup> *Del Monte Forest LUP* Policy 108 states that bicycle access through the Forest shall continue without fees, but may be regulated on weekends in the same manner approved for motor vehicles on 17-Mile Drive as long as a separate coastal bike route is not available.

map explicitly labels a “coastal trail corridor,” but the corresponding map symbols do not show a continuous corridor throughout the whole planning area.) However, now that the California Coastal Trail and Monterey Bay Sanctuary Scenic Trail are formal designations, the LCP should be updated to explicitly describe and depict their routes through Monterey County. Tables PA-11a through PA-11c identify trail segments that make up the through coastal trail and Monterey Bay Sanctuary Scenic Trail (indicated by CCT or MBSST in the “Trail System” column).

Additionally, since LCP certification, the Commission has gained more knowledge regarding the importance that a network of trails is in assuring adequate public access to coastal recreation and coastal resources. For example, in recently certifying the City of Malibu LCP, the CCC found that an extensive network of public hiking and equestrian trails connecting various inland and coastal parklands, and a system of heavily used historic trails on private lands serve as alternative means of public access. The public parklands, beaches, and other areas made accessible by trails and the spectacular coastal and mountain views available from trails are among the resources protected by the public access and recreation policies of the Coastal Act.

In Monterey County, a trail system that maximizes coastal access, as called for in the policies of the Coastal Act, should include links among trails, including connections to the CCT between inland population centers and coastal-related features. Such inland features would include wetlands, such as Elkhorn Slough; visitor centers, such as the Estuarine Research Reserve Center; and coastal vista points, such as those located in the Santa Lucia Mountains. Coastal Act policies calling for maximum access, upland recreational opportunities, and use of non-motorized transportation all support planning for and implementing such a system.

Although this Periodic Review analysis focused on the main through coastal trail and a few associated complementary spur trails and loops, the following general observations can be made. The four land use plans are supportive of a complete trail system, including inland trail links to the coast, to varying degrees. Several such routes are shown in the LCP; however, they are ripe for review. None of the four land use plans contain an overall trails policy stating a vision for a trail system, and only the *Big Sur Coast Land Use Plan* contains text describing such a trail system. The *North County Land Use Plan* trail references and corresponding Trails Map (*North County LUP* Figure 6) are not current and should be revised to update and incorporate trails shown in the *North County Trails Plan*.<sup>40</sup> The *Del Monte Forest Land Use Plan*’s Recreational Facilities map (*Del Monte Forest LUP* Figure 15), illustrating trails throughout the forest, remains fairly accurate, but could also use some updating. The *Carmel Area Land Use Plan* Access Map (*Carmel Area LUP* Figure 3) has the fewest inland trail connections shown of any of the segments. Additional public acquisitions of inland lands will require additional updates as well (see Issue LU-12: Carmel Area Uplands). The *Big Sur Coast Land Use Plan*’s Trails Plan (*Big Sur Coast LUP* Figure 3) shows extensive inland trail links, but is also in need of updating for both current ground conditions and ownership status. Using a geographic information system (GIS) for this updating exercise would be

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<sup>40</sup> Monterey County Planning and Building Inspection Department, *North County Trails Plan*, adopted October 10, 1989. See additional notes regarding Trails Plan in footnote above.

a big help in accurately collecting, portraying, and keeping current trail information (see Recommendation PA-11.6).

### **Trail Design Standards**

Commission experience in post certification monitoring indicates that the way in which trails are designed and the development of upland support facilities can be important factors in maximizing public access. Coastal Commission staff has observed examples of specific design limitations; for example, inadequate separation from vehicular traffic on designated trail routes that follow roadway shoulders. Also significant are the cases where trails have not been designed or developed in a manner most protective of coastal resources; for example, in the rebuilt sections of the Soberanes Creek Trail in Garrapata State Park, where modification of trails standards and use of an alternative design could have avoided impacts to redwood riparian habitat.

