

## CALIFORNIA COASTAL COMMISSION

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December 17, 2001

Ralph Fairfield  
California Department of Parks and Recreation  
Santa Cruz District  
600 Ocean Street  
Santa Cruz, CA 95060

Subject: *Gray Whale Ranch*

Dear Ralph:

The purpose of this letter is to clarify the Coastal Commission process for State Parks' upcoming trails opening project and associated planning in the Gray Whale Ranch Unit of Wilder Ranch State Park. This letter has been precipitated by State Parks' submittal of a request to this office for trail openings at Gray Whale, including the proposed CEQA negative declaration document included in that package. As we have recently discussed, the package submitted is being considered informational only at this time. We understand that State Parks will be developing a full submittal package following additional CEQA review and response, and following the culmination of a local public hearing on the proposal. As we have discussed over the last year or so, the Commission will need specific types of information to be included in any such submittal to ensure consistency with their original conditional approval of the Gray Whale Ranch Public Works Plan (PWP). In sum, we would expect the following to be contained within State Parks' formal submittal to the Commission regarding Gray Whale Ranch:

1. **Base Map.** A base map, in 11" x 17" format, showing Gray Whale Ranch boundaries, all Gray Whale trails (whether proposed for opening or not), other important features (e.g., entrance locations, parking lot location, lime kiln locations, bridges, etc.), and surrounding area features (e.g., Empire Grade, Wilder Ranch connections, private properties surrounding Gray Whale, etc.).
2. **Habitat Assessment and Management.** Within the immediate trail opening context, a clear identification (i.e., including mapping and discussion of same) of all biological resources within 100 feet of any Gray Whale trails. For any resources so identified, an analysis of any expected impacts from trail use, and recommended measures to be taken to avoid resource areas and to minimize disruption of habitats that are adjacent to trails. For any Federal or State listed species that are located within 100 feet of any Gray Whale trails, the analysis must include the recommendations of the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS). All habitats so identified should be mapped on the base map and/or individual trail maps (again in 11" x 17" format) for better clarity. Such evaluation should also include, at a minimum, a description of the needs of special status species (including a clear description of breeding, feeding and resting activities, times when these take place, times when they should be avoided, and how they need to be avoided) with the known effect of trail use upon them summarized in order to inform PWP.

policy development appropriately. We would expect the final PWP to include a robust natural resource management program with well defined resource protection measures and trail use strategies that emanate from this habitat assessment exercise.

On this issue, we note that the draft request for trail openings contains only extremely limited habitat discussion, and the negative declaration document does not appear to otherwise adequately evaluate Gray Whale Ranch resources. It is clear from CDFG's December 7, 2001 letter and USFWS's December 11, 2001 letter on the proposed negative declaration that both CDFG and USFWS also require more analysis of the resource issues at Gray Whale. It will be up to State Parks as to whether this expanded habitat assessment is within the context of an expanded CEQA review, or within the context of a public review package (outside of CEQA) for the local public hearing..

In any case, within the broader context of the long-term management of Gray Whale Ranch, we would expect to see a more comprehensive resource assessment that covers the entire park area (not just the area near the trails) and a corresponding Resource Management Plan. The submittal should contain a schedule for accomplishing this since we realize that it take some more time and money than are available for the current trail openings issue.

3. **Trail Classification.** Each trail within Gray Whale Ranch should be classified as to whether it is currently open, proposed for opening, proposed for temporary closure, proposed for permanent closure. If proposed for temporary closure, the following must be clearly identified: (a) the reasons supporting the temporary closure; (b) the methods of enforcing such temporary closure; (c) a timetable and process for addressing the conflict that argues for the temporary closure; and (d) a timetable for the Commission to re-review the temporary closure. If proposed for permanent closure, the following must be clearly identified: (a) the reasons supporting the permanent closure; and (b) the methods of enforcing such permanent closure, including steps to be taken to restore the trail area and to discourage additional trail use.
4. **Trail Monitoring and Management Program.** A clear program describing: (a) general management parameters for the trails (i.e., standard operations and maintenance); (b) the monitoring methodology to be used to assess use and overuse patterns, user conflicts, general trail condition, habitat impacts, and any other potential impacts (e.g., lime kiln protection); (c) the range of measures to be taken in response to monitoring results for particular areas of impact; (d) clear timelines and assignments to implement management measures dictated by monitoring; and (e) examples of sign text to be used to inform users of trail management provisions. It is expected that this program will emanate in large measure from the history of use in the four years since the Commission originally approved the PWP here, including the results of any monitoring to date. We expect that this will be a coordinated program describing the "who, what, why, where, and when" necessary to monitor and appropriately manage trail use in response to monitoring and resource needs, and not simply a description of use monitoring to date, as was submitted with the draft package to this office.