Also, State and Federal design standards for trail construction and maintenance have evolved since 1988.<sup>41</sup> It is expected that, over time, existing trails of all types will be improved, and new trail links constructed and reconstructed in selected locations, especially to provide better separation from motor traffic and to link CCT segments and provide access on or through newly acquired public recreational lands. Accordingly, Recommendation PA-11.3 suggests that the general standards for trails located in the Monterey County coastal zone should be updated to be consistent with contemporary standards, and to provide additional specificity with respect to the different types of trails, trail location, and design elements. These recommendations will assure that the LCP will implement new trail development in a manner that will maximize access and recreational opportunities consistent with policies of the Coastal Act.

### **Trail Presentation Format**

The various, somewhat confusing, access formats in the land use plans for implementation of trail requirements hinder the ability to assure consistent and specific application of guidance and standards to maximize access. In some cases the land use plan maps fail to adequately indicate whether the trail is already constructed or not, whether it is open or not, or whether it needs improvement in order to provide adequate access. The land use plan maps does not always indicate if the trail shown is for a fixed location or just a generalized corridor where future siting is required. It is also not clear if trails shown on private land are open to the public or could only be opened to the public if the underlying land or an easement is publicly acquired. Since the County is completely reformatting its LCP as part of the 21<sup>st</sup> Century Monterey County General Plan update, there is an opportunity to provide consistency and clarity to the trail policies, especially as portrayed on maps to be included in the update. As detailed in Recommendations PA-10.1 and PA-11.1, an updated access component format will help assure consistent implementation of access requirements and, in so doing, possibly alleviate some citizen concerns about trespassing and perceived taking of

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<sup>41</sup> For example, the California Department of Parks and Recreation *Trails Handbook*, n.d., and USDA, Forest Service *Standard Specifications for Construction and Maintenance of Trails*, September 1996.

private property and will assure maximum public access and recreational opportunities consistent with Coastal Act policies.

### **Conclusion**

In conclusion, the LCP provisions to maximize coastal access through development of coastal trails have not been fully implemented, even though planning for trail development has accelerated in recent years. As permit experience shows, opportunities for and success in requiring trail development as mitigation for impacts on coastal access is very limited. Thus, LCP implementation requires more than just regulatory action. In addition, the LCP does not fully reflect the latest initiatives to develop the California Coastal Trail and should be updated in that regard, pursuant to Recommendation PA-11.2. The Commission recognizes that the County does not have sole responsibility for ensuring the eventual completion of a coastal trail system. In the broader context of what is needed to ensure that the Coastal Act objective of maximizing access is achieved, the number of agencies working together toward trails planning and development is encouraging. Unfortunately, budget and staff constraints have affected the ability of all levels of government to spend enough time to acquire and plan for new trails, or to improve and manage existing trails. Nevertheless, there is a strong impetus and momentum toward completing portions of the California Coastal Trail and the Monterey Bay Sanctuary Scenic Trail, as evidenced by efforts to obtain funding to identify preferred alignments, gaps and the construction of improvements necessary for completing these trails. Thus, Recommendations PA-11.8, PA-11.9, PA-11.10, and PA-10.7 are directed to various agencies to continue their efforts to further this trail development to meet the objectives of the Coastal Act.

### **c. Issue PA-12: Road Abandonment**

This section addresses the following concerns identified through issue scoping: **Ensure that any road abandonment is made with consideration for protecting coastal access.**

While the LCP has specific and general policies to protect existing public access and provide additional access, it does not directly address the potential impacts of road abandonment. Since certification of the LCP, the County approved the abandonment of a segment of road at the end of Springfield Road, which leads to McCluskey Slough. The Commission staff recommended that the County retain at least an access easement to the Slough from the end of the road to provide for public access to the Slough. However, although the County said they would obtain an easement from the permittee, no such easement has been recorded. Currently, signs indicate no trespassing, in violation of permit conditions, and County enforcement actions are therefore called for in order to ensure condition compliance and the protection of public access as required by Coastal Act policies. Recommendation PA 12.1 clarifies that such abandonments require coastal permits and will ensure implementation of the LCP in conformity with the access policies of the Coastal Act.

#### d. Issue PA-13: Recreational Units in Big Sur

This section addresses the following concerns identified through issue scoping: **Ensure that densities for visitor-serving units in the Big Sur planning area match the types of uses that can occur and overall buildout allowances.**

The LCP contains many criteria for allowing additional or expanded visitor-serving facilities to ensure that coastal resources are protected and the rustic character of the Big Sur Coast is preserved. Visitor-serving projects with more than 5 inn or lodge units are required to enhance existing and/or provide new public coastal access recreational opportunities (*County Code* Section 20.145.140.B.1.g). However, there are no provisions requiring the number of campsite spaces to be maintained. Campsites are a means of providing lower-cost visitor accommodations supported by Coastal Act Section 30213.

Descriptions and densities for various types of visitor units and campsites, as shown in *Big Sur Coast Land Use Plan* Table 1, have been excerpted into Table PA-13.1, below, as follows:

**Table PA-13.1. Descriptions and Densities for Various Types of Visitor Units and Campsites in Big Sur Coast Planning Area. (Excerpted from *Big Sur Coast Land Use Plan* Table 1.)**

Uses	Location On Land Use Map	Overall Density Standards*	Site Development Standards*	Estimated Additional Units In Big Sur
<b>Visitor Accommodations</b> Maximum of 300 units:				
a. Inns, RV Campgrounds**	Watershed & Scenic Conservation	2 units for each residential unit credit retired; maximum 8 per parcel	10 acre minimum parcel; 30 units per cluster maximum	130 (range 0 –260)
	Westmere	24 units (special allowance)	24 units maximum	24
	Rural Community Centers	1 unit per net undeveloped acre	10 acre minimum parcel; 30 units per cluster, maximum	240
b. Hostels	Watershed & Scenic Conservation; National Forest; Outdoor Recreation	1 bed unit per acre; 50 maximum in Big Sur	10 acre minimum parcel	50 maximum
	Rural Community Centers	1 bed per acre; 50 maximum in Big Sur	5 acre minimum parcel	

\*\* RV campgrounds are distinguished from rustic campgrounds by utility connections, paved surfaces, etc., at each site.

Uses	Location On Land Use Map	Overall Density Standards *	Site Development Standards*	Estimated Additional Units In Big Sur
<b>Campgrounds</b>				
a. Rustic Campgrounds**	Watershed & Scenic Conservation; National Forest; Outdoor Recreation	1 space per 20 acres	5 spaces per acre (clustering)	Undetermined
	Rural Community Centers	2 spaces per acre	10 acre minimum parcel; 10 spaces per acre (clustering)	Undetermined
b. Hike-in & Environmental Campsites	Outdoor Recreation; National Forest; Watershed & Scenic Conservation; Rural Community Centers; Resource Conservation	1 space per 20 acres	5 spaces per acre (clustering)	Undetermined

The format of the current LCP table is slightly confusing in that there are both estimates of how many additional units there could be in Big Sur and actual maximums (in different columns). The *Big Sur Coast Land Use Plan* Section 5.3.3 states that, “The inn unit density standards are expected to hold inn development to less than 300 new units.” Table 1 states the maximum is 300 units.<sup>42</sup> Estimates of additional units in Table 1 range from 264 to 524. Recommendation PA-13.3 suggests updating the table.

The formula of one inn unit per net undeveloped acre in Rural Community Centers, with a minimum parcel size of 10 acres, yields less than 230 new units.<sup>43</sup> Adding the 24 units allowed at Westmere would yield up to 254 units. Adding up to 50 hostel beds could reach the 300-unit cap. The variability in the estimates that could occur is based on the allowance of transfer of development credits to be used for inn units in Watershed and Scenic Conservation areas. As discussed under Issue SR-10: Big Sur Critical Viewshed, transfer of development credits are available for parcels in the viewshed. A landowner with a viewshed parcel who retires the parcel’s development potential can receive either two residential or four visitor-serving credits. Theoretically, if everyone took

<sup>42</sup> The current number of inn units is 284, with an additional 10 approved at Post Ranch (Source: Big Sur Coast LUAC).