5. **Summary of Public Input.** State Parks will need to hold at least one local public hearing on the proposal prior to packaging a submittal to the Coastal Commission. The base mapping, trail classification, habitat assessment, and trail monitoring/management program should be developed and available for public review and comment well in advance of State Parks' local public hearing. Recommendations of the Gray Whale Advisory Committee regarding the trail opening and public input received during the course of CEQA review and the local public hearing should be summarized. The submittal to the Commission also needs to contain the Department's responses to public input.
6. **Revised Gray Whale Ranch Public Works Plan.** A document reflecting State Parks' proposed revised PWP including revised text, maps (including the above-defined mapping), management policies, and identified projects based upon the expanded habitat analysis, trail classification, the trail monitoring and management program, and public input.
7. **Santa Cruz County Coordination.** Formal input from Santa Cruz County regarding their opinion of the revised Public Works Plan's consistency with the County's certified Local Coastal Program (as required by the Coastal Act).
8. **PWP Project Request.** A request to initiate a PWP project (i.e., to open and/or close specific trails).

These information requirements derive from the California Code of Regulations and previous requirements adopted by the Commission. Briefly, the PWP was approved in 1997 contingent upon further analysis of the habitat constraints present at Gray Whale (and appropriate response to same), and contingent upon further elaboration of trail use management and monitoring techniques to address use conflicts, habitat resources, and other potential coastal resource uses within Gray Whale (e.g., the potential for grazing use). In other words, the Plan was approved to facilitate public recreation and access in the new unit as quickly as possible, but with the caveat that a more fully realized evaluation of the unit (including its use during that interim period) was necessary to better inform and refine the Plan based on its resource characterization. At that time, it was understood that such matters would be addressed within a General Plan process, with contingencies in place should that General Plan process not materialize.

We are now in a situation where the General Plan has not commenced (and isn't likely to soon), and State Parks would like to open additional trails to public use (i.e., in addition to those approved for opening in 1997) as required by the original PWP approval. While we are supportive of maximizing public access consistent with the complementary mandates of the Coastal Act and State Parks, such a request must be understood within the context of the resources present within the unit (including State and Federally listed species habitat), the original PWP approval conditions (requiring additional substantive analysis), the PWP changes made by State Parks since that time (for example, the modified parking lot location off of Empire Grade), the history of public trail use in the past four years, and the lack of a General Plan. This means that State Parks can not simply request that additional trails be opened as a public works project, without providing some more updated and detailed description of Gray Whale's overall resources and how they are to be managed as well. We direct your attention to the Commission's

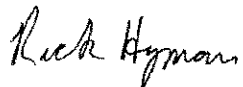
adopted findings and conditions for the Gray Whale Ranch PWP which specify in some detail what is expected in this regard.

The revised PWP will guide use of Gray Whale Ranch for the foreseeable future (absent a General Plan). Thus, good public policy and planning require a more comprehensive analysis of resource and trail use issues than that thus far developed. Hopefully, we agree that it is not enough to indicate that resources may be present and adverse impacts will be addressed as they are encountered. Rather, the extent of these resources, and their particular needs, must be more fully understood so that appropriate trail use and overall management can occur with continuation of these recognized resource values in mind. We would expect clear management policies to emanate from this expanded resource analysis.

We look forward to working with you to package a revised PWP submittal. It may be prudent to more fully outline the specific components of such a package in the near future so that a clear product is developed that can be used for both local public hearing and review purposes, as well as ultimately for the Coastal Commission's final review. To ensure the clearest of possible PWPs, we would further suggest that all applicable outstanding condition compliance (for the previous PWP and PWP projects reviewed by the Commission for Gray Whale) be reviewed and addressed within this context. Finally, once we have seen additional habitat analysis and/or CEQA documentation., we are prepared to provide substantive feedback on appropriate policies and response.

Thanks for your continuing attention to Gray Whale Ranch, and the clear commitment to its use and enjoyment by the public, and thank you for your continued coordination with our office on this matter. We hope that these comments are useful and help to frame the most efficient next steps in this process. As always, feel free to contact me or Dan Carl of my staff at (831) 427-4893 if you have any questions or would like to more fully discuss Gray Whale Ranch issues.

Sincerely,



Rick Hyman  
Deputy Chief Planner  
Coastal Commission's Central Coast District Office

cc: Dave Johnston, CDFG  
Colleen Sculley, USFWS  
Mark Deiming, Santa Cruz County Planning Department