<sup>43</sup> Derivation of this number was arrived at as follows: There are 95 rural community center parcels along the Big Sur Coast. 17 are larger than 10 acres. Based on their acreages, total allowable units were calculated for each of these parcels. Existing units and visitor services were identified, assigned a value of 1 acre per structure, and subtracted from the total allowable units to derive the remaining number of units that could possibly be built on each parcel. The result is that 15 parcels have the ability to add further units. Three parcels were assigned values of less than 1 unit per gross acre because they appear to have slopes in excess of 30 percent. Net developable acre requires subtracting out portions of parcels with greater than 30% slope. The result of less than 230 units is close to the estimate of 240 units in the *Big Sur Coast Land Use Plan*.

advantage of this program to receive inn unit credits, there could be several hundred additional units generated. A more realistic upper limit would be about 140 units, based on the possibility that approximately 35 vacant lots with no building site out of the viewshed receiving four visitor unit credits each. Given that application of the TDC program to date has not resulted in any inn credits, the amount of new visitor units that would actually result from the TDC program is likely to remain small.

There is a discrepancy between the *Land Use Plan* provisions and *County Code* Section 20.17.050. While the *Big Sur Coast LUP* Table 1 and Policy 5.3.2 allow some limited visitor-serving development in Watershed and Scenic Conservation lands, the Zoning district regulations do not. Recommendation PA-13.6 suggests correcting this discrepancy.

The categories and definitions for campgrounds in *Big Sur Coast Land Use Plan* Table 1 appear somewhat dated and ambiguous. A permit for a “campground” consisting of yurts revealed that while the proposal had many characteristics akin to inns or RV campgrounds, it also had the characteristics of the *Land Use Plan* definition that allowed it to be classified as a rustic campground, and hence have double the density of that provided for RV campgrounds. Furthermore, all development in Big Sur is to have a rustic design, be it classified a “rustic campground” or inn. Thus, Recommendation PA-13.1 suggests revised campground definitions, in line with what the Big Sur Land Use Advisory Committee has derived.

*Big Sur Coast Land Use Plan* policy 5.4.3.C.2 requires that visitor-serving projects over 5 units enhance and/or provide public coastal recreational facilities and policy 5.4.3.C.8 requires new or expanded recreation and visitor-serving facilities to provide low-cost recreational facilities. What these policies do not explicitly prevent is the loss of campground spaces due to renovation or conversion of campground spaces to inn units or more upscale facilities or the. A permit for Andrew Molera campground to replace its failing septic system resulted in a defined number of campground units, fewer than had been allowed on an ad hoc basis.<sup>44</sup> And, the general development plan for Pfeiffer Big Sur State Park calls for a reduction in campground spaces to protect redwood forest and riparian habitats.<sup>45</sup> While the reasons for these reductions may have been based on sound resource concerns, they do illustrate that losing camping spaces is an issue and thus suggest that more attention be devoted to alternatives, such as improving support systems (e.g., wastewater facilities) or replacing the lost sites, as provided for in Recommendation PA-13.4 (see also Recommendations for Issue LU-7 Alternative Wastewater Treatment). Recommendation PA-13.4 would also ensure that campground spaces are not replaced with inn units and Recommendation PA-13.5 is to encourage new campgrounds. Also, the LCP provides for much less density than the three commercial campgrounds along the Big Sur River currently have. This policy is desirable to prevent overcrowding, and the density standards are reasonable to protect community character, prevent traffic congestion, and provide room for parking and septic systems for new facilities. But, a further incentive to prevent loss of spaces during upgrading would be to grandfather the existing campground densities, as also provided for in Recommendations PA-13.3 and

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<sup>44</sup> County coastal permit PLN010023 (3-MCO-01-573).

<sup>45</sup> California Department of Parks and Recreation, *Pfeiffer Big Sur State Park General Plan*, October 1999.



13.4. This does not mean that some density decrease might be justified for infrastructure or resource reasons, but that it would be an automatic requirement. Furthermore, Recommendation PA-13.1 noted above to more precisely distinguish campground types would also be an incentive to provide or retain more modest campgrounds, because they are afforded twice the density as RV and tent cabin sites. In the case of the proposed 18-unit yurt campground on 10.5 acres, the maximum number of allowed rustic campground units was 21. On appeal, the Coastal Commission required five tent sites, leaving 16 yurt sites.<sup>46</sup> This was a reasonable density for building on this undeveloped site.

Bed and breakfasts are not specifically mentioned as a visitor-serving type of use in the *Big Sur Coast Land Use Plan* and, hence, are not included in Table 1. But, *County Code* Section 20.64.100 provides for bed and breakfasts in all zoning districts that allow residential uses and where found to be consistent with the LCP. Bed and breakfasts are listed as conditional uses in these zoning district regulations (e.g., Section 20.17.050.G for Watershed and Scenic Conservation district). Thus, there is some ambiguity as to whether bed and breakfasts are permitted and, if so, what density is permitted and how the density relates to the 300-inn unit cap.

Meanwhile, as noted under Issue PA-1: Short-Term Rentals in Appendix A, short-term rentals of homes occur in Big Sur, and the County has not yet effectively regulated that use. Expressed sentiment in Big Sur does not favor short-term rentals. However, bed and breakfasts involve use of homes in a more controlled manner (i.e., the owner has to remain on site) and since they are already mentioned in the LCP, Recommendation PA-13.2 supports explicitly adding them to the mix of permissible visitor uses to assure that the LCP will be implemented to maximize visitor serving uses consistent with the policies of the Coastal Act.

The LCP allows up to 50 hostel beds but there is currently no hostel located between the City of Monterey and Cambria in San Luis Obispo County. As rates for overnight accommodations in Big Sur have substantially risen over the years, providing lower-cost facilities such as hostels is necessary to meet the objectives of Coastal Act Section 30213. The minimum size for a network hostel located in a major resort destination, such as Big Sur, is considered to be 50 to 60 beds by Hostelling International - American Youth Hostels (HI-AYH), so the current LCP would only allow for one hostel.<sup>47</sup> Given the length of the Big Sur coast and the desire to space hostels along the coast, there may be demand for more than one hostel, or one network hostel and additional smaller home hostels.<sup>48</sup> Thus, increasing the LCP's limit on the number of beds could help provide for low-cost visitor accommodations (see Recommendation PA-13.3). Up to \$696,000 plus interest to construct hostel facilities in the area will become available as a result of a coastal permit condition of the Highlands Inn timeshare conversion project.<sup>49</sup> Thus, Recommendation PA-13.7 suggests identifying a specific site or site(s) for a hostel in

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<sup>46</sup> County coastal permit PLN980363 (Appealed as A-3-MCO-99-097) discussed under Issue SR-10 Big Sur Critical Viewshed.

<sup>47</sup> Hostelling International - American Youth Hostels, *Architectural Program for Network Hostels*.

<sup>48</sup> Home hostels have one to eight beds with the owner living on site; Peter Kambas, personal communication, November 19, 2003.

<sup>49</sup> County coastal permit 96-5376 modified on appeal to the Coastal Commission (A-3-MCO-98-083). The approved conversion of 87 Highlands Inn units to timeshare condominiums requires a contribution of \$8,000 per unit to fund the development of lower-cost overnight accommodations on the Monterey Peninsula or Big Sur coast. The Executive Director [of the Coastal Commission] may disburse the fund, up to the following amounts, to Hostelling International and/or California Department of Parks and

order to assure that the LCP will take advantage of these forthcoming funds and provide lower cost facilities consistent with Coastal Act policies. The recently completed *Pfeiffer Big Sur State Park General Plan* states “consider utilizing a Skunk Hollow-CCC era building or another appropriate structure for a hostel.<sup>50</sup>” Thus, further evaluation is necessary to determine whether there is a suitable structure for a hostel in that park, and, if so, proceed with plans for opening it. If Pfeiffer turns out not to have a suitable site or if additional beds are necessary, there may also be opportunities for adaptive re-use at nearby Andrew Molera State Park. When a general plan is prepared for this park, opportunities for a hostel could be considered (see Recommendation PA-13.8).

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Recreation, upon presentation of evidence of valid permits for (including any necessary coastal permits) and commitment to develop:

- \$696,000 plus interest for a hostel on public land at Point Lobos Ranch and/or Pfeiffer Big Sur State Park;
- \$200,000 for a hostel at Carpenters’ Hall in Monterey and/or at Ford Ord or more money for these hostels, if the money is in the form of a short-term loan or if there are already hostels at Point Lobos Ranch and Pfeiffer Big Sur.

<sup>50</sup> California Department of Parks and Recreation, *Pfeiffer Big Sur State Park General Plan*, October 1999, p. 52